



---

# NOTICE OF MEETING

---

## CABINET

**TUESDAY, 25 JULY 2023 AT 2.00 PM**

**COUNCIL CHAMBER - THE GUILDHALL, PORTSMOUTH**

Telephone enquiries to Anna Martyn - Tel 023 9283 4870  
Email: [Democratic@portsmouthcc.gov.uk](mailto:Democratic@portsmouthcc.gov.uk)

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

### **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 2022 and the end of universal free testing from 1 April 2022, 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 2022 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 2022, 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 Steve Pitt (Chair)  
Councillor Suzy Horton (Vice-Chair)  
Councillor Dave Ashmore  
Councillor Kimberly Barrett

Councillor Hugh Mason  
Councillor Darren Sanders

---

(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](http://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**

**1 Apologies for Absence**

**2 Declarations of Interests**

**3 Record of Previous Decision Meeting - (Pages 5 - 16)**

A copy of the record of the previous decisions taken at Cabinet on 27 June 2023 is attached.

**4 Appointment to outside organisation - Portsmouth Naval Base Property Trust (Trustee)**

The purpose of this item is to make a trustee appointment to the Portsmouth Naval Base Property Trust for one year. These positions are usually for a three-year term; however, this appointment is for one year following a resignation. Appointments for a three-year term will be made in 2024.

Following a canvass of members, Councillor Russell Simpson has expressed an interest in this appointment.

**RECOMMENDED that Councillor Russell Simpson be appointed to the position as a Trustee of the Portsmouth Naval Base Property Trust.**

**5 Review of the 2023 local elections (Pages 17 - 26)**

Purpose

To review the 2023 City Council elections and the implementation of voter identification requirements.

**6 Bathing Water Quality (Pages 27 - 72)**

Purpose

1. To explore the best ways to provide the public with water quality information prior to entering/using our designated bathing waters.
2. There is a need to consider two elements:

- i. How best to inform the public of bathing water quality.
- ii. How to deal with declining bathing water quality at one of our most popular beaches.

**RECOMMENDED that the Cabinet approves**

1. The proposal to locate a digital terminal/s on the seafront which would constantly display Southern Water's Beachbuoy webpage to provide details in respect to storm release activity near our designated bathing waters. Southern Water are currently trialling water quality monitoring buoys. The aspiration is, on completion of successful trials, to include this information on the terminals, but there is no fixed date for this as yet.
2. The proposal to continue to work with partners to monitor and protect the quality of our seawater.

**7 Approval of the Corporate Plan (Pages 73 - 92)**

Purpose

To seek approval from Cabinet for the updated Council's Corporate Plan - 2023-24.

**RECOMMENDED that the Cabinet**

1. Approve the updated Council's Corporate Plan - 2023-24 (see Appendix 1).
2. Note that the plan demonstrates the Council's commitment to supporting the achievement of the Vision for Portsmouth that has previously been agreed with partners as well as demonstrating how the Council is delivering for the residents of Portsmouth in these challenging times.
3. Agree that delegated authority be given to the Chief Executive to make minor changes to the draft document prior to publication.

**8 Ratification and update of Waste Collection Policy (Pages 93 - 162)**

Purpose

1. To update Cabinet on the proposed changes to the waste collection policy, arising from:
  - i. The Environment Act 2021.
  - ii. Provision of additional recycling services - food waste collection; battery collection; carton & plastic recycling banks.
  - iii. Recycling contamination and the introduction of a charge for removal of contaminated recycling.
  - iv. Changes to bin provision policy for properties with limited space or no usable frontage to store bins on non-collection days.
  - v. Change to waste presentation time.

**RECOMMENDED that the Cabinet approves**

1. The ratification and update of the Waste Collection Policy (Appendix 1), which includes;

- i. the changes related to the Environment Act 2021 and the provision of additional recycling
  - ii. the introduction of a charge to dispose of contaminated recycling as refuse.
  - iii. the update to the policy regarding the provision of waste receptacles to those properties with limited frontage to store waste receptacles, while accounting for reasonable adjustments to those with protected characteristics.
  - iv. the waste presentation time change to 6am.
2. Delegate further changes to the waste collection policy relating to the new Portsmouth City Council in-house waste collection service (starting on 01 April 2024) to the Director of Housing, Neighbourhoods and Buildings Services in consultation with the Cabinet Member for Environmental Services.
3. Note that further updates will be required to the Waste Collection Policy, once the government / DEFRA have clarified when the EPR/DRS will be introduced.

## **9 Mandatory Licensing of Houses in Multiple Occupation (Pages 163 - 200)**

### Purpose

1. Cabinet made a decision on 22nd November 2022 to introduce Additional licensing of all houses in multiple occupation (HMOs) in Portsmouth occupied by 3 or 4 people. This decision included agreement to a new approach to licensing properties, where licence holders will be given different licence terms based upon compliance criteria, a new fee structure to reflect this, and new licence conditions. Through the November 2022 decision report, Cabinet instructed 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.
2. Therefore, the purpose of this report is to present proposals to align the current Mandatory HMO licensing scheme, with the new licensing model that will be introduced shortly for Additional Licensing of HMOs across the city.

### **RECOMMENDED that the Cabinet**

1. **Change the Mandatory HMO Licensing scheme, to alter the Mandatory HMO Licensing model, fee structure and Licence conditions to create consistency between Mandatory and Additional Licensing of HMOs.**
2. **Instructs officers to carry out a non-statutory consultation with existing Mandatory HMO Licence holders to be conducted from 26<sup>th</sup> July to 16<sup>th</sup> August 2023 on the proposal to create consistency between the Mandatory HMO licensing scheme and Additional Licensing scheme, as outlined in this report, including a new approach to administering licences for different terms as outlined in Appendix 1, a new Licensing fee structure as outlined in Appendix 2, and new licence conditions as outlined in Appendix 3. Officers should then return to Cabinet on 5<sup>th</sup> September 2023 with the**

**outcome of this consultation, in a report to present the final proposals for Cabinet's approval.**

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.

This page is intentionally left blank

# Agenda Item 3

RECORD OF DECISIONS of the meeting of the Cabinet held on Tuesday, 27 June 2023 at 2 pm at the Guildhall, Portsmouth

## **Present**

Councillor Steve Pitt (in the Chair)  
Suzy Horton  
Chris Attwell  
Kimberly Barrett  
Lee Hunt  
Darren Sanders  
Gerald Vernon-Jackson  
Matthew Winnington

### **40. Apologies for Absence (AI 1)**

Apologies for absence were received from Councillors Ian Holder and Hugh Mason.

Members agreed to consider agenda items 13 and 14 before item 12 but for ease of reference the minutes will be kept in the original order.

### **41. Declarations of Interests (AI 2)**

No interests were declared.

### **42. Record of previous decision meeting - 21 March 2023 (AI 3)**

The record of decisions from the meetings held on 21 March 2023 was approved as a correct record.

### **43. Fee Structure for Additional Licensing Scheme for Houses in Multiple Occupation in Portsmouth (AI 4)**

Clare Hardwick, Head of Private Sector Housing, introduced the report.

In response to questions from members Ms Hardwick explained that the Cabinet report in November 2022 on additional licensing had suggested up to 40 staff may be needed to cover administration, housing officers, supervision and management support. However, the figure was based on variables such as the exact number of houses in multiple occupation (HMO) and the breakdown of the new tiered licensing system so they were crucial to understanding staff requirements. More annual inspections would mean more staff. The intention was to recruit a core number of staff from the start of the scheme and once there was more of an idea of the HMOs and tiers then further recruitment could take place.

Applications for the new scheme could be made via an online system from 1 September with a grace period up to early December to allow landlords to apply. Housing officers would support them as it was a new process. Housing was already doing considerable communications work with more activity starting next week to help landlords prepare by advising on the necessary information and documentation and how to contact the team. The frequently asked questions section of the website was constantly updated.

Members thought the scheme was a reasonable compromise as HMOs were three times more likely than other properties to have problems. The aim was to reward good landlords and punish bad ones. They noted the report showed the failure of housing policy since the war. HMOs were not always popular but they were a vital part housing provision, particularly for younger people. Other councils had followed Portsmouth's approach. Members noted the cost of improving the standard of HMOs was about 62 pence per day and would reassure neighbours and tenants.

## **DECISIONS**

### **The Cabinet**

- 1. Approved the proposed fee structure for the city council's Additional HMO licensing fees as outlined in Appendix 1, to apply to all HMO licences granted through the Councils additional licensing scheme designation which will commence on 1 September 2023.**
- 2. Instructed officers to conduct an annual review of the fee structure for the additional licensing scheme throughout the designation period, and present proposals for any required fee adjustments accordingly to the cabinet member for Safety in the Community for approval.**

#### **44. Household Support Fund - Cost of living support (AI 5)**

Mark Sage, Tackling Poverty Co-ordinator, introduced the report, noting that distribution of family vouchers would start this week.

Members asked for their thanks to officers for their work to be placed on record. They noted the Household Support Fund was by no means all officers were doing; there was much effort across the council to help residents at a difficult time. There were some challenges in getting funding to families eligible for free school meals before the summer but the effort was being made as six weeks was a long time to feed hungry children. The council helped families who were "just missing out" on other forms of support with rising costs. There was also the exceptional hardship grant and advice to help cut costs or maximise income. Members noted the removal of the £20 Universal Credit uplift caused terrible hardship. The Warmth on Prescription Scheme was particularly good as it made a difference to residents and was an example of the council's innovative and integrated work. Work should be done now before the winter to identify people who may be at increased risk then, for example, the elderly.

**The Cabinet noted the report.**

#### **45. Statement of Community Involvement (AI 6)**

Ian Maguire, Assistant Director, Planning & Economic Growth, introduced the report.

## **DECISIONS**

### **The Cabinet**

- 1. Approved the updated Statement of Community Involvement (CSI) as set out in Appendix 1 of this report for a six-week public consultation.**



- 2. Agreed that, assuming that no major matters leading to substantial changes are raised as part of the consultation, that the SCI is adopted by the City Council.**
- 3. Agreed that minor amendments to the SCI arising from the consultation to be approved by the Assistant Director of Planning & Economic Growth**

**46. Local Development Scheme (AI 7)**

Ian Maguire, Assistant Director, Planning & Economic Growth, introduced the report.

Members thanked Mr Maguire and his team for their hard work. Despite the team being 40% down on numbers they continued to deliver, even working at weekends to expedite planning applications. Mr Maguire said the figure for processing non-major applications within recommended time limits, which had prompted the letter from the Minister for Levelling Up, Housing & Communities, had risen from 63.8% to 91%, which members said was a great turnaround. The risk of designation had now disappeared.

**DECISIONS**

**The Cabinet approved the updated Local Development Scheme as set out in Appendix 1 of the report.**

**47. Queen Alexandra (QA) Hospital Emergency Department support (AI 8)**

Andy Biddle, Director, Adult Care, introduced the report, noting that the Trust wrote to the council in December 2022, not February 2023, about the new Emergency Department (ED). He explained that the council's capital budget this year was not relying on amount of the Community Infrastructure Levy (CIL) in question but the 2024/25 budget would be lower by the amount. Mr Maguire explained the proportion of the total amount sought by QA would follow a separate application process led by the Planning Service.

Members noted that the proposal was almost a reimbursement to QA for a "CILable" development; any large development had an impact on infrastructure. It was effectively a cost shunt as the government was not funding QA properly to take CIL charges into account. Therefore, QA had to ask the council to help fund the new ED and scanner. In addition, the new ED and scanner would benefit people from outside the area but the cost fell on Portsmouth. Central government could print money but councils had to set a budget. This was why the council recommended writing to QA to say that future similar requests could not be accommodated. The Trust needed to ask the NHS and central government to cover costs for CIL contributions. Any new central government needed to examine the issue. The Chair appreciated that Cosham ward councillors had indicated their support for the proposals in the report.

**DECISIONS**

**The Cabinet**

- 1. Noted the content of the report.**
- 2. Agreed to recommend to Full Council to approve:**

**2.1 The granting of £436,893.68 from Community Infrastructure Funding to Portsmouth Hospitals University NHS Trust for the provision of infrastructure in accordance with the Community Infrastructure Levy Regulations 2010 (as amended) ("CIL Regs") to be funded from Capital Infrastructure CIL.**

**2.2 To write to Portsmouth Hospitals University Trust to confirm that CIL is part of the expected infrastructure costs of any significant project/development and is a levy to compensate for the full range of additional public infrastructure requirements that will arise from developments and will fall to the Council. The part of the NHS responsible for resourcing any future funding allocation for major projects locally, should therefore include any future CIL contribution as part of the budget it provides for the project.**

**48. Housing & Social Care Scrutiny Panel - Response report (AI 9)**

Andy Biddle, Director, Adult Care, introduced the report. He highlighted that he wanted to acknowledge the care given by informal carers. A recent report by Carers UK estimated its value at around £145 billion per annum.

Councillor Winnington, Cabinet Member for Community Wellbeing, Health & Care, noted scrutiny panels could do more detailed and holistic work than Cabinet Members. Visits to carers' groups had torpedoed assumptions and the report reflected what carers said. If there were no informal carers society would collapse as they were at its core. They were the people of whom he was most proud.

Members said it was a good piece of scrutiny done well where people were listened to; they hoped people would be continued to be listened to. They thanked the panel, especially the chair, Councillor Kirsty Mellor. They hoped any incoming government recognised the work of informal carers, especially where dementia was involved.

**DECISIONS**

**The Cabinet**

- 1. Thanked for its work in undertaking the review.**
- 2. Noted and supported the recommendations of the review together with the officer responses to the recommendations.**

**49. Economic Development, Culture & Leisure Scrutiny Panel - Response report (AI 10)**

Claire Watkins, Business Development & Projects Manager, introduced the report.

The Chair said the response report added considerably to the panel's work and thanked officers for collating it; the review was somewhat rushed but he took the recommendations on board. Members noted many of the services in the report such as theatres and swimming pools were not statutory services but the council managed to keep funding them.

**DECISIONS**

**The Cabinet**

- 1. Thanked the panel for its work in undertaking the review.**
- 2. Noted and supported the recommendations of the review, which are set out in Appendix 2 to this report, together with the officer responses to the recommendations.**

**50. Education, Children & Young People Scrutiny Panel - Response report (AI 11)**

Mike Stoneman, Deputy Director, Education, introduced the report, noting that a city-wide consistent transitions protocol based on good practice was at the heart of the recommendations. Similar work was being done on a protocol for year 11 to 12 transition. With regard to the two recommendations that had financial implications, he realised Education had to stay within its budget. It could maintain the level of resource for the Link Co-ordinators for another two to three years. For Studybugs, which was very helpful for frontline staff, there was some funding for a further year. The government hoped to have a system where all schools provided daily attendance data. It was not ready yet but it was hoped Synergy (replacing Capita One) would capture data; in the meantime Studybugs would be used for another two to three years.

Councillor Horton, Cabinet Member for Children, Families & Education, said the panel chose a good topic as the difference in attendance before and after Covid was very stark. The culture of going to school was a worry and needed to be got right from the start. She had visited a nursery that day where parents were anxious about school. However, the council was good at protocols. The Link Co-ordinators started in the first few weeks of lockdown and although she would like to double their numbers the portfolio had to live within its financial envelope.

The Director of Finance noted it was good governance to stay within the budget set by Full Council; no Cabinet Member could exceed their cash limit. The City Solicitor advised the report could make recommendations as it saw fit but portfolios could not go over budget. It might be advisable at the time of making recommendations to consider their financial implications.

Apart from the financial implications in two of the recommendations members felt the report was good. They said part of scrutiny was to add value and spend time doing a deep dive but it could not put an additional burden on the Cabinet. Chairs of scrutiny panels were urged to attend training and LGA events.

Members were also concerned about the preface to the review that was circulated that day as it might not represent the rest of the panel's views.

## **DECISIONS**

### **The Cabinet**

- 1. Thanked the panel for its work in undertaking the review;**
- 2. Noted the 8 recommendations of the review, which are listed in Section 4 and Appendices A and B of this report, including the financial implications relating to recommendations 4 and 6; and**

3. Noted the responses from officers detailing how each of the recommendations will be implemented as set out in Section 4 of the report.
4. Rejected noting or inclusion of the preface but noted the sincere thanks of the ECYP Panel Chair to officers, panel members and witnesses who contributed to the review.

**51. Appointments to Outside Organisations and Member Champion positions (AI 12 )**

James Harris, Senior Local Democracy Officer, introduced the report.

<b>Name of Body</b>	<b>Appointment</b>
<b>Aspex Visual Arts Trust (Registered Charity and Company)</b>	<b>Cllr Chris Attwell</b>
<b>Baffins Community Association (Registered Charity)</b>	<b>Cllr Abdul Kadir</b>
<b>Buckland Community Association (Registered Charity)</b>	<b>Cllr Jason Fazackarley Cllr Leo Madden</b>
<b>Building Control Partnership</b>	<b>Cllr Hugh Mason</b>
<b>City of Portsmouth Sports Council</b>	<b>Cllr Steve Pitt Cllr Mary Vallely</b>
<b>Eastney Area Community Association (Registered Charity)</b>	<b>Cllr Gerald Vernon-Jackson</b>
<b>Elementary Education Act Trust Board</b>	<b>Cllr Gerald Vernon-Jackson Cllr Ryan Brent</b>

<b>European Cities Twinning Committee</b>	<b>The Lord Mayor Cllr Steve Pitt Cllr Asghar Shah</b>
<b>Farlington Marshes Management Committee</b>	<b>Cllr Steve Pitt Cllr Hugh Mason Cllr Graham Heaney</b>
<b>Fratton Big Local</b>	<b>Cllr Stuart Brown Cllr Tom Coles (Deputy)</b>
<b>Fratton Community Association</b>	<b>Cllr Dave Ashmore</b>
<b>Haifa Portsmouth Friendship Committee</b>	<b>Cllr Dave Ashmore Cllr Hugh Mason Cllr Yinka Adeniran</b>
<b>Hampshire &amp; Isle of Wight Local Government Association</b>	<b>Cllr Darren Sanders Cllr Charlotte Gerada</b>
<b>Hampshire Archives Trust - Annual Meeting</b>	<b>Jane Singh</b>
<b>Hampshire Buildings Preservation Trust – Annual Meeting (Registered Charity)</b>	<b>Cllr Lee Hunt</b>
<b>Improvement &amp; Efficiency South East (IESE) LGA representative</b>	<b>Cllr Darren Sanders</b>
<b>Improvement &amp; Efficiency South East (IESE) LGA representative - Non Exec Director</b>	<b>Cllr Matthew Winnington</b>

<b>Key Cities</b>	<b>Cllr Hugh Mason</b>
<b>Kings Theatre Trust Ltd</b>	<b>Cllr Hugh Mason Cllr Graham Heaney</b>
<b>Landport Community Association (Registered Charity)</b>	<b>Cllr Cal Corkery</b>
<b>LGA Coastal Issues Special Interest Group</b>	<b>Cllr Hugh Mason</b>
<b>Lord Mayor of Portsmouth's Coronation Homes - Board</b>	<b>Cllr Tom Coles (Lord Mayor)</b>
<b>Maritime Archaeology Trust (formerly Hants &amp; Isle of Wight Trust for Maritime Archaeology)</b>	<b>Vacancy</b>
<b>Mary Rose Trust (Registered Charity and Company)</b>	<b>Cllr Gerald Vernon-Jackson Hugh Mason Lord Mayor (Ex Officio)</b>
<b>Milton Village Community Association (Registered Charity)</b>	<b>Cllr Gerald Vernon-Jackson</b>
<b>Motiv8 (Registered Charity)</b>	<b>Cllr Suzy Horton</b>
<b>New Theatre Royal Trust (Registered Charity and Company)</b>	<b>Cllr George Madgwick</b>
<b>Overlord Embroidery Trust Liaison Committee</b>	<b>Cllr Chris Attwell Cllr Hugh Mason</b>

<b>Parking &amp; Traffic Regulations Outside London (PATROL)</b>	<b>Cllr Graham Heaney Cllr Gerald Vernon-Jackson (Deputy)</b>
<b>PATCH Ltd (Registered Company)</b>	<b>Cllr Chris Attwell Cllr Ian Holder Cllr Yinka Adeniran</b>
<b>PfSH (Partnership for South Hampshire) Joint Committee</b>	<b>Cllr Hugh Mason</b>
<b>Port Advisory Board</b>	<b>Leader (ex-officio) Cllr Gerald Vernon-Jackson Cllr Mark Jeffery Cllr Kimberly Barrett Cllr Judith Smyth Cllr Charlotte Gerada Cllr Daniel Wemyss Cllr Brian Madgwick</b>
<b>Portsmouth Adoption Panel</b>	<b>Cllr Leonie Oliver</b>
<b>Portsmouth Plastic Free Coastlines Steering Group</b>	<b>Cllr Kimberly Barrett Cllr Asghar Shah (Deputy)</b>
<b>Portsmouth Royal Dockyard Historical Trust</b>	<b>Cllr Mark Jeffery</b>
<b>Project Integra Strategic Board</b>	<b>Cllr Dave Ashmore Cllr Kimberly Barrett (Deputy)</b>
<b>PfSH Overview &amp; Scrutiny Committee</b>	<b>Cllr Mary Vallely</b>

<b>SIGOMA (Special Interest Group of Municipal Authorities admin by the LGA)</b>	<b>Cllr Steve Pitt</b>
<b>Solent Forum</b>	<b>Cllr Hugh Mason</b>
<b>Solent Sea Rescue Organisation</b>	<b>Cllr Lee Hunt</b>
<b>Solent Transport Joint Committee (formerly known as Transport for S Hants - Joint Cttee)</b>	<b>Cllr Gerald Vernon-Jackson</b>
<b>South East Employers</b>	<b>Cllr Darren Sanders Cllr Charlotte Gerada</b>
<b>Southern Inshore Fisheries &amp; Conservation Authority (formerly Southern Sea Fisheries Cttee)</b>	<b>Cllr Matthew Winnington</b>
<b>Southern Regional Flood &amp; Coastal Committee</b>	<b>Cllr Hugh Mason Cllr Judith Smyth (Deputy)</b>
<b>St Thomas's Cathedral Council</b>	<b>Cllr Chris Attwell</b>
<b>Stacey Community Centre Management Committee</b>	<b>Cllr Darren Sanders</b>
<b>Stamshaw &amp; Tipner Community Centre Association (GMC)</b>	<b>Cllr Lee Hunt</b>



<b>Southern Coastal Group &amp; Standing Conference on Problems Associated with the Coastline (SCOPAC)</b>	<b>Cllr Hugh Mason</b>
<b>Tourism South East (Registered Company)</b>	<b>Cllr Peter Candlish</b>
<b>Trading Standards South East Limited (known as TSSE)</b>	<b>Cllr Stuart Brown</b>
<b>Transport Liaison Group</b>	<b>Cllr Gerald Vernon-Jackson Cllr Graham Heaney</b>
<b>Violence Against Women &amp; Girls Task Group</b>	<b>Cllr Charlotte Gerada</b>
<b>Elizabeth Mary Claypitt Charity</b>	<b>Cllr Dave Ashmore Cllr Yinka Adeniran</b>

Member Champions.

**Heritage** - Cllr Lee Hunt

**LGBTQ+ & Young People** - Cllr Suzy Horton

**Armed Forces Liaison** - Cllr Gerald Vernon-Jackson with Cllr Tom Coles as deputy.

**Third Sector & City of Service** - Cllr Asghar Shah

**Nature** - Position removed as subsumed into portfolio.

**Women, Children & Domestic Violence** - Cllr Charlotte Gerada

**DECISIONS**

That Cabinet agreed

1. Appointments to represent the Council on those outside organisations set out in Appendix 1 for the 2023/24 municipal year; and

## **2. Member Champion positions and appointments for the 2023/24 municipal year.**

### **52. Spinnaker Tower partnership agreement (AI 13)**

Charlotte Smith, Assistant Director, Corporate Services, introduced the report, noting that since it had been written the Macmillan brand was now on one of leg of the Spinnaker Tower.

The Chair thanked Ms Smith for persisting with the agreement to get a decent outcome. Forging a partnership with a voluntary and community sector organisation would attract attention and be good for fund-raising. The synergies were good for the community. Members congratulated those involved as the initiative would put Macmillan in the spotlight, for example, when the Tower featured on the news.

**The Cabinet noted the report.**

### **53. Modern Slavery and Human Trafficking Statement (AI 14)**

Lisa Wills, Strategy & Partnership Manager, introduced the report.

Members welcomed the work with the police and more training as the more people who could be freed from desperate and miserable situations the better.

## **DECISION**

**The Cabinet approved**

- 1. The Modern Slavery and Human Trafficking Statement for the signature of the Leader and publication on the council's website (see appendix 1) and**
- 2. The programme of work set out in item 11 of this report.**
- 3. That Full Council be asked to note the decision of the Cabinet to approve and publish the statement.**

The meeting concluded at 3.50 pm

---

Councillor Steve Pitt  
Leader of the Council

# Agenda Item 5



## **THIS ITEM IS FOR INFORMATION ONLY**

**(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)**

<b>Title of meeting:</b>	Cabinet
<b>Subject:</b>	Review of the 2023 local elections
<b>Date of meeting:</b>	25 July 2023
<b>Report by:</b>	Ian Fitchett, Electoral Services Manager
<b>Wards affected:</b>	All

---

### **1. Requested by**

This report was requested by Cabinet at the meeting on 21 March 2023 following the delivery of the report on "what could be done to ensure greater accessibility to, and the promotion of resident engagement in local democracy".

### **2. Purpose**

To review the 2023 City Council elections and the implementation of voter identification requirements.

### **3. Background**

- 3.1 The Elections Act received Royal Assent in April 2022 and included new provisions requiring voters to present photographic identification when voting at a polling station.
- 3.2 The Act specified a list of documents that could be accepted for this purpose. The following documents are included in the list of acceptable photo ID:
  - UK, EEA or Commonwealth passport
  - UK or EEA driving licence
  - National ID card from an EEA state
  - Biometric immigration document
  - Older Persons' or Disabled Persons' Bus Pass
  - Defence Identity Card
  - Identity card issued with PASS accreditation
- 3.3 A free Voter Authority Certificate is available where a voter is not in possession of a photo ID from the specified list. This can be applied for online, on a paper application form or in-person.

## **THIS ITEM IS FOR INFORMATION ONLY**

**(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)**

3.4 The new voter identification requirements were implemented at the City Council elections held on Thursday 4 May 2023. The new requirements will apply to all future elections including UK Parliamentary elections held after 5 October 2023.

### **4. The pre-election awareness campaign**

4.1 The Electoral Commission launched a public awareness campaign in January 2023 to publicise the new voter ID requirements. Their campaign included television, online and social media advertising. In Portsmouth, it also included billboards and adverts on a number of the city's buses.

4.2 To support the national awareness campaign, a local programme of publicity and outreach work was launched. The aims of the local programme were:

- To raise awareness of the new voter id requirements and what types of photo ID would be accepted
- To publicise the option to apply for a free Voter Authority Certificate
- To promote electoral participation in general

4.3 The local awareness programme included the following publicity:

- Posters and leaflets were circulated to libraries, community centres, area housing offices, supermarkets and other locations across the city
- A leaflet with details about the new voter ID requirements will be included with the annual Council Tax bill
- An article was included in the Spring edition of the Council's Flagship magazine
- Social media advertising was undertaken and items were included on the Council's Facebook and Twitter accounts
- An email was sent to residents in March where an email address was held by Election Services (approximately 70,000 emails were sent)
- Visits were made to local libraries, area housing offices and main shopping areas to engage directly with residents and circulate leaflets

4.4 All registered voters received a poll card letter. The revised format of the poll card allowed for the inclusion of information about the new requirement to show photo ID along with the full list of accepted documents. These were delivered to all eligible registered voters from the end of March.

4.5 Outreach work was also undertaken to promote participation as well as the new requirements. Visits were undertaken to a number of community groups including the MAKE and Dynamite groups who support younger residents with learning disabilities. The Engagement Officer also toured the city's libraries, area housing offices and main shopping areas to engage directly with residents.

## **THIS ITEM IS FOR INFORMATION ONLY**

**(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)**

4.6 Electoral Commission national research showed that 87% of voters were aware of the new voter identification requirements in the week before the election. Local experience was broadly in line with this estimate.

### **5. Delivering the City Council elections**

- 5.1 In addition to the awareness activities, a range of practical preparations were required to implement the new requirements. The recruitment, appointment and training of polling station staff was critical to this aim. In total, 301 members of polling station staff were appointed for the 2023 local elections. This included 65 polling station stewards who were appointed to remind voters on arrival at the polling station about the new requirement to show photo ID.
- 5.2 The polling station staff are always crucial to the effective administration of elections. In addition to the range of existing processes and documentation, the new requirements represented a new layer of processes to learn. All polling station staff are required to attend an in-person training session and this covered the full breadth of new procedures for checking photo ID. This included understanding the types of acceptable ID type, how to check that the photo was a good likeness and how to deal with any name discrepancies between the document and the voter's entry in the electoral register. Written guidance was also provided.
- 5.3 The requirement to show photo ID meant that provision needed to be made to enable voters to be able to do so in private and all polling stations were issued with a privacy booth to facilitate this. There are a range of reasons why a voter may wish to show their ID in private and these were covered in the polling staff training. The reasons anticipated included where the voter was wearing a face covering such as a niqab or burka, where the voter was in the process of gender reassignment or where the voter was wearing a face covering for covid or health reasons. Polling station staff were provided with guidance to accommodate such requests and to be sensitive to any personal circumstances.
- 5.4 A leaflet was supplied to support voters arriving without photo ID. The leaflet set out the new requirements including what types of photo ID could be accepted and a reminder that the polling station would be open until 10.00pm. The intention of the leaflet was to encourage as many voters as possible to return and cast their vote.

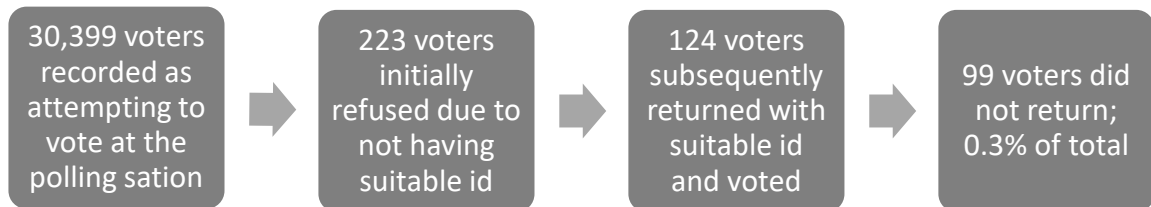
### **6. The impact of voter identification requirements**

- 6.1 On polling day, a total of 223 voters were not issued with a ballot paper due to not having acceptable photo ID. This is the figure recorded by polling clerks inside the polling station; it does not include anyone who arrived at the polling station but did not enter after being reminded by the steward about the new requirements.

**THIS ITEM IS FOR INFORMATION ONLY**

**(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)**

6.2 The graphic below summarises the number of voters recorded as arriving inside the polling station, those not having photo id and those subsequently returning with suitable ID and voting:



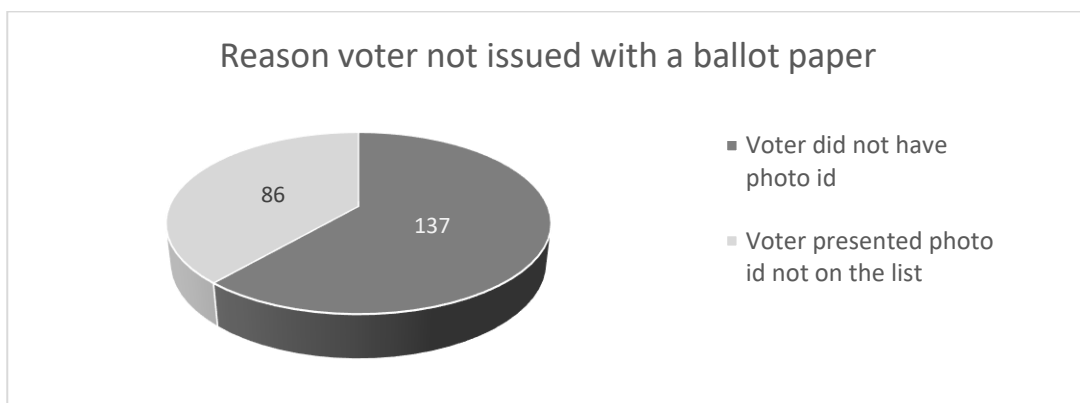
6.3 The table below provides the ward breakdown of voters initially failing the ID check and those subsequently returning with photo ID and voting:

	Baffins	Central Southsea	Charles Dickens	Copnor	Cosham	Drayton & F.	Eastney & C.	Fratton	Hilsea	Milton	Nelson	Paulsgrove	St Jude	St Thomas
Failed ID check	7	20	44	9	20	9	8	22	17	20	18	4	12	13
Returned and voted	3	12	20	8	12	4	3	16	11	9	12	2	5	7
Voters not returning	4	8	24	1	8	5	5	6	6	11	6	2	7	6

6.4 Overall, 99.67% of voters who arrived at the polling station completed the identity check and were able to vote. This compares to a national average of 99.75%.

6.5 For context, 273 postal votes were rejected because the voter did not complete their signature or date of birth correctly on the postal voting statement, or because the ballot paper or postal voting statement was missing.

6.6 The pie chart below shows the breakdown of voters turned away by reason:





**THIS ITEM IS FOR INFORMATION ONLY**

**(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)**

The chart reveals that approximately 40% of voters turned away had a form of ID that was not on the list of accepted documents. It is not known whether there was an assumption that certain types of ID would be accepted or whether there was confusion about what was included on the list.

- 6.7 The type of photo ID presented by voters was not recorded. However, feedback suggests that the most common form of photo ID used was a driving licence. The other most common forms of photo id used were passports and bus passes.
- 6.8 Where voters did not have an accepted form of photo ID they could apply for a free Voter Authority Certificate. In total, 455 applications were received by the deadline for the local elections. However, the table below shows that just 225 were recorded as being used at these elections:

	Baffins	Central Southsea	Charles Dickens	Copnor	Cosham	Drayton & F.	Eastney & C.	Fratton	Hilsea	Milton	Nelson	Paulsgrove	St Jude	St Thomas
Voter Authority Cert.	11	20	30	16	15	7	10	24	19	17	20	8	18	10

It is possible that some voters applied for use at Parliamentary elections. It is also possible that some applicants were testing the new service or perhaps believed that the certificate could serve as a form of photo ID for other purposes. Unfortunately the certificate does not include any details that would enable it to be used more widely.

- 6.9 It is likely that some voters did not vote because they did not have a form of accepted photo ID but it is hard to quantify the extent of this issue. The new requirements also meant that some voters will have needed to plan their visit to the polling station. Although many voters carry photo ID, such as their driving licence or bus pass, most voters do not routinely carry, for example, their passport. Some voters will therefore have been unable to vote by virtue of now needing to plan to have id with them.
- 6.10 The number of queries arising from voters on polling day about photo ID requirements was relatively low. This is based on calls from the public and feedback from polling station staff. The new requirements were widely publicised and the outcomes suggest that awareness of the new requirements was high. In practical terms, few issues occurred at the polling station which also suggests that the training, guidance and approach taken were appropriate.

## **THIS ITEM IS FOR INFORMATION ONLY**

**(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)**

### **7. Voter turnout**

7.1 Turnout at these elections decreased in percentage terms from 31.1% to 29.5% and in the number of votes cast at the polling station from 32,599 to 30,300.

7.2 However, there is significant variation in turnout and turnout change in different wards. The table below compares polling station, postal vote and overall votes cast in 2023 against the 2022 City Council elections:

Ward	Polling station turnout change	Postal voting turnout change	Total turnout change
Baffins	-292	+11	-281
Central Southsea	-15	-6	-21
Charles Dickens	-26	no change	-26
Copnor	-106	+3	-103
Cosham	-404	-87	-491
Drayton & Farlington	-190	-3	-193
Eastney & Craneswater	-229	-38	-267
Fratton	-61	+18	-43
Hilsea	+158	+11	+169
Milton	-202	+103	-99
Nelson	-240	+17	-223
Paulsgrove	-447	-53	-500
St Jude	-154	-5	-159
St Thomas	-91	-24	-115
<b>Total</b>	<b>-2,299</b>	<b>-53</b>	<b>-2,352</b>

7.3 As shown in the table above, most wards experienced a downturn but the situation was not consistent across the city:

- Turnout in Hilsea ward increased
- Turnout in Central Southsea and Charles Dickens wards was unchanged
- Turnout in Cosham and Paulsgrove wards reduced significantly

7.4 Postal voting was not included within the scope of the new ID requirements. The number of registered postal voters remained remarkably consistent in 2023. In total, 18,962 postal votes were issued in 2023 compared to 18,973 in 2022. The only ward showing a significant change in the number of registered postal voters was Milton ward which increased by 101.

Overall, in terms of the number of postal votes returned including those rejected, the turnout was consistent; 13,718 (72.3%) in 2023 compared to 13,741 (72.6%) in 2022.





**THIS ITEM IS FOR INFORMATION ONLY**

**(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)**

Postal votes accounted for 31.3% of counted votes at these elections compared to 29.3% in 2022.

7.5 It would seem inevitable that the introduction of voter ID requirements will have had some impact on the turnout. However, as suggested by the variation outlined in section 7.2, it is probable that in addition to the new requirements various other factors will have influenced the overall decrease in turnout. These could include factors such as voter apathy, the national political outlook and local political campaigning.

7.6 A similar decrease in turnout occurred at the all-out City Council elections in Southampton. The table below compares turnout in 2023 and 2022 in Portsmouth and Southampton:

	2023 turnout %	2022 turnout %	Decrease
Portsmouth	29.5%	31.1%	1.6%
Southampton	30.7%	32.5%	1.8%

7.8 The graphic below illustrates the key statistics as a ward average:



**8. Legislation and funding**

8.1 The Elections Act received Royal Assent in April 2022 and secondary legislation specifically relating to the voter identification provisions had been expected to be made in the summer of 2022. However, this was delayed and the two key statutory instruments, the Voter Identification Regulations 2022 and the Voter Identification (Principal Areas, Parish and Greater London Authority) (Amendment) Regulations 2022, were not made until October and December 2022 respectively.

8.2 The delay in the legislative timetable had a knock-on effect on other important aspects of the election planning process including the publication of Electoral Commission guidance, resources and awareness materials and the grant funding.

8.3 The grant funding was a particularly important aspect. Although a 'Letter of Comfort' was received from the Department for Levelling Up, Housing and Communities on 29 September, it was apparent in the autumn that areas such as the awareness campaign would need to be planned without knowing what funding would be available. The grant allocation was finally confirmed on 28 November 2022 and was

## **THIS ITEM IS FOR INFORMATION ONLY**

**(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)**

received in two parts; the first tranche of £30,938 was received in December 2022 and the second grant totalling £51,481 was received in April 2023. A further payment is expected in April 2024.

- 8.4 The grant funding was significantly more generous than had been anticipated. To date, £25,444 of the funding has been used. Funding had also been allocated to a two-year fixed-term apprentice position but this position became vacant in June. Plans are in place to recruit another apprentice to provide additional capacity where pressure points are anticipated, such as processing Voter Authority Certificates in advance of the 2024 polls. The remaining funding will be used for further awareness activities ahead of the 2024 polls.

### **9. Planning for the 2024 elections**

- 9.1 The Voter Authority Certificate is available to voters who do not have an accepted form of photo ID. The number of applications received was relatively low; 455 applications received by the deadline on 25 April. Research undertaken by the Electoral Commission estimated that up to six percent of voters may not have a form of accepted photo ID. Based on an average polling station turnout rate of approximately 30,000, this would equate to around 1,800 registered voters.

Voters can apply online, on a paper application form or in-person. The paper application option is not widely used as it requires a hard copy photograph. The in-person option will continue to be promoted and can be offered either at the Civic Offices or at venues around the city during the course of the engagement programme. Approximately 10% of applications to date have been in-person applications.

Further opportunities exist to promote the Voter Authority Certificate including the annual registration forms sent in the summer and autumn periods. It is likely that some voters did not realise that this option was available to them and further publicity and awareness activity will be undertaken to increase the number of applications ahead of the 2024 elections.

- 9.2 The messaging before the 2023 elections focussed on awareness of the new voter ID requirements. Awareness of the requirements was high as evidenced by the relatively low number of voters arriving without ID on polling day. Messaging in advance of the 2024 elections will focus on reminding voters to bring their photo ID when voting.
- 9.3 A General Election must be held by 24 January 2025. A communication and awareness plan will be developed to provide clear messaging as soon as the election is called. This will need to incorporate messaging to remind voters about the voter ID requirements; due to the higher turnout, up to half of voters voting at the General Election will be doing so for the first time under the new rules.

## **THIS ITEM IS FOR INFORMATION ONLY**

**(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)**

Signposting will also be provided for information about the types of acceptable ID and how to apply for a Voter Authority Certificate.

- 9.4 The Voter Authority Certificate is a paper document. It is probable that some voters who applied for one will not retain it and will need to re-apply before the 2024 polls. Messaging will therefore remind voters who have already applied for a Voter Authority Certificate to check that they still have it before the application deadline.
- 9.5 The Government has set out plans to introduce a number of changes to postal and proxy voting ahead of the 2024 elections. These changes include:
- The ability to apply for a postal or proxy vote online via the Gov.uk service
  - An identity check will be included when applying for a postal or proxy vote which would operate on the same basis as when a resident makes an application to register to vote or for a Voter Authority Certificate
  - A three-year time limit will be introduced for postal vote arrangements after which the voter would need to re-apply

The Department for Levelling Up, Housing and Communities has indicated that it currently anticipates that these changes will be introduced in late 2023.

The new provisions to allow online applications to vote by post will make the process more accessible. Once the service is launched, the new option will be promoted and included on routine communications with voters and as part of the engagement programme. Voters will continue to be able to apply on paper application forms.

- 9.6 The engagement programme will continue to promote participation and will cover all aspects of the electoral process including registering to vote, the availability of Voter Authority Certificates and postal votes including the online service. A number of partnerships have been developed with local groups and there are further opportunities to work collaboratively to reach new groups and expand the scope of engagement work. This includes Age UK Portsmouth, the City of Portsmouth College and a number of groups supporting residents with learning disabilities such as MAKE and Dynamite. This work has already shown some positive results; a small group of voters with learning disabilities voted for the first time at the 2023 elections.
- 9.7 Following the introduction of the new measures at the 2023 local elections, it is not anticipated that there will be a requirement to allocate stewards to the same number of polling stations in 2024. Stewards will be appointed at dual stations and those with higher turnout levels to assist voters and undertake a triage role.



**THIS ITEM IS FOR INFORMATION ONLY**

**(Please note that "Information Only" reports do not require Integrated Impact Assessments, Legal or Finance Comments as no decision is being taken)**

**10. Conclusions**

10.1 In total, 99 voters were recorded as arriving at the polling station without suitable photo ID who did not later return with acceptable photo ID and vote. This equates to just 0.3% of voters recorded inside the polling station and averages approximately seven per ward. However, this also needs to be balanced with the reduction in overall turnout which is likely to be partially attributable to the ID requirements. These factors are evidence that the new requirements disenfranchised some voters. Our approach to the 2024 elections and forthcoming General Election must recognise this and the need to continue to raise awareness of the new rules and the options available.

.....  
Signed by (Director)

**Appendices:**

**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

# Agenda Item 6



<b>Title of meeting:</b>	Cabinet Decision Meeting
<b>Date of meeting:</b>	25 <sup>th</sup> July 2023
<b>Subject:</b>	Bathing Water Quality
<b>Report by:</b>	Stephen Baily, Director of Culture, Leisure & Regulatory Services
<b>Wards affected:</b>	All
<b>Key decision:</b>	No
<b>Full Council decision:</b>	No

---

## 1. Purpose of report

- 1.1. The purpose of this report is to explore the best ways to provide the public with water quality information prior to entering/using our designated bathing waters.
- 1.2. There is a need to consider two elements:
  - i. How best to inform the public of bathing water quality.
  - ii. How to deal with declining bathing water quality at one of our most popular beaches.

## 2. Recommendations

### 2.1. RECOMMENDED that the Cabinet approves:

- i. The proposal to locate a digital terminal/s on the seafront which would constantly display Southern Water's Beachbuoy webpage to provide details in respect to storm release activity near our designated bathing waters. Southern Water are currently trialling water quality monitoring buoys. The aspiration is, on completion of successful trials, to include this information on the terminals, but there is no fixed date for this as yet.
- ii. The proposal to continue to work with partners to monitor and protect the quality of our seawater.

### **3. Background information**

- 3.1 Portsmouth is known as the Great Waterfront City; it is beloved for its beautiful and important coastal waters and blue spaces. The city's residents, as well as the vast number of visitors that come to enjoy our waters, use the sea for swimming and numerous other water activities.
- 3.2. Portsmouth has two formally designated bathing beaches located at Eastney and Southsea East. Both of these are formally assessed in terms of their water quality by the appointed regulator, the Environment Agency (EA), during the formal bathing season - May to October each year. Whilst the bathing season is formally assessed and identified by the EA, we are aware, of course, that our waters are used by many all year round and that water quality is important to all users every single day.
- 3.3 The designated monitoring points of these two beaches is defined by the EA. It is at these precise locations which water quality is described. Further details of such can be found in the supportive background documents at the end of this report.
- 3.4 The EA takes samples of faecal indicator organisms at these beaches during this period, which are then graded in terms of their formal classification - prohibition/poor, sufficient, good, and excellent.
- 3.5 Over the last four years, the water quality at Southsea East has gradually declined. At the end of the 2022 bathing water season this beach was given a 'sufficient' classification. The bathing water quality at Eastney has consistently been classified as 'excellent'. The council displays appropriate compliant signage at these locations to ensure the public are aware of these classifications.
- 3.6. Regulatory Services has been assisting the EA by undertaking a supplementary weekly water sampling plan, which began in February 2023. This 38-week plan was developed to test the water prior to and within the current bathing season, at various locations including the Southsea East location so to better inform the council and its partners as to the circumstances of this decline and the quality of our blue spaces more generally.
- 3.7. The result of our sampling indicates that water quality at Southsea East is a concern and supports the narrative provided by the EA and their similar descriptions in respect to a deterioration of water quality in this area over the last couple of years.
- 3.8. Should this decline continue, there is the possibility of Southsea East being classified as 'poor' by the EA after the 2023 bathing water testing period. A 'poor' classification would mean having to advise the public against bathing at this location. This is likely to have an impact on whether the public choose to visit this location to enter the water, which in turn could impact local businesses and our wider reputation as a tourist destination.

- 3.9. There is a need therefore to explore how best to inform the public about this emerging picture, so that they may make the best decisions for themselves and their water activities and, of course, how best to redress the decline in water quality.
- 3.10. To assist with this process the council has undertaken a survey which asked the public relevant questions in respect to when and how they use our waters, what they think of the council's current methods of providing information in respect to water quality, and how these could be improved. The survey and results are attached as **Appendix 1**.

#### **4. Water Sampling results at Southsea East**

- 4.1. The results of both the council's and the EA's water sampling over the last four years and, to date at the time of writing (3<sup>rd</sup> July), within 2023 can be found in **Appendix 2**. The council's testing demonstrates an ongoing concern with respect to water quality at the Southsea East location. The EA's sampling within this bathing season, however, currently presents a more positive representation on bathing water quality at this location.

#### **5. Partnership working to explore and reverse the reason for the decline at Southsea East**

- 5.1 There is wide concern for the quality of water surrounding our coastline and therefore Regulatory Services has been engaging with stakeholders, including Havant Borough Council, Langstone Harbour Board, the EA, Southern Water, the Coastal Defence Team, and the owners of businesses nearby. Their commitment has been important to better understand all the factors that could be contributing towards the decline in water quality, particularly that of Southsea East.
- 5.2 It is possible that a multitude of factors are impacting upon the quality of water at Southsea East and therefore a number of activities may be required to resolve this problem. The impact of sewer releases upon Southsea East, whilst a concern, are less obvious as overflows are not present in this immediate area.
- 5.3 By working with partners to ensure the integrity of grey water sewage connections, including those from businesses into the main sewage system, monitoring possible leachates from the Great Morass underneath the beach at Southsea East, and to reassess potential impacts of the coastal defence works, we hope to better understand the problems, mitigate against such impacts, and reverse the trend.
- 5.4 It is too early to predict the long term impacts of our investigations and mitigation; however, the exploratory work of grey water sewage systems and the most recent formal testing results are currently encouraging with respect to the quality of water at Southsea East.

#### **6. Combined sewer release impacts and improvements**

- 6.1. The EA works with water companies to ensure that they are monitoring and reporting back on their discharge activity.



- 6.2. The Government's Storm Overflows Discharge Reduction Plan has set new targets for water companies. The Plan states that by 2035 water companies will need to improve all overflows discharging into or near every designated bathing water; and will need to improve 75% of overflows discharging into high priority sites. The Plan follows that by 2050 no storm overflows will be permitted to operate outside of unusually heavy rainfall or cause any adverse ecological harm.
- 6.3. The need to provide information for our water users, that will allow them to make more informed decisions on their water activity, therefore is likely to remain for some significant period.
- 6.4. Sewage discharges present two main types of harm:
  - i. **Harm to Public Health:** Discharges from storm overflows contain raw sewage, which can contain high levels of harmful pathogens, such as viruses and bacteria. This can pose health risks to people who use our water bodies for recreation.
  - ii. **Harm to the Environment:** Storm overflows can also lead to ecological harm due to their impact on water chemistry. Discharges of raw sewage can contain organic pollutants, microplastics, pharmaceuticals, nutrients, heavy metals, and visible litter that is flushed down toilets. The impacts of these releases on ecology varies depending on the pollutants it carries, their concentration and the nature of the receiving water body.

## 7. Public information terminal details

- 7.1. Local campaign group Stop the Sewage Southsea previously approached the council and aired their concerns about releases into our waters and asked what the council can do to better inform the public of such.
- 7.2. The recommendation proposes a digital terminal/s, along the seafront, that will provide access to Southern Water's Beachbuoy. By making this information readily available to the public, specifically those without smart devices to hand, would allow the public to check on whether there had been any releases and/or when the last release occurred.
- 7.3. Regulatory Services and the Seafront Management Team are currently providing the public with mapping posters that are updated when a release/s have occurred. Our recent survey illustrated that these posters were well received and used by water users. Details of posters are also contained within **Appendix 1**.
- 7.4. Beachbuoy is a useful tool in providing information to the public in respect to combined sewer releases and their impact. Southern Water are currently reviewing Beachbuoy and working on a number of updates to improve it. We have been part of their working groups and will be able, in due course, to share the conclusions of this review.
- 7.5. Our engagement with Southern Water has been positive in respect to the installation of information digital terminal/s and we hope that agreement will shortly



be reached as to how new devices can be deployed to ensure that public information, and demand for such, can be met. In the meantime, the council will continue to utilise its existing public information posters.

- 7.6. The survey, attached as Appendix 1, shows that Southern Water has more work to do in building trust amongst some members of the public. To show openness and transparency, Southern Water created a Beachbuoy Working Group. The group is made up from representatives across Hampshire, Sussex and Kent, including the EA, various campaign groups, and Local Authorities, including Portsmouth City Council. This group collectively contribute to the continued development of Beachbuoy alongside Southern Water. Although currently, Beachbuoy is not real time data, it is updated every hour, and contains the most up to date information and monitoring on coastal storm overflows.

## **8. Reasons for recommendations**

- 8.1 The Council has been called upon to improve the public's awareness of water quality.

## **9. Integrated impact assessment**

- 9.1. The IIA is attached as **Appendix 3**.

## **10. Legal implications**

- 10.1. Whilst the EA is the formal responsible agency for monitoring water quality and regulating the water companies in respect to releases, the council accepts its responsibilities to provide water quality information to the public.
- 10.2. It is a key priority of the council to deliver infrastructure projects that will help towards addressing the impact of our activity on climate change. The council understands the increasing challenges of climate change and population growth, and the pressing need to improve and enhance the natural environment for future generations.

## **11. Director of Finance's comments**

- 11.1. A provisional procurement exercise in respect to the costs of securing a terminal with associated installing and maintenance suggest that costs are significant. Any contributions from Southern Water would therefore be welcomed in reducing such costs.
- 11.2. The financial impacts in respect to maintaining our additional water sampling in respect to total analytical costs during the proposed 38-week sampling period is £3,340.86. Staffing costs of approximately 3 hours per week, equate to £9,120. The total costs are therefore approximately £12,500.
- 11.3. The continued sampling activities proposed within this report will be funded from the existing service portfolio budgets, as approved by Full Council.



**12. Director's comments**

12.1. The recommendations made in this document are of significant importance to the city and are vital to our reputation as the Great Waterfront City. Water quality has a vast impact on our health, our environment and value of our leisure and tourism industries. Proposals to protect and improve water quality and to inform the public should therefore be supported and met with the upmost care and consideration.

Signed by: Stephen Baily, Director of Culture, Leisure, and Regulatory Services.

**Appendices:**

**Appendix 1:** Results from public survey on seafront posters.

**Appendix 2:** Portsmouth City Council and Environment Agency seawater monitoring sampling results.

**Appendix 3:** Integrated Impact Assessment.

**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:

<b>Title of document</b>	<b>Location</b>
Environment Agency 2023 Bathing Water Profile for Southsea East	<a href="https://data.gov.uk">Bathing water profile (data.gov.uk)</a>
Environment Agency 2023 Bathing Water Profile for Eastney	<a href="https://data.gov.uk">Bathing water profile (data.gov.uk)</a>
Beachbuoy	<a href="https://southernwater.co.uk">Beachbuoy (southernwater.co.uk)</a>
The role of the Environment Agency	<a href="https://blog.gov.uk">Combined Sewer Overflows Explained - Creating a better place (blog.gov.uk)</a>
Storm Overflows Discharge Reduction Plan	<a href="https://publishing.service.gov.uk">Storm Overflows Discharge Reduction Plan.pdf (publishing.service.gov.uk)</a>

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by Councillor Steve Pitt, Leader of Portsmouth City Council on 25<sup>th</sup> July 2023.

.....  
Signed by: Councillor Steve Pitt, Leader of Portsmouth City Council.

# Bathing Water Quality Consultation

Research and Engagement, Corporate Services

## Introduction

### Background and methodology

Campaigners from Stop the Sewage Southsea have been raising concerns over the quality of bathing water in the area and whether Southern Water have made releases. Following conversations with Portsmouth City Council, the council's regulatory services have issued two posters, one that is updated when a release has been made and one to alert the public to what the council are doing. This consultation aimed to gather feedback from the public on what they think about the posters and whether the posters are being utilised.

A quantitative online survey launched on Thursday 9 March 2023 and closed on Sunday 26 March 2023.

### Objectives

The main aims of the research are to:

- To identify whether the posters are raising awareness of water quality
- To understand how the posters are being used by the public
- To find out what the public think about the posters
- To identify any improvements that could be made to the work that the council is doing around informing people about bathing water quality and releases

### Response rate

**In total the survey received 418 responses.** It is difficult to calculate the statistical robustness of this consultation because it is unclear how many individuals interact with the seafront. However, assuming a "total population" of 170,818 (the latest 2021 census data from the Office for National Statistics for people aged 16+ in Portsmouth) this volume of responses ensures a 95% confidence level with a margin of error of 5%, within acceptable parameters, although this does exclude the visitor population.

## Management summary - perceptions and finding information

### Perceptions on bathing water quality

- Respondents are concerned about bathing quality in the local area – 92% of respondents are ‘very concerned’. They think that the storm water releases have the biggest impact on bathing water quality, followed by the poor condition of sewers.
- The vast majority of respondents think that water companies are responsible for cleaning up bathing waters (97%) however they also think that Central Government (71%) and the Environment Agency (69%) share the responsibility. Under half of respondents (44%) think that Portsmouth City Council are responsible for cleaning up bathing waters.

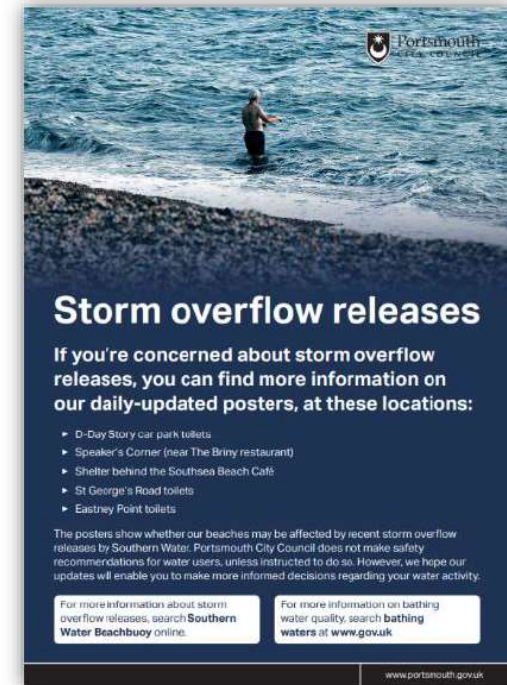
### Finding information

- Almost two thirds of respondents regularly look for information about bathing water quality (63%). The Southern Water Beachbuoy website is the most popular place they look for information (59%) followed by the Safer Seas & Rivers Service app (38%). A fifth are using the storm overflow release posters provided by the council. Over a third of respondents (35%) look elsewhere for information for example social media groups and forums (i.e Surfers Against Sewers and Hayling Sewage Watch) and carrying out a visual inspection before bathing in the water.
- Finding out live information on a smart device is the preferred way of finding information about bathing water quality amongst respondents (87%), just under half would like a digital screen on the seafront linked to Beachbuoy and 30% would like to use the council’s storm overflow map.
- The majority of respondents think it is positive that the council are informing people about sewage being released into the Solent however they wish they were doing more (57%) and a further 29% feel positive and are glad the council are doing something.

## Management summary – Poster 1 awareness

### Poster one - Storm overflow release poster information

- The majority of respondents have not seen the storm overflow releases posters (85%). Respondents like that the poster gives useful and concise information that is easy to digest. Some respondents particularly like that it features a swimmer which reflects the demographic of people who are affected. Furthermore, respondents think it is positive that the poster highlights the issue and demonstrates the councils commitment to publish information on sewage releases.
- Some respondents feel the poster could be improved through the use of clearer language (i.e. use 'sewage' in the terminology) and graphics, and be made more attractive by adding bolder, eye catching colours such as red with many saying 'it's too blue'. A key improvement was also to add a QR code that links to live updates of bathing water quality or to a website where swimmers can sign up to alerts of when sewage has been released.
- Over two-thirds of respondents who had already seen the poster think it is useful (67%), and 70% of those who were previously unaware of the poster think they are likely to make use of it moving forwards.



## Management summary – Poster 2 awareness

### Poster two - Storm overflow release map

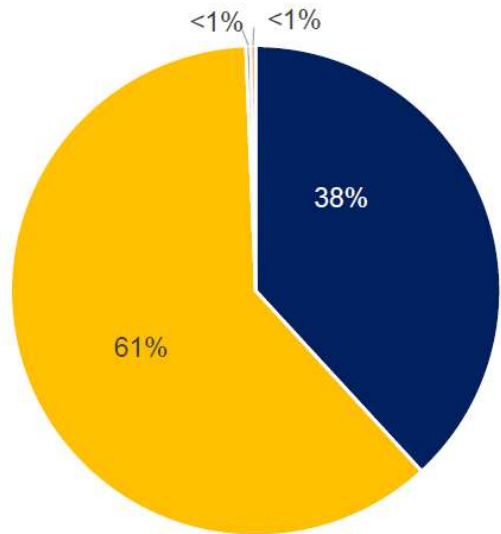
- Again, the majority of respondents were not aware of this poster (80%). Of those that have 83% find it useful and 72% of those who were previously unaware of the poster think they are likely to make use of it moving forwards.
- Respondents like that the poster is clear, easy to understand and informative. They like that it highlights areas that sewage is released and that it is updated daily and include a date to show this. The traffic light system makes it easy to understand when it is safe to swim.
- Suggested improvements for this poster are to improve the map itself (e.g. the area shown or including drift direction arrows), to make the information clearer and more eye catching, and to have more posters.
- Some respondents talked about online information being more up-to-date and suggested not having the posters overall, instead having this information on a digital platform with daily updates so that they can make an informed choice before leaving home.



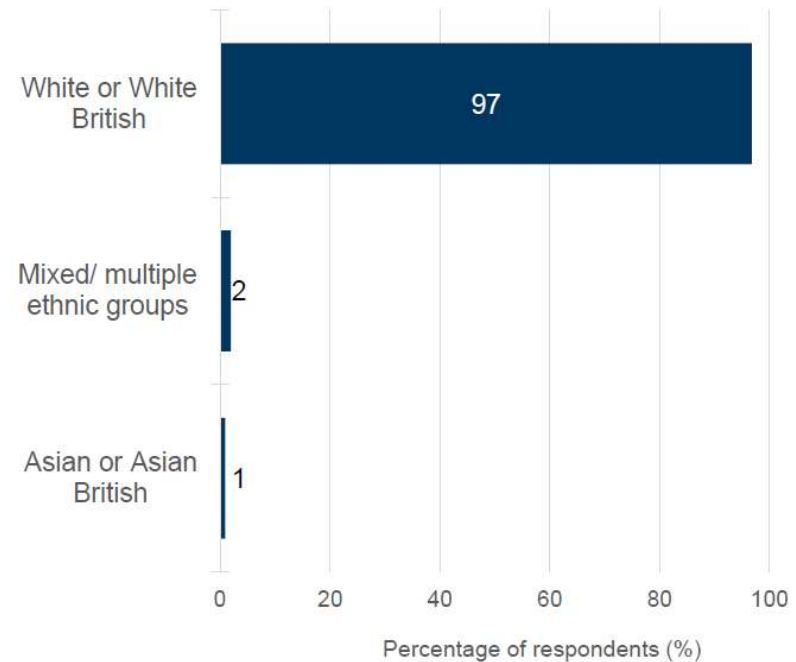
## Sex and ethnicity

Q: *'What is your sex?'* | Base: Total sample (317)

■ Male ■ Female ■ Intersex ■ Prefer to self-describe



Q: *'Which ethnic group do you belong to?'* | Base: Total sample (309)

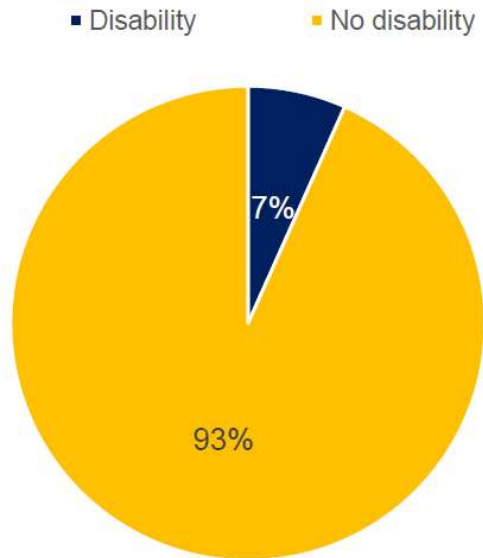


- The majority of respondents in the sample were female (61%) whilst 38% were male
- The vast majority of respondents in the sample were White or White British (97%) whilst 2% were mixed or multiple ethnic groups and 1% were Asian or Asian British

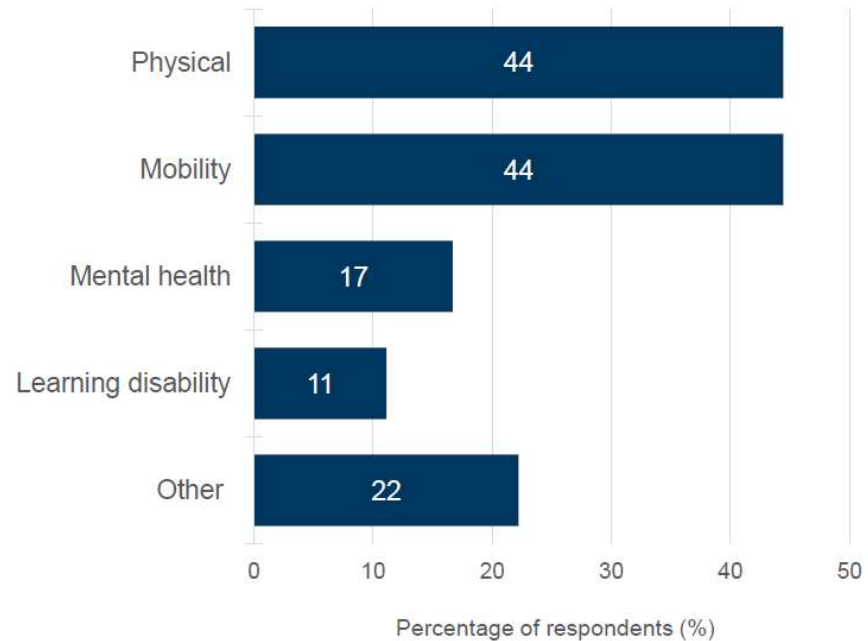


## Disability

Q: 'Do you consider yourself to have a disability under the Equality Act 2010?' | Base: Total sample (314)



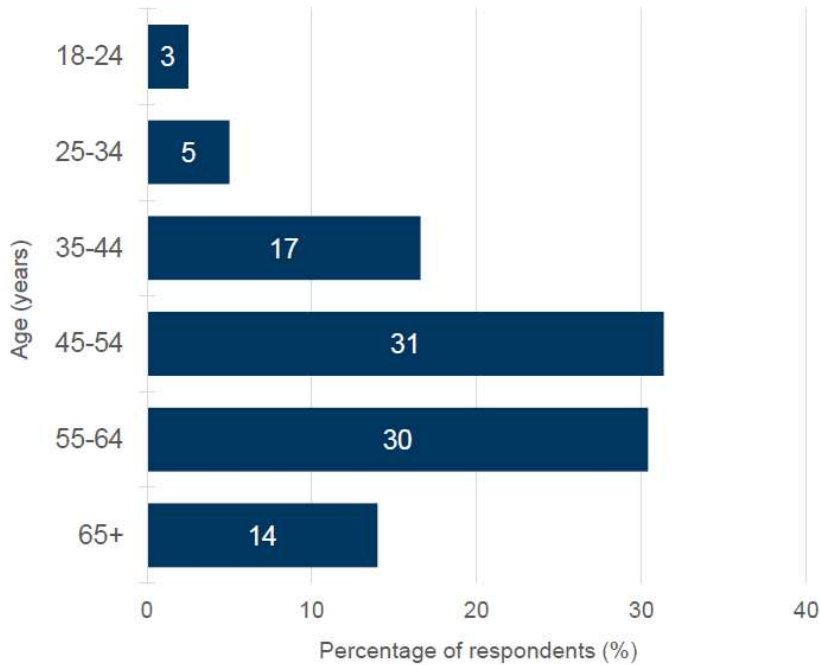
Q: 'What type of disability do you have?' | Base: Those with a disability (18\*) | Caution small base



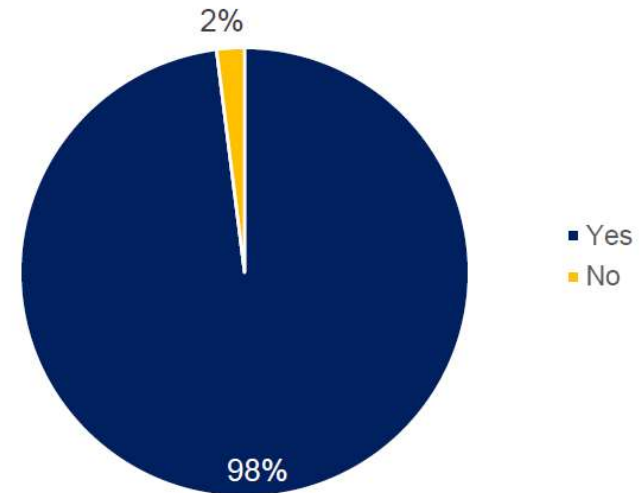
- The majority of respondents in the sample do not have a disability (93%) whilst 7% do
- Of those respondents with a disability, the most common types are physical and mobility disabilities (44%)

## Age and smartphone access

Q: 'What is your age group?' | Base: Total sample (319)



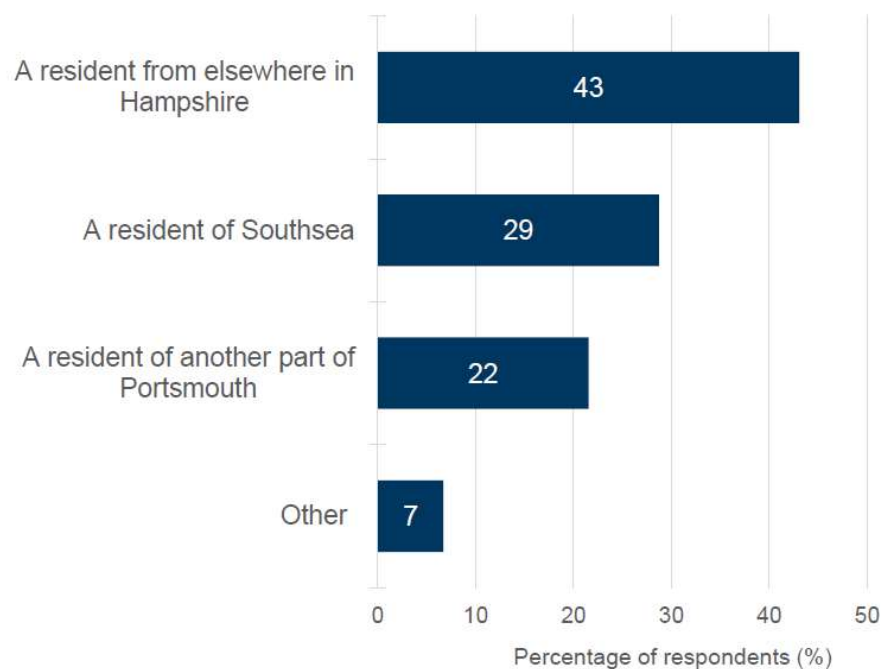
Q: 'Do you have a smartphone with access to the internet?'  
| Base: Total sample (344)



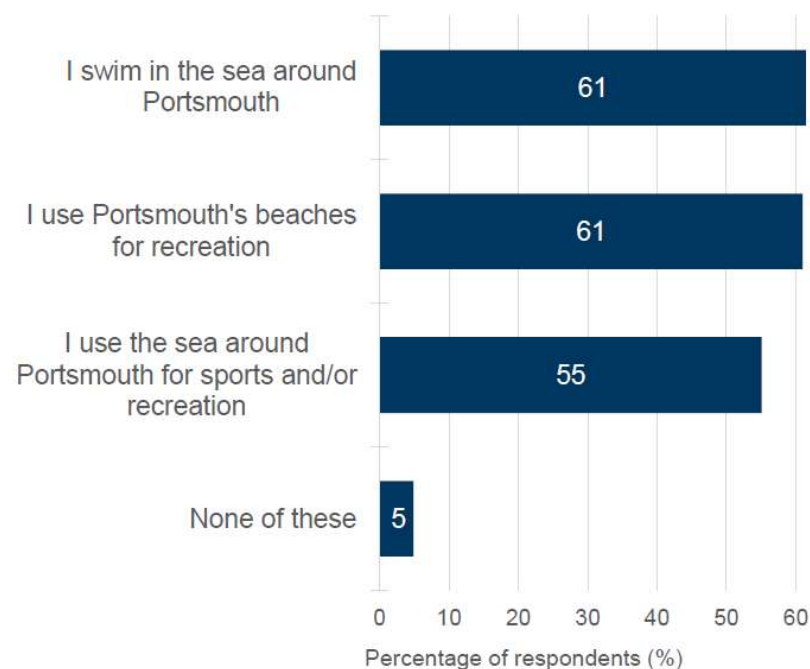
- There is good representation in the sample across all age groups however the majority of respondents are aged between 45 and 64 (61%)
- Almost all respondents in the sample have a smartphone with access to the internet (98%)

## Residential status & beach use

Q: 'Are you...?' | Base: Total sample (418)



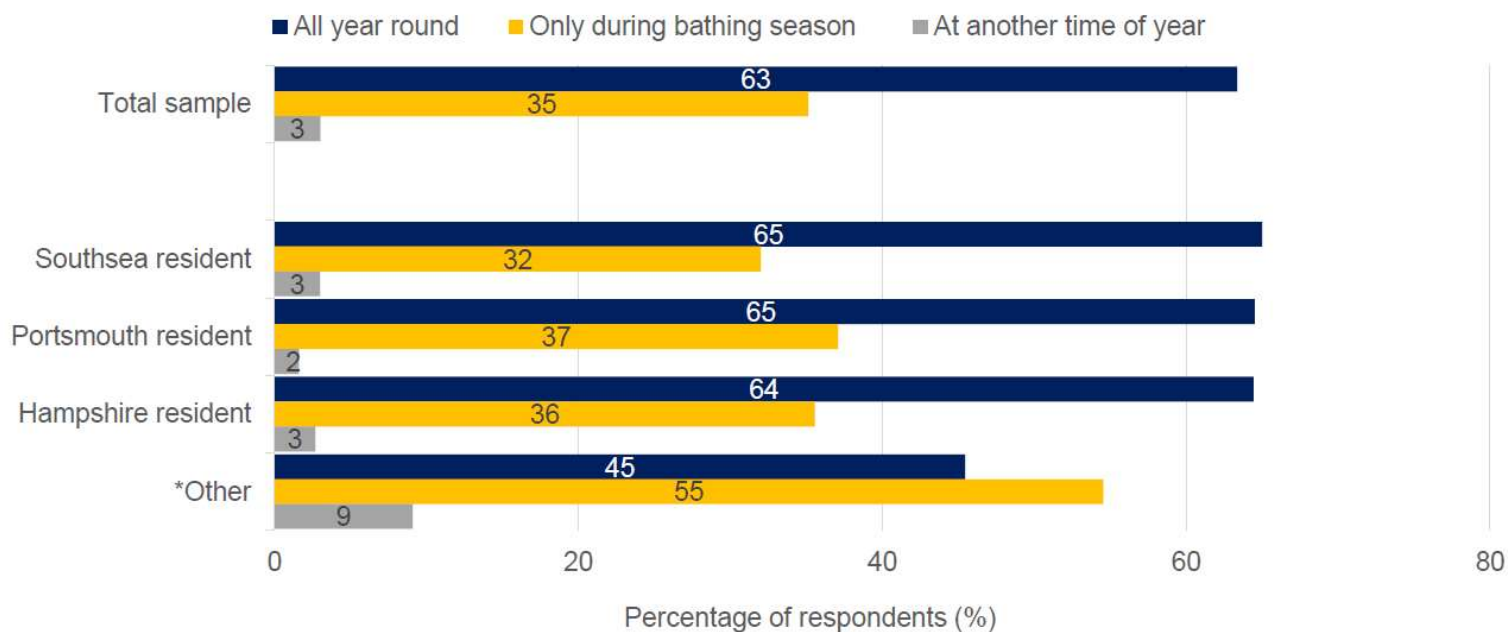
Q: 'Which of the following describes you?' | Base: Total sample (410)



- The largest proportion of respondents in the sample are not residents of Portsmouth but live elsewhere in Hampshire (43%)
- Just under a third of respondents are residents of Southsea (29%) and just under a quarter are a resident of another part of Portsmouth (22%). Other respondents include residents of Chichester in West Sussex
- A majority of respondents swim in the sea around Portsmouth (61%) and use Portsmouth's beaches for recreation (61%), and just over half use the sea for both sports and/or recreation (55%)

## Time of year

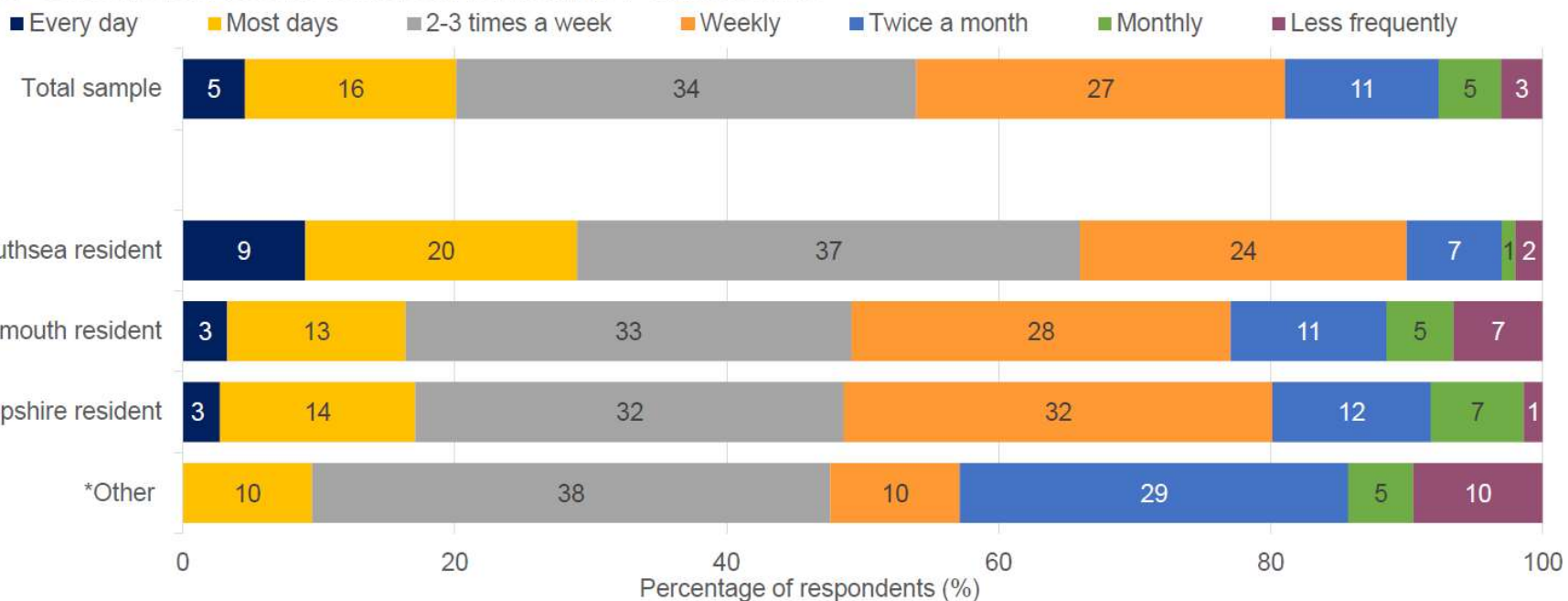
Q: 'Generally, what time of year do you use the sea around Portsmouth?' | Base: Respondents who swim or use the sea for sports/recreation around Portsmouth: Total sample (333) | Southsea resident (100) Portsmouth resident (64) Hampshire resident (153) Other (24\*) \*Caution small base



- Nearly two thirds of respondents are using the sea all year round (63%) whilst just over a third use it during the bathing season only (35%)
- Swimmers who live outside of Hampshire are more likely to use the sea around Portsmouth during bathing season only, whilst there is little difference between respondents who live within the Hampshire area and the time of year they use the sea

## Using the sea during bathing season

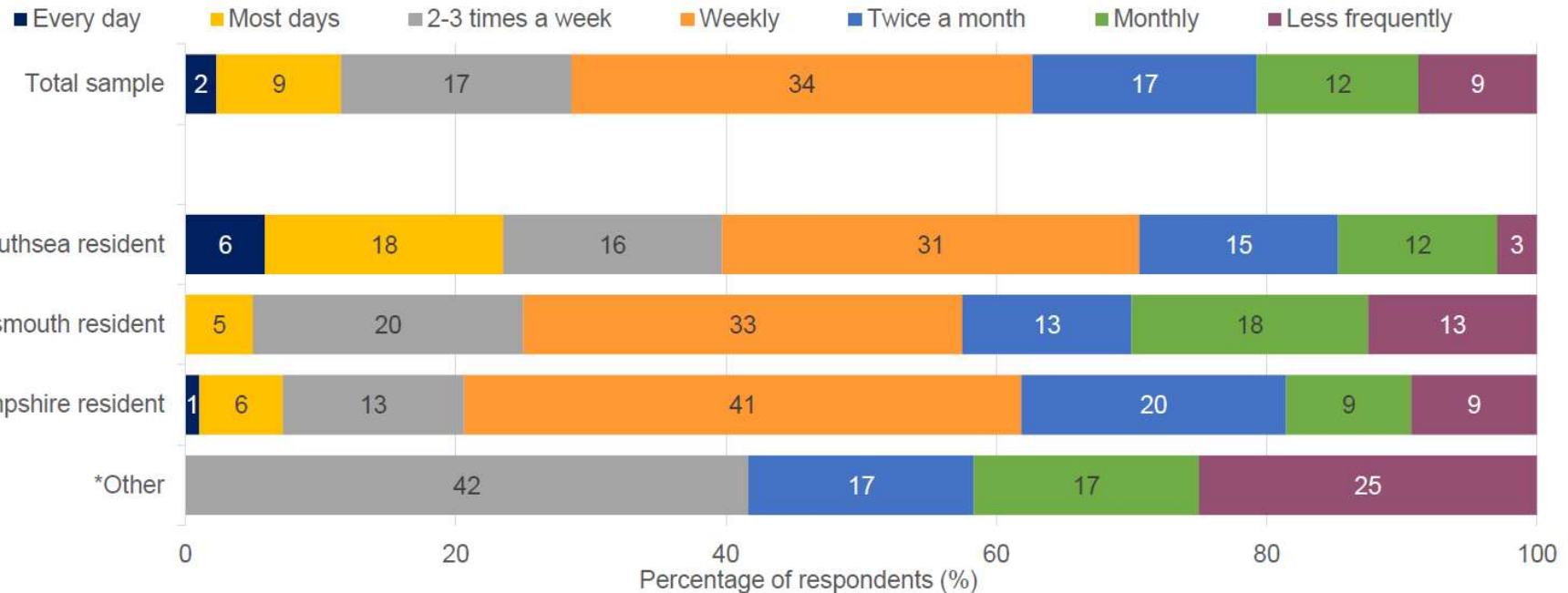
Q: 'How frequently do you use the sea during the bathing season (May to Sept)?' | Base: Respondents who use the sea all year round or during bathing season – Total sample (328) from top to bottom (100) | (61) | (146) | (21\*) \*Caution small base



- The majority of respondents who use the sea during bathing season do so at least weekly (82%) with over a fifth of respondents swimming daily or most days (21%)
- Local residents swim more frequently compared to those from outside of Southsea – 29% of Southsea residents swim 'most days' or 'every day' compared to just 16% of those from Portsmouth and 17% of those from Hampshire

## Using the sea outside of bathing season

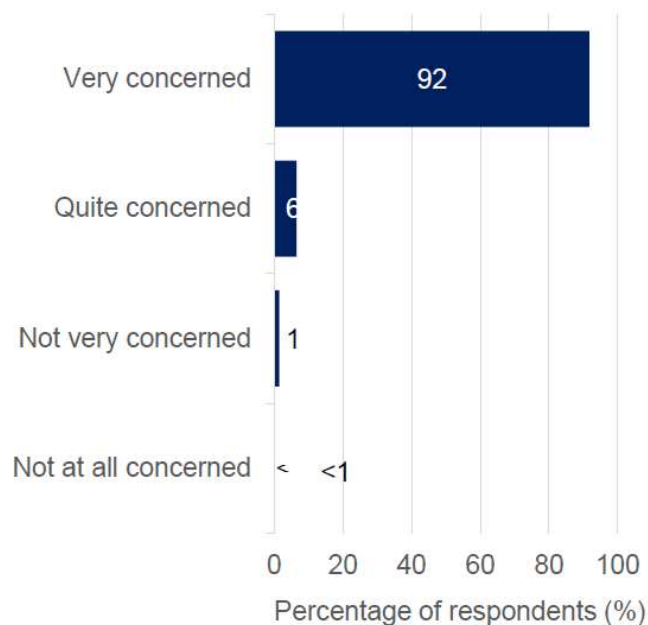
Q: **'How frequently do you use the sea at other times of year (Oct to April)?'** | Base: Respondents who use the sea all year round or outside of bathing season  
 – Total sample (217) from top to bottom (68) | (40) | (97) | (12\*) \*Caution small base



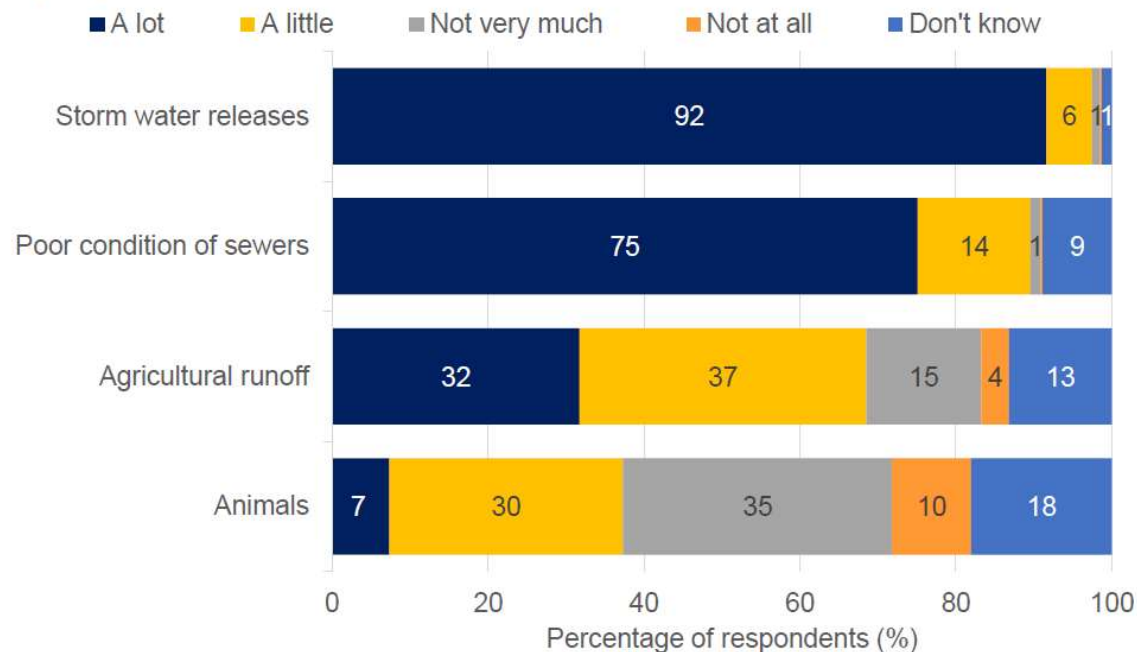
- Outside of bathing season, whilst respondents swim less frequently than during bathing season, a majority are swimming at least weekly (62%)
- Southsea residents are swimming outside of bathing season most frequently; just under a quarter still use the sea 'most days' or 'every day' compared to 5% of Portsmouth residents and 7% of Hampshire residents doing so
- Respondents of areas outside of Hampshire use the sea least frequently outside of bathing season

## Concern and impact on bathing water quality

Q: 'How concerned are you about bathing water quality in the local area?' | Base: Total sample (403)



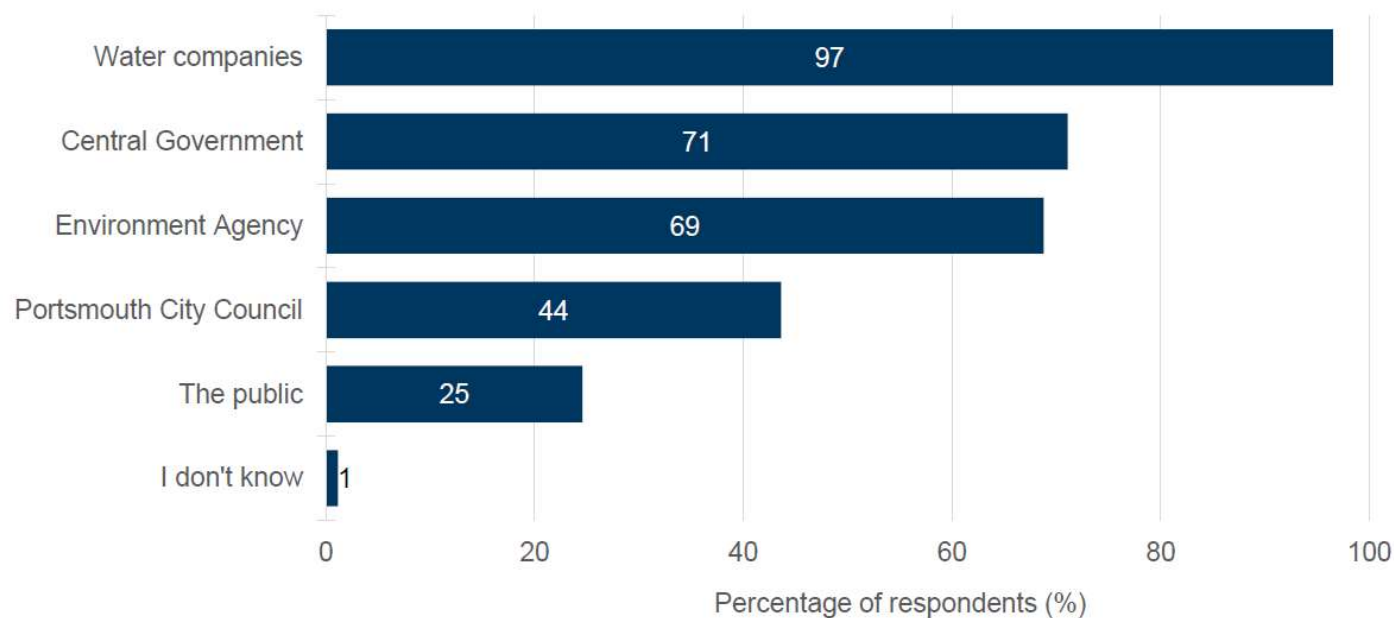
Q: 'In your opinion, how much do you think the following impacts our bathing water quality?' | Base: Total sample (394)



- Respondents are concerned about bathing quality in the local area – 92% of respondents say they are 'very concerned'
- The majority of respondents think storm water releases (92%) and poor condition of sewers (75%) impact bathing water quality 'a lot'
- Agricultural runoff is seen as having less of an impact – a higher proportion of respondents feel it has 'a little' impact (37%)
- Animals are seen as having the least impact – just under half of respondents think animals affect water quality 'not very much' or 'not at all' (45%)

## Responsibility for cleaning

Q: 'Who do you think is responsible for cleaning up our bathing waters?' | Base: Total sample (346)

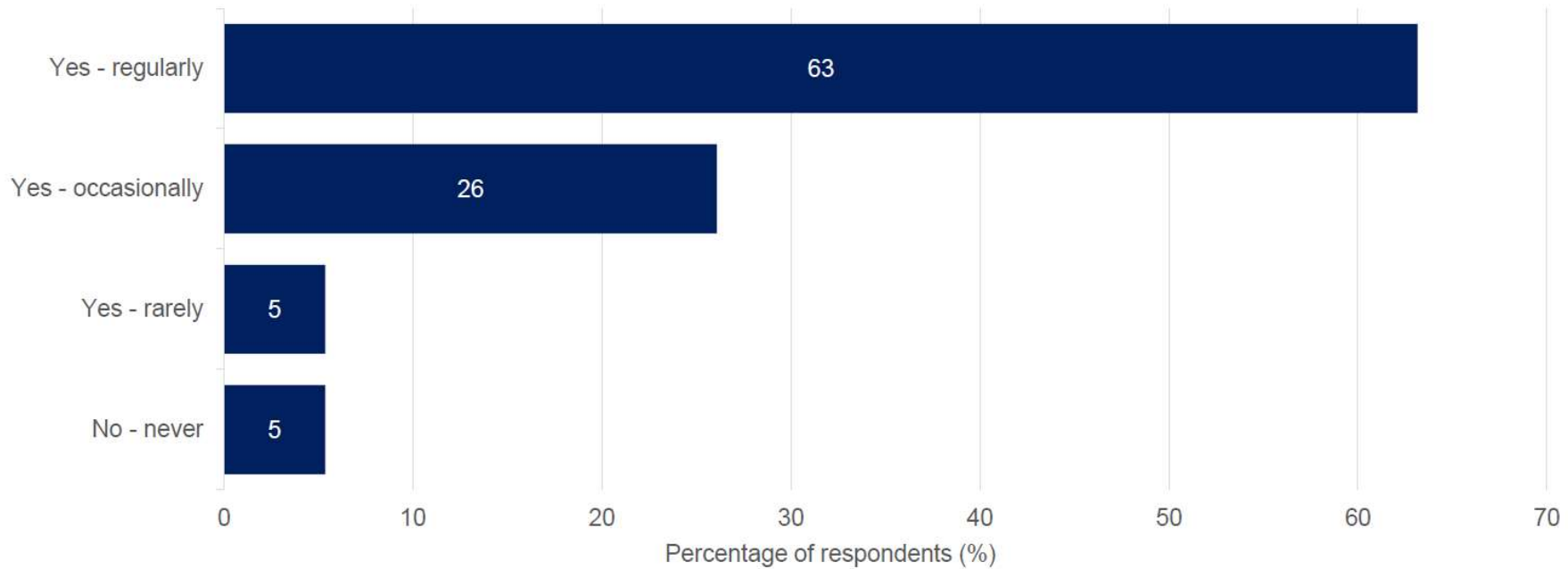


- Almost all respondents feel that water companies are responsible for cleaning up our bathing waters (97%) however they also feel others are responsible too:
- Over two thirds of respondents feel that Central Government (71%) and the Environment Agency (69%) are responsible for cleaning up bathing waters
- Just under half of respondents (44%) feel responsibility lies with Portsmouth City Council for cleaning up bathing waters
- A quarter of respondents think the public are responsible for cleaning up bathing waters



## Looking for information

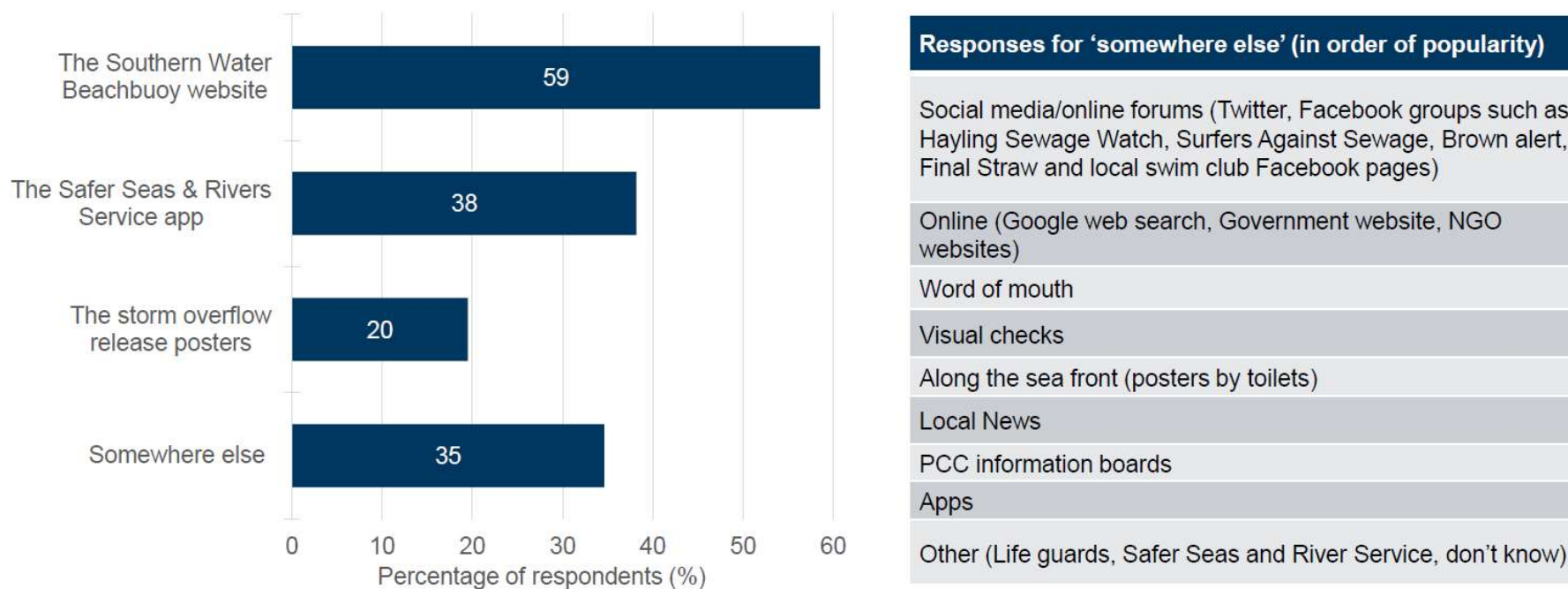
Q: 'Do you look for information about bathing water quality?' | Base: Total sample (391)



- The vast majority of respondents look for information about bathing water quality; 63% do so regularly and 26% do so occasionally
- Only 5% of respondents rarely look for information and 5% never look

## Finding information

Q: *'Please tell us where you look for information about bathing water quality.'* | Base: Respondents who look for information about bathing water quality (364)

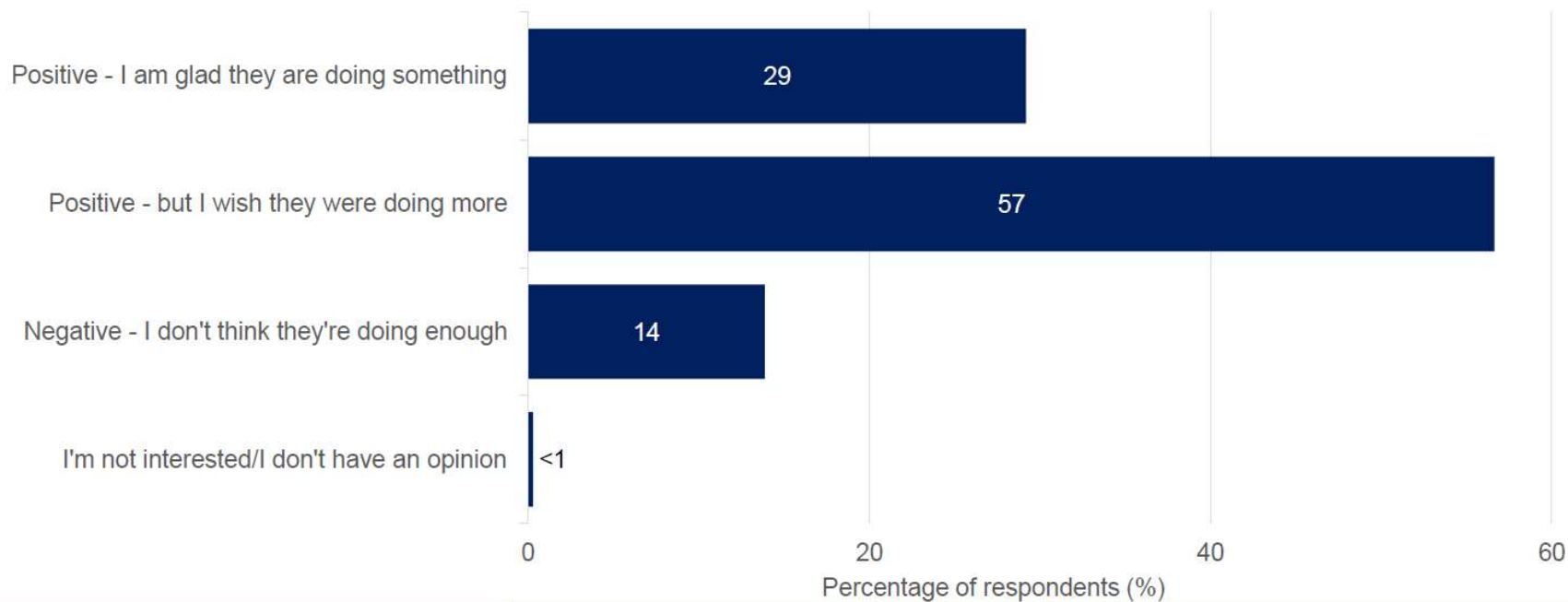


- The Southern Water Beachbuoy website is the most popular place respondents look for information about bathing water quality (59%)
- Over a third of respondents use the Safer Seas & Rivers Service app (38%) and a fifth of respondents use the storm overflow release posters (20%)
- 35% of respondents look elsewhere for bathing water quality information; Social media pages such as Surfers Against Sewers and Hayling Sewage Watch are most popular, playing an important role for many. Some respondents also do a general web search, find out via word of mouth or do a visual check on the day before swimming

## Council providing information

Q: *'What do you think about the council providing information informing people about whether sewage has been released into the Solent?'*

| Base: Total sample (346)

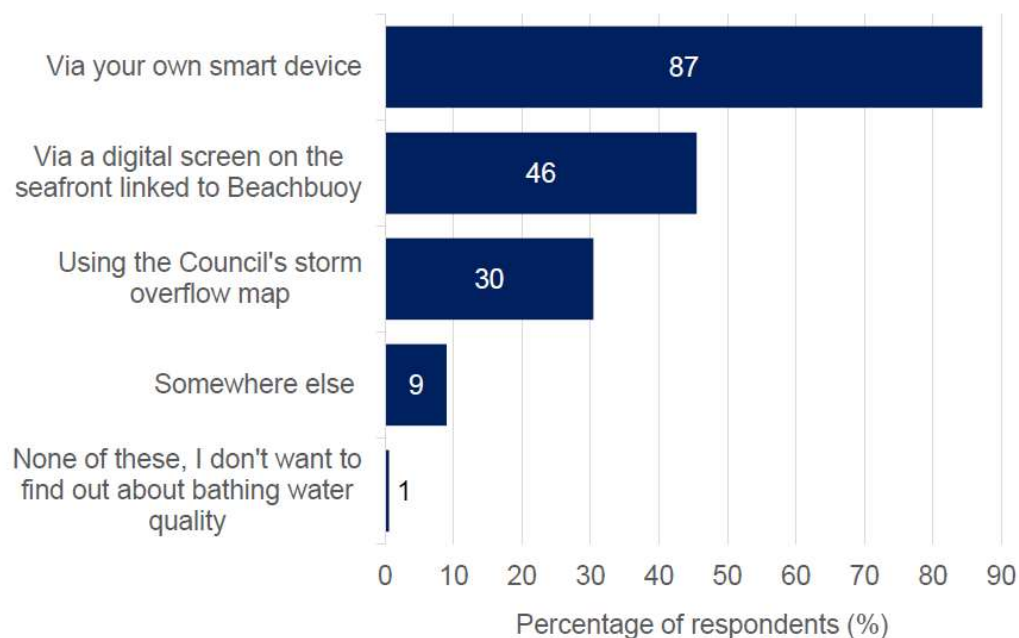


- The majority of respondents think it is positive that the council are informing people about sewage being released into the Solent however they wish they were doing more (57%)
- Around a third of respondents are happy with the council and are glad they are doing something to inform people about sewage release (29%)

## Finding information in the future

Q: 'If all of the following options were available to you, which would you prefer to use to find out information about bathing water quality?'

| Base: Total sample (345)



"Don't link anything to Beachbuoy. It is not reliable, as it is controlled by the water companies and often gives incorrect information."


"Water companies should send alerts, to people who sign up to them, each time a release is made."

"From the council gathering & publishing it's own, independent information. Not reliant on that provided by an interested party i.e. Southern Water."

"SMS Text Alert that you can subscribe to."

- Respondents would most prefer to find out about bathing water quality via their own smart device (87%)
- Just under half of respondents would like to see bathing water quality information on a digital screen on the seafront linked to Beachbuoy (46%)
- Less than a third of respondents would prefer to use the Council's storm overflow map (30%)
- Other suggestions for places to find out information include alerts via PCC or SMS that you subscribe to, social media pages, flags on the beach or a screen at the sea front but that is not linked to Southern Water because of concerns over the trustworthiness of information

## Storm overflow releases poster



**Storm overflow releases**

If you're concerned about storm overflow releases, you can find more information on our daily-updated posters, at these locations:

- ▶ D-Day Story car park toilets
- ▶ Speaker's Corner (near The Briny restaurant)
- ▶ Shelter behind the Southsea Beach Café
- ▶ St George's Road toilets
- ▶ Eastney Point toilets

The posters show whether our beaches may be affected by recent storm overflow releases by Southern Water. Portsmouth City Council does not make safety recommendations for water users, unless instructed to do so. However, we hope our updates will enable you to make more informed decisions regarding your water activity.

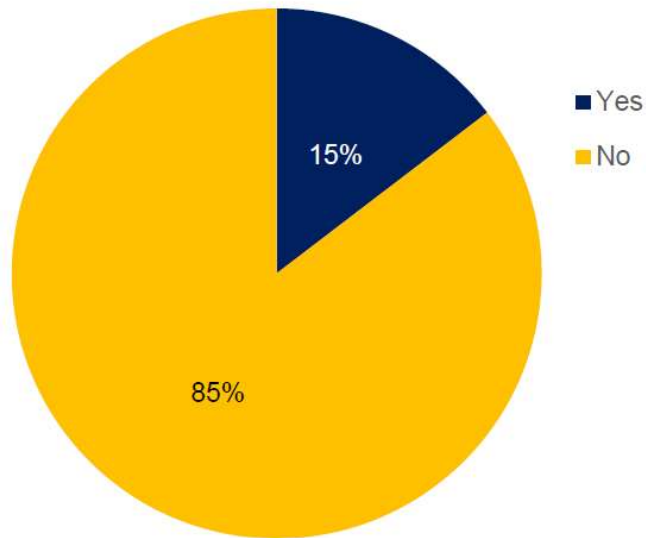
For more information about storm overflow releases, search **Southern Water Beachbuoy** online.

For more information on bathing water quality, search **bathing waters** at [www.gov.uk](http://www.gov.uk)

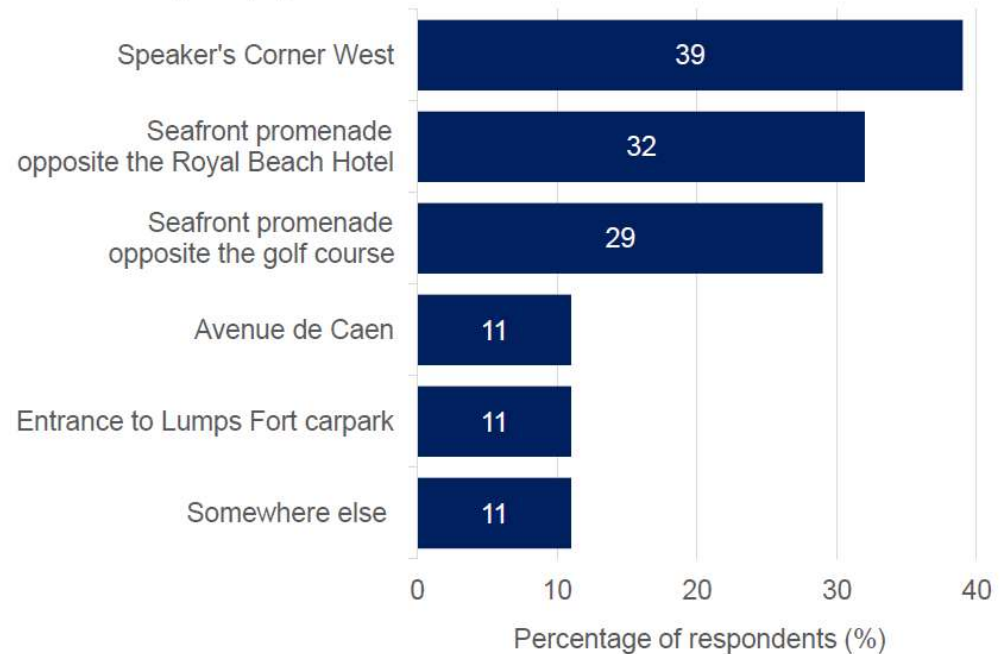
[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

## Awareness of poster

Q: *'Have you seen this poster anywhere?'*  
| Base: Total sample (383)



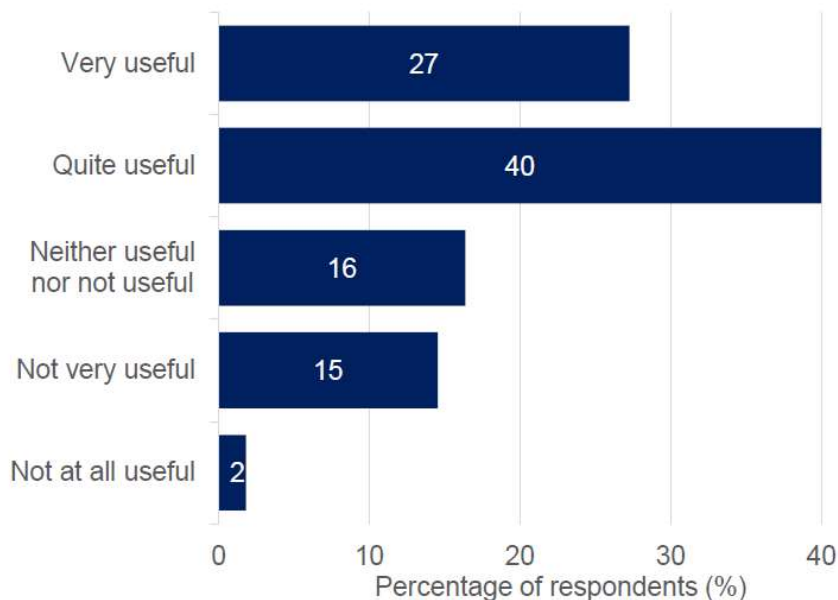
Q: *'Where have you seen this poster?'* | Base: Respondents who have seen the 'Storm Overflow Releases' poster (56)



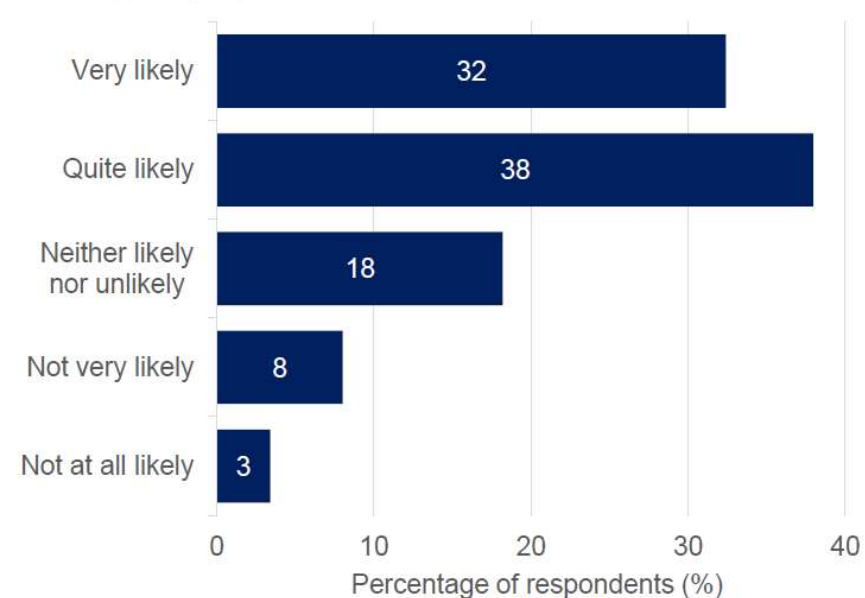
- Most respondents have not seen the storm overflow releases poster before (85%) - awareness is highest amongst Southsea residents (24%)
- The highest proportion of respondents have seen this poster at Speakers Corner West (39%) followed by on the seafront promenade opposite the Royal Beach Hotel (32%) and just over a quarter have seen it at the seafront promenade opposite the golf course (29%)
- Other places respondents have seen the poster are at the D Day story car park and some respondents could not recall exactly where they had seen it

## Poster usefulness and likelihood to use

Q: *'How useful do you find this poster?'* | Base: Respondents who have seen the 'Storm Overflow Releases' poster (55)



Q: *'These posters are placed at locations around the beachfront, how likely do you think you'll be to use this poster now you know about it?'* | Base: Respondents who have not seen the 'Storm Overflow Releases' poster (324)



- Respondents find this poster useful - over two thirds of respondents who have seen this poster said it was quite useful (40%) or very useful (27%)
- The majority of respondents who had not seen the poster before are quite likely or very likely to use this poster now they are aware of it (70%)

## Opinions on the poster

Q: *'What, if anything, do you like about this poster?'* | Base: Respondents leaving a comment (208)

Key themes	%
Useful/ informative (e.g. points to important information)	23
Clear and concise (e.g. easy to read )	20
It highlights the issue/ better than nothing	15
Nicely designed (features a swimmer, good picture, not too busy, eye catching, shows how the waters should be)	10
Demonstrates council's engagement and commitment to publish information	5
Other	1
<i>Negative comment / improvements offered (Don't like the poster, it only highlights another poster, sewage dumping should not happen then there would be no need of a poster)</i>	31

Q: *'How could this poster be improved?'* | Base: Respondents leaving a comment (213)

Key themes	%
<b>Use clearer language and graphics</b> (Use 'sewage' in terminology, add more graphic pictures of sea, highlight dangers)	24
<b>General negative comments</b> (Needs to be digital not online, does not like poster, stop sewage releases into sea, posters are pointless)	22
<b>Make it more eye catching</b> (e.g. using bold eye catching colours such as red, making bigger (putting on bill boards), more attractive headings, make more of a warning notice/traffic light system)	20
<b>Add a QR code</b> (linking to Beachbuoy website, websites with daily update, how to complain)	10
<b>More locations</b> ( e.g. post to households, in Havant, put by parking meters)	6
<b>Condense text / bigger font / more or larger graphics</b>	5
<b>Add a map or postcode information</b> of sewage release locations, add a 'What 3 Words' location	4
<b>Subscription link</b>	3
<b>Information to online resources</b> (e.g. what to do if you become ill, complaints)	2
<i>N/A / no comment</i>	10

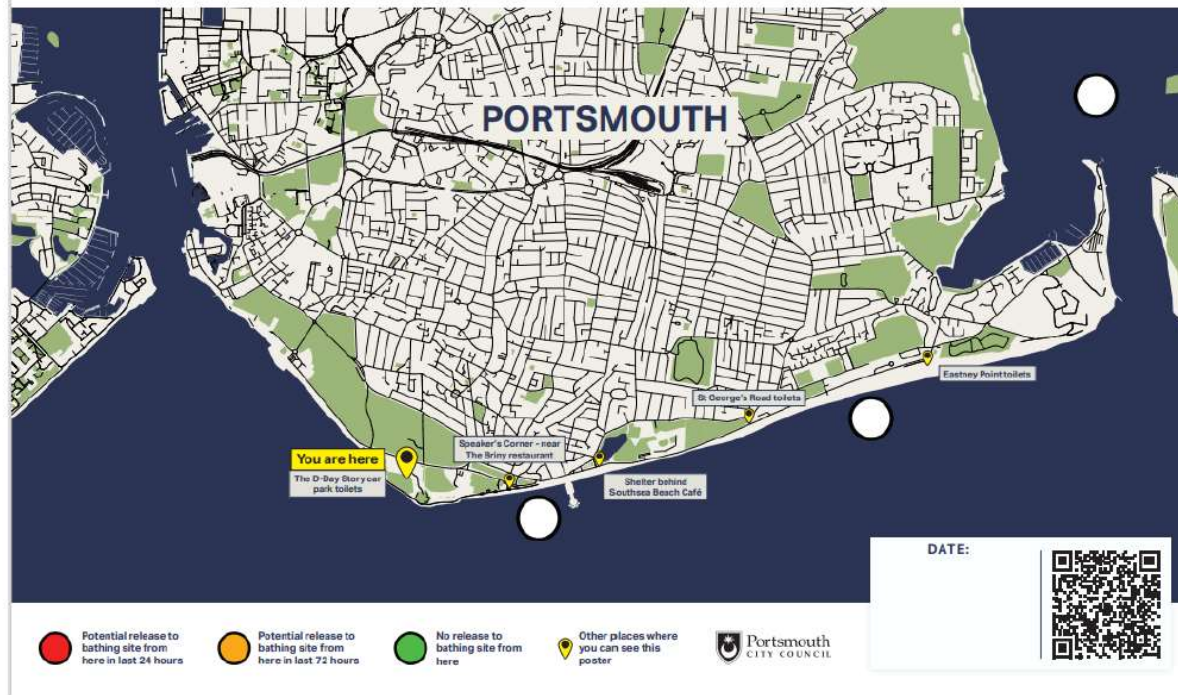


## Storm overflow releases map poster

### Storm overflow releases to our bathing sites

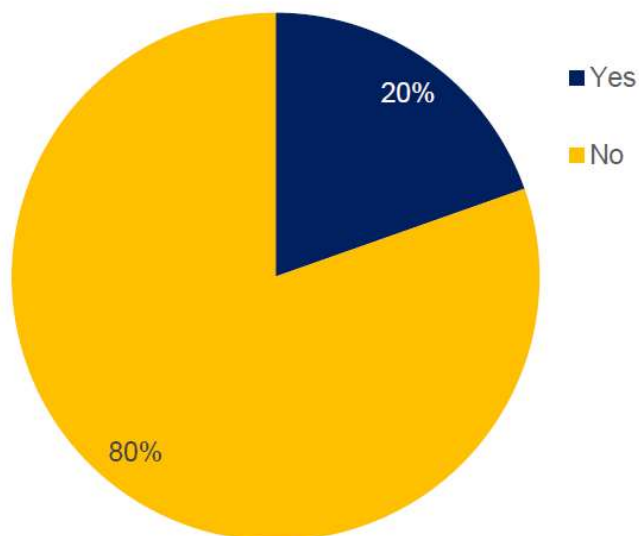
This poster shows whether our beaches may be affected by recent storm overflow releases by Southern Water. Portsmouth City Council does not make safety recommendations for water users, unless instructed to do so. However, we hope this poster will enable you to make more informed decisions regarding your water activity.

For more information, please search Southern Water Beachbuoy online or use the QR code below.

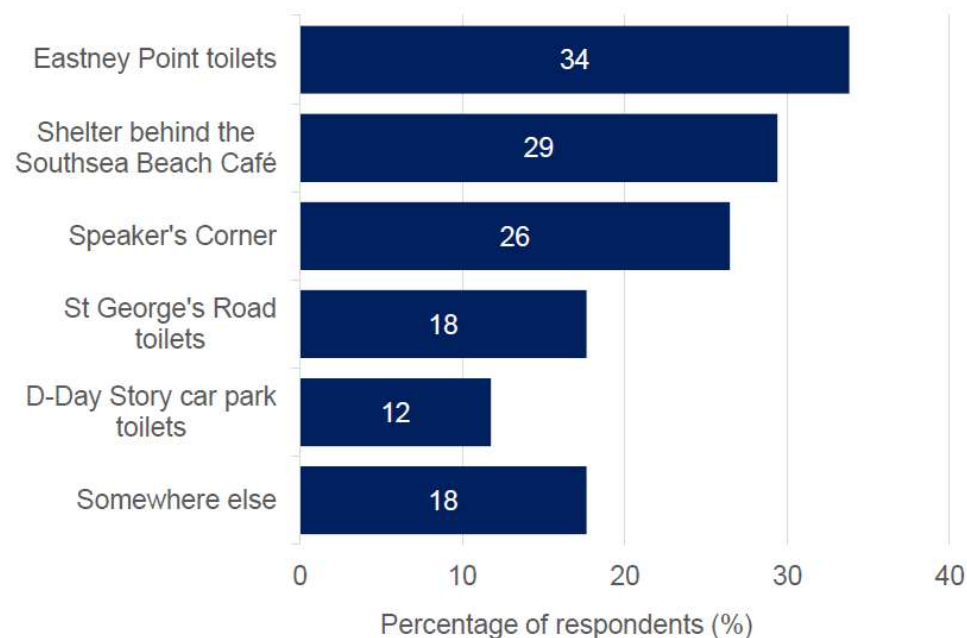


## Awareness of poster

Q: 'Have you seen this poster anywhere?' | Base: Total sample (352)



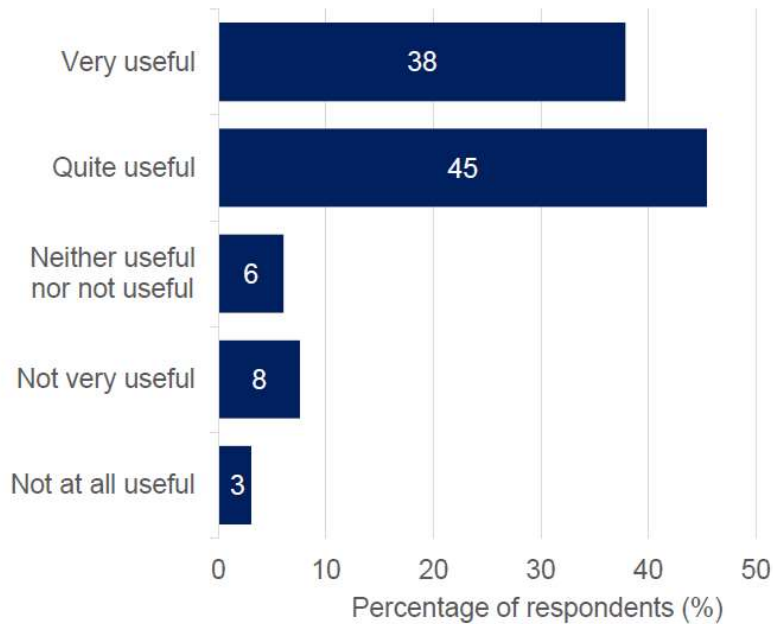
Q: 'Where have you seen this poster?' | Base: Respondents who have seen the 'Storm Overflow Releases map' poster (68)



- The majority of respondents are not aware of this poster (80%) whereas a fifth are (20%)
- Around a third of respondents have seen the poster at Eastney Point toilets (34%), and at the Shelter behind the Southsea Beach Café (29%)
- 26% of respondents have seen the poster at the Speakers Corner and just under a fifth have seen it at the St Georges Road toilets (18%)
- Other places respondents have seen the poster include online or on social media

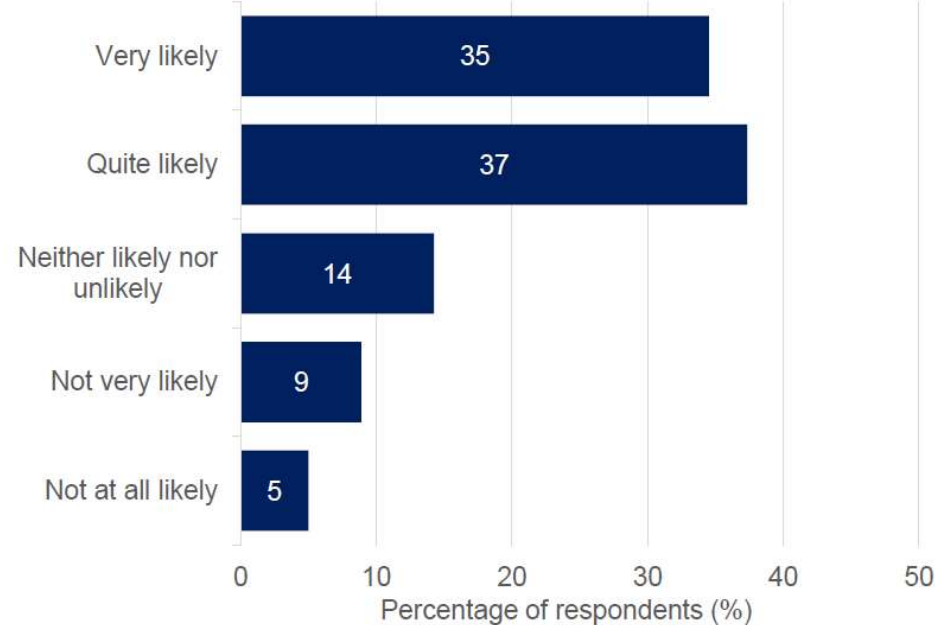
## Poster usefulness and likelihood to use

Q: *'How useful do you find this poster?'* | Base: Respondents who have seen the 'Storm Overflow Releases map' (66)



Q: *'These posters are placed at locations around the beachfront, how likely do you think you'll be to use this poster now you know about it?'*

| Base: Respondents who *have not* seen the 'Storm Overflow Releases' poster (281)



- Respondents find this poster useful – 38% say it is very useful and just under half (45%) say it is quite useful
- Nearly three quarters of respondents say they are 'likely' or 'very likely' to use this poster now that they know about it (72%)

## Opinions on the poster

Q: **'What, if anything, do you like about this poster?'** | Base: Respondents leaving a comment (206)

Key themes	%
<b>Clear and easy to understand</b> (e.g. Traffic light system easy to relate to, clear map, easy to glance at)	47
<b>Useful/informative</b> (e.g. shows release points, gives key information to help people make informed decisions)	19
<b>Updated regularly</b> (e.g. like that it is updated and dated)	6
<b>Generally like the poster</b>	6
<b>QR codes to further information</b>	5
<b>Helps to highlight the issue / upfront about sewage releases</b>	3
<i>N/A or no comment</i>	1
<i>Negative comment/ improvements (e.g. digital format needed, not up to date, like to know before they get to seafront, not seen poster)</i>	24

Q: **'How could this poster be improved?'** | Base: Respondents leaving a comment (172)

Key themes	%
<b>Improvements to the map</b> (e.g. Zoom in to show just coastline/ show less land, adding drift direction arrows, cover a wider area such as Paulsgrove lake the watersports area near Eastern Road and Hayling Island)	15
<b>Make information clearer and more eye catching</b> (e.g. mark where sewage outlets are, make poster bigger and more obvious, have a catching title such as 'are you going into sea today', add key stakeholder logos)	15
<b>Post at more locations</b> (e.g. a poster located every 100m along sea front, near slipways, letters in the post)	14
<b>Needs to be online with live information</b> (information on an app updated daily, automatic updates live updates as posters become out of date quickly)	13
<b>Ensure it is updated daily</b>	8
<b>More information</b> (include information on the impact of the bathing quality RAG rating, list how many releases a month)	8
<b>Use clearer language</b> (explain storm over flow/mention sewage release instead so the public understand)	5
<b>Other</b> (e.g. use data not from Southern Water/Beachbuoy, link to safer sites that can be trusted)	6
<i>NA/No comment/no improvements</i>	25

## Further comments

Q: *'Do you have any other comments to make about the work the Council is doing to inform the public about bathing water quality?'* |

Base: Total sample (345)

Key themes	%
<b>General positive comment</b> (e.g. thank you, sets example, great to see council doing something about bathing water quality, good to be informed)	22
<b>Council not doing enough to put pressure on water companies</b> (e.g. fining water companies, lobbying against them, demanding water quality reports)	14
<b>Water should be safe all the time/stop sewage pollution</b> (e.g. tackle the source, Southern Water to make improvement to their systems)	13
<b>Help surrounding councils and bathing areas</b> (Hayling Island/Havant)	3
<b>Environmental concerns</b>	2
<b>Make the posters/information boards more prominent / introduce flag system warning</b>	1
<b>Concerns on reliability of Southern Water figures</b>	1
<b>Digital posters/online updates</b>	1
<b>Health concerns</b>	1
<b>Council to run report into health risk of swimming in sewage water</b>	1
<b>Use the intranet and PCC comms to communicate info. Weekly emails</b>	1
<b>Test the bathing water regularly</b> ( could recruit help of Portsmouth University)	1
<b>More posters and in more locations especially for non locals</b> (Milton lock/common)	1
<i>NA / No comment</i>	51

*"Brilliant initiative!"*

*"Just telling people about release is not the answer. Work needs to be done to reduce if not stop the releases."*

*"Thank you Portsmouth CC well done."*

*"I think this Council initiative re. bathing waters is very positive. However I am concerned that Southern Water's Beachbuoy app gives inaccurate & incorrect information."*

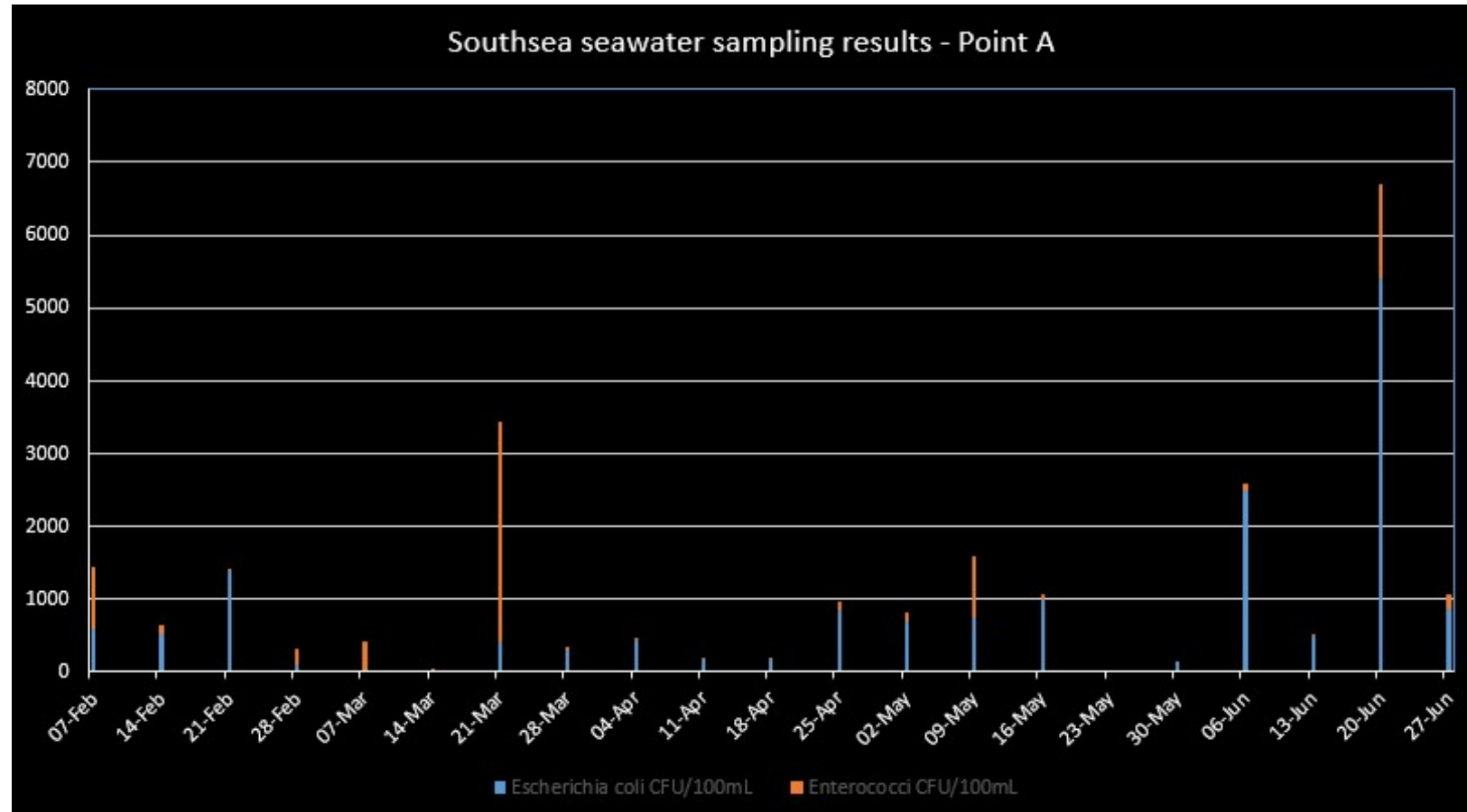
*"Do the council ever take water samples to test? This would give a definitive answer about bathing water quality rather than asking the source of the pollution when it last polluted."*

This page is intentionally left blank

**Appendix 2:** Portsmouth City Council and Environment Agency seawater monitoring sampling results.

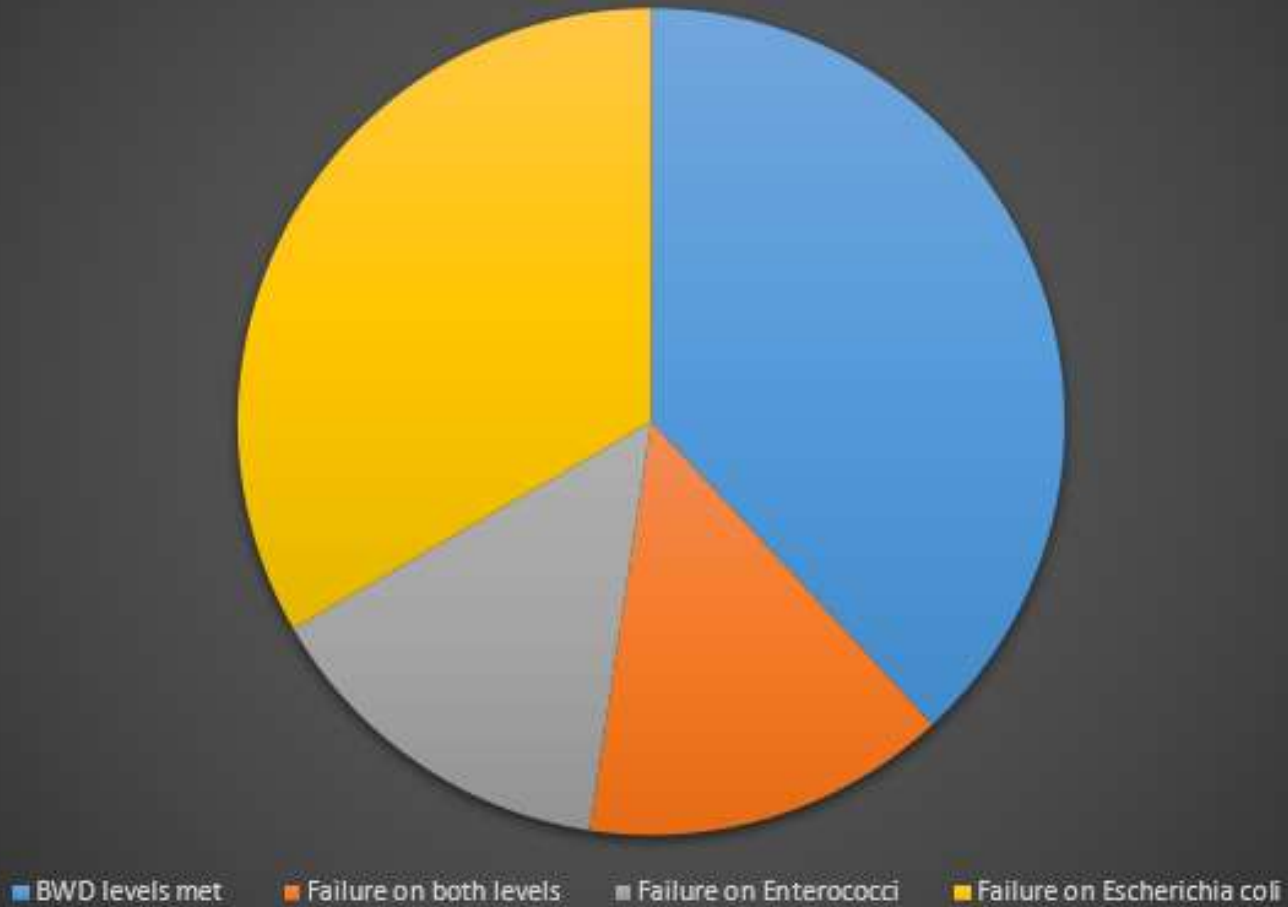
Portsmouth City Council Southsea East Beach Sampling Results:

Collection Point A - West of Pier:



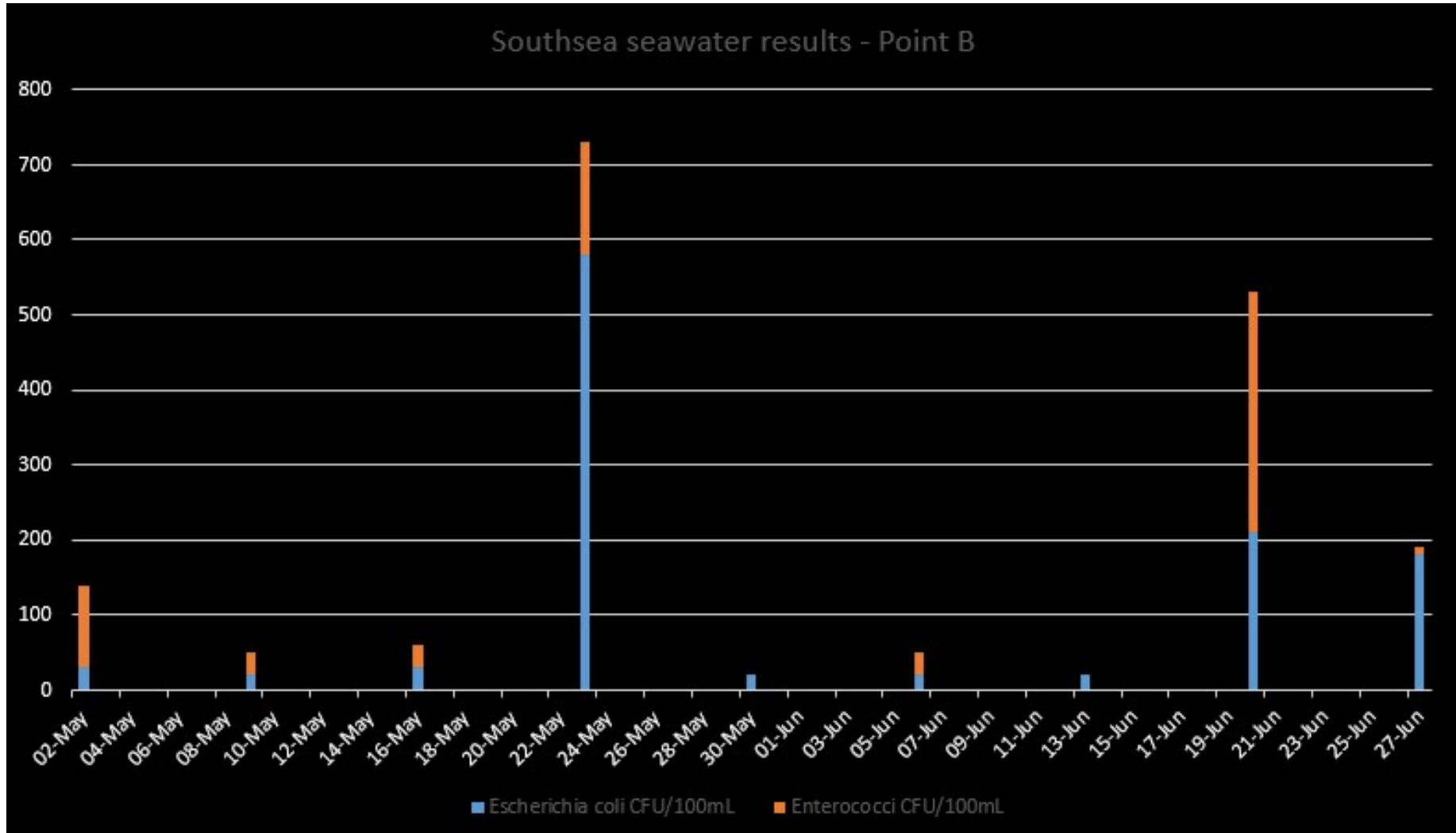
## Southsea seawater sampling results - Point A

7th February - 27th June 2023



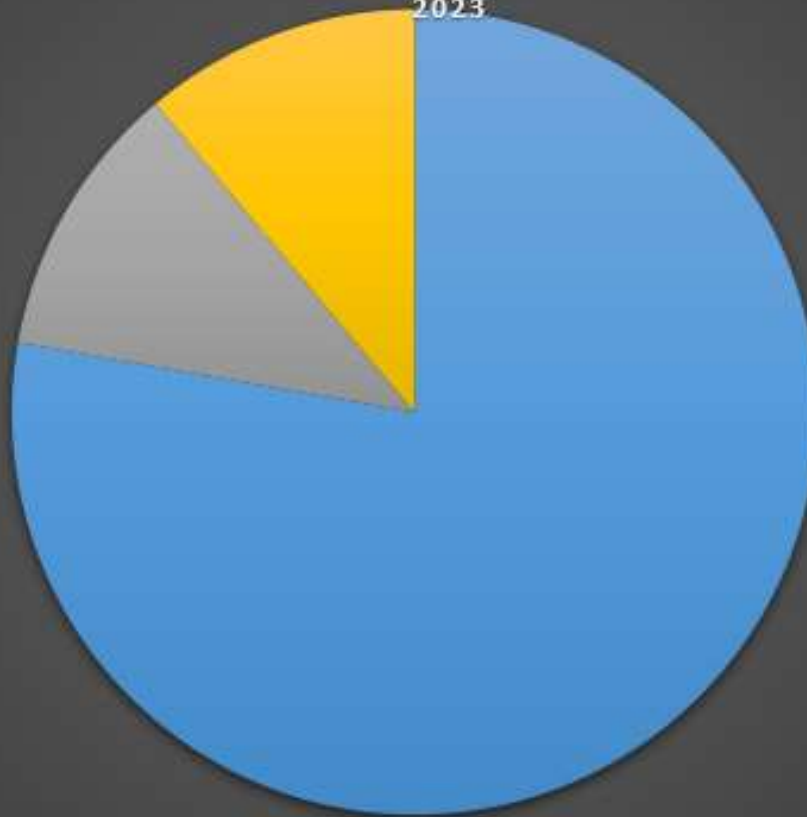


Collection Point B - East of Pier:



### Southsea seawater sampling results - Point B

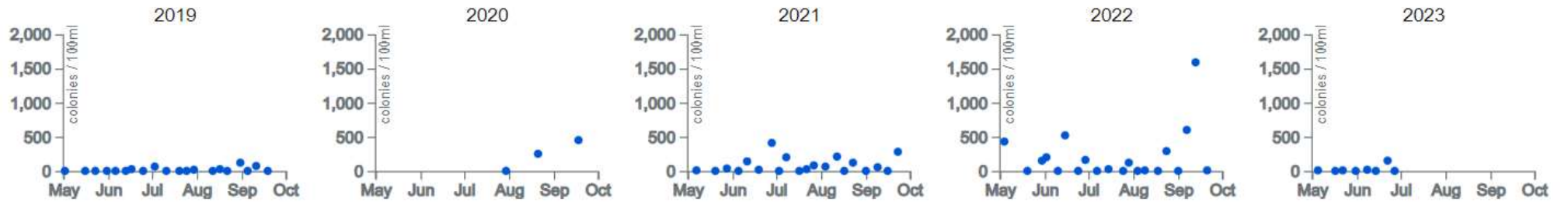
2nd May- 27th June  
2023



■ BWD levels met   ■ Failure on both levels   ■ Failure on Enterococci   ■ Failure on Escherichia coli

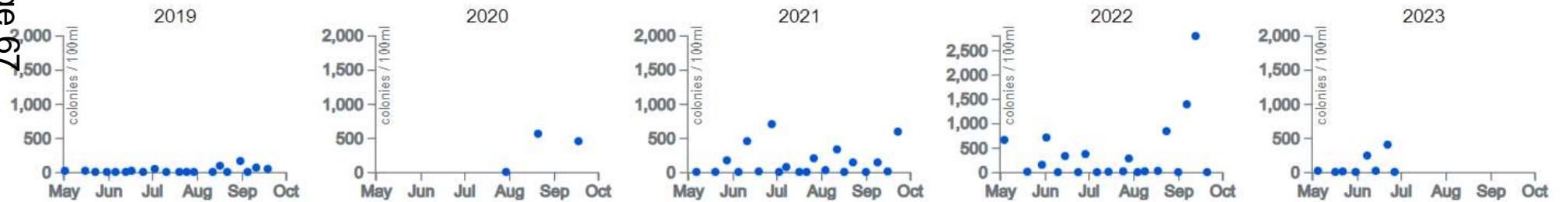
Environment Agency Bathing Water Results for Southsea East 2019 - 2023:

Intestinal Enterococci (IE)



Escherichia coli (EC)

Page 67



This page is intentionally left blank

<b>Form name</b>	Integrated Impact Assessment
<b>Reference</b>	IA522134813
<b>Date</b>	07/06/2023



## Policy details

<b>Request date</b>	07/06/2023 14:05
<b>Directorate</b>	PCC Culture Leisure and Regulatory Services
<b>Service</b>	Regulatory Services
<b>Title of policy, service, function</b>	Water Quality Report
<b>Type of policy, service, function</b>	New
<b>What is the aim of your policy, service, function, project or strategy?</b>	These are proposals to make the public aware of our water quality and how best to tackle the decline of our bathing water at one of our beaches.
<b>Has any consultation been undertaken for this proposal?</b>	no

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

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

## Crime - Will it make our city safer?

<b>This section is not applicable to my policy</b>	<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?**

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?	Water quality has an impact on our health and our environment. Poor water quality can cause illness to those that use the waters. By taking these proposed measures, we aim to better inform the public on the quality of the bathing water, allowing them to make more informed decisions on their water activity.
How are you going to measure/check the impact of your proposal?	Bathing waters are sampled by the Environment Agency.

**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?**

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

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

<b>Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?</b>	By making the public aware of the quality of our bathing waters and the role that Southern Water, and they themselves, have in this. This could potentially educate and make people more aware of this issue.
<b>How are you going to measure/check the impact of your proposal?</b>	Continue to monitor the situation and attain public opinion.

**Air quality - will it improve air quality?**

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

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

<b>This section is not applicable to my policy</b>	<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?**

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?	Addressing the quality of our bathing water and providing information to water users. Not doing so could have an impact on tourism, especially facing the potential of having to warn the public not to use our beaches.
How are you going to measure/check the impact of your proposal?	Bathing water samples are taken by the Environment Agency.

**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?**

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?	Attracting visitors to our Great Waterfront City will have a positive impact on local businesses.
How are you going to measure/check the impact of your proposal?	n/a



## Social value

<b>Please explain how your policy, service, function, project or strategy delivers Social Value</b>	These proposals have a great value to Portsmouth society and our visitors. The Council has a duty to provide public health information and informing the public on our bathing water quality is of utmost importance. Hand in hand with this, it should be a priority to investigate potential reasons for the decline in our bathing water.
---	--

## Involvement

<b>Who was involved in the Integrated impact assessment?</b>	Regulatory Services
<b>Name of the person completing this form</b>	Claire Alexander
<b>Date of completion</b>	2023-06-07

This page is intentionally left blank

# Agenda Item 7



**Title of meeting:** Cabinet  
**Date of meeting:** 25<sup>th</sup> July 2023  
**Subject:** Approval of The Corporate Plan  
**Report by:** Corporate Strategy Manager  
**Wards affected:** All  
**Key decision:** NO  
**Full Council decision:** NO

---

**1. Purpose of report**

1.1 To seek approval from Cabinet for the updated Council's Corporate Plan - 2023-24.

**2. Recommendations**

**2.1 Cabinet is recommended:**

- a) To approve the updated Council's Corporate Plan - 2023-24 (see Appendix 1)
- b) To note that the plan demonstrates the Council's commitment to supporting the achievement of the Vision for Portsmouth that has previously been agreed with partners as well as demonstrating how the Council is delivering for the residents of Portsmouth in these challenging times
- c) To agree that delegated authority be given to the Chief Executive to make minor changes to the draft document prior to publication

**3. Background**

3.1 Last year's Corporate Plan 2022-23 was strongly aligned with the medium-term vision but also had a focus around responding to the immediate context that was facing Portsmouth residents and the city as there continued to be recovery from the pandemic.

3.2 The plan for 2023/24 represents an evolution of this plan to pick up the progress that has been made of many of the issues identified in the 2022/23 plan and refreshes the missions for the Council to work together with partners and communities to be a champion for our city and improve the lives of our residents, and to protect and enhance our environment, tackling the causes of climate change and creating a green city.

3.3 In summary, these are:

**We will improve the lives of our residents - priorities:**

- support individuals and families struggling to make ends meet
- make sure people feel safe and supported in their homes and communities
- ensure people have access to the health and care services they need
- work with partners, including Portsmouth's schools, to improve educational attainment and opportunities for children and young people in the city
- create homes, jobs and economic opportunities in the city, including by regenerating major sites
- make sure our residents have the housing they need
- put culture at the heart of our city's success

**We will protect and enhance our environment - priorities:**

- reduce our own carbon emissions
- help residents and business reduce their carbon emissions
- prioritise sustainable travel and improve transport systems in the city to reduce the environmental impact and improve journey times
- ensure that the city has a healthy and resilient natural environment
- reduce the waste generated by the city, and make sure we dispose of our waste responsibly

**We will be a champion for our city - priorities:**

- We will ensure Portsmouth is a city equipped for the future and that residents have the skills they need
- get the best possible deal for our residents by lobbying and leading at a regional and national level to make sure the city's voice is heard
- be an innovative and efficient organisation that values its staff and is at the front of new developments so we are learning and delivering the best possible services

3.3 The heart of the plan is about providing the services that residents value. The updated plan shows that our residents rely on us to:

- Ensure older people and vulnerable adults are looked after and supported to live independently
- Maintain our transport infrastructure, parks, open spaces and buildings
- Offer housing services
- Support education, early years and children with special educational needs
- Keep children safe and families together
- Improve the health and emotional wellbeing of residents

- Encourage economic development
- Provide planning services
- Support culture, museums and libraries
- Provide benefits and collect council tax and business rates
- Collect their bins and offer recycling opportunities
- Keep the city clean, tidy and safe
- Maintain support services and roles that enable the organisation to run efficiently and effectively and enable staff working on the frontline to focus on delivering services for our residents and communities.

3.4 The Corporate Plan brings all these elements together and shows how everything links up.

**4. Reasons for recommendations**

4.1 The Corporate Plan has been updated to reflect the current issues facing the city, but it is still aligned to the City Vision. Cabinet is being asked to approve this draft plan and to note the links with the City Vision. Delegated authority to the Chief Executive is requested to enable any final changes to the draft document including minor changes to the text and to the format of the document.

**5. Integrated impact assessment**

5.1 No integrated impact assessment has been undertaken because the individual projects and key activities within the plan will be subject to their own assessments.

**6. Legal implications**

There are no legal implications specifically associated with this report. Any projects undertaken will be subject to their own assessments.

**7. Director of Finance's comments**

There are no direct financial implications associated with approval of this report. The strategies to achieve the plan and any projects that flow from this will be subject to their own individual financial assessments.

.....  
Signed by:

Paddy May

Corporate Strategy Manager



**Appendices:**

Appendix 1 - Corporate Plan - 2023-24.

**Background list of documents: Section 100D of the Local Government Act 1972**

None

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

.....

Signed by:

## **Delivering for Portsmouth: our mission and priorities 2023/24**

### **1. Foreword**

#### **Welcome to the Corporate Plan for Portsmouth for 2023/24**

As the new Leader and Chief Executive designate, we are delighted to introduce this plan which sets out our priorities for this year, challenges we face and how we are working to help achieve the city's vision for 2040.

We look forward to working with councillors, staff and partners to continue to build on the strong foundations that are in place to deliver this plan, take the city forward and deliver our priorities.

The mission in our plan is clear: to work together with partners and communities to be a champion for our city and improve the lives of our residents, and to protect and enhance our environment. At the heart of this plan is also our work to deliver the many services that our residents value and rely on us to deliver every day.

Thank you to the outgoing leadership who have achieved so much over many years to ensure that we can continue to deliver for Portsmouth.

Thank you also to all our staff and partners whose tireless work, commitment and support will help make our plan a reality and ensure that we continue to improve our city and the lives of our residents.

**Councillor Steve Pitt**  
**Leader**

**Natalie Brahma-Pearl**  
**Chief Executive, designate**

### **2. City vision: shared values and aspirations**

The corporate plan is informed by the city vision, which sets out the aspirations the people of Portsmouth have for their city, how people behave towards each other and how it feels to live here.

**PORTSMOUTH PEOPLE VALUE COLLABORATION, COMMUNITY,  
EQUALITY, RESPECT, AND INNOVATION**

The city vision also sets out six clear aspirations for Portsmouth.  
In 2040, Portsmouth will be:

- A healthy and happy city**
- A city rich in culture and creativity**
- A city with a thriving economy**
- A city of lifelong learning**
- A green city**
- A city with easy travel**

As a council, we will work in partnership with other organisations, and with residents and communities, shaping our core services and our transformational projects, plans and strategies to make these aspirations a reality.

### 3. PCC values

Our council values were chosen following extensive consultation, including with residents, customers, councillors, and staff, and reflect the values of the people of Portsmouth expressed through the city vision, as well as what is important to our staff about the kind of organisation we want to be. The values also reflect the Nolan principles that guide working in the public sector.

Our council values are:

- **respect** – we treat everyone with respect, considering the feelings, wellbeing, safety, and rights of others
- **integrity** – we are accountable, can be trusted and take responsibility for our actions
- **collaboration** – we work together as a team and with our colleagues, residents, partners, and communities to achieve more
- **inclusive** – we recognise diversity, are open, fair and provide equal opportunity to all
- **people-focussed** – we put people first and ensure our customers are at the heart of everything we do

### 4. Heart of the plan

While the focus of our corporate plan is on delivering our mission and priorities for Portsmouth for 23/24, at the heart of the plan are the many services our residents value and rely on us to deliver every day.

Our residents rely on us to:

- Ensure older people and vulnerable adults are looked after and supported to live independently



- Maintain our transport infrastructure, parks, open spaces and buildings
- Offer housing services
- Support education, early years and children with special educational needs
- Keep children safe and families together
- Improve the health and emotional wellbeing of residents
- Encourage economic development
- Provide planning services
- Support culture, museums and libraries
- Provide benefits and collect council tax and business rates
- Collect their bins and offer recycling opportunities
- Keep the city clean, tidy and safe

This includes support services and roles that enable the organisation to run efficiently and effectively and enable staff working on the frontline to focus on delivering services for our residents and communities.

## **5. Team Portsmouth**

Portsmouth is a city that values collaboration and we are proud of the work we do in partnership with other organisations, as well as with people and communities through consultation and engagement and co-production.

The city has excellent partnership working, bringing organisations together on everything from the city vision to the health and wellbeing strategy to tackling climate and environment issues.

The council works in partnership with a broad range of organisations, including with the Integrated Care Board (ICB), Solent NHS Trust, Portsmouth Hospitals University Trust, Hampshire Constabulary, the Probation Service, Hampshire Fire and Rescue Service, The Royal Navy, University of Portsmouth, Hive Portsmouth, and Portsmouth Football Club. The council also works with umbrella organisations that represent important groups in the city, including Shaping Portsmouth, which represents businesses in the city, Portsmouth Creates, which supports the creative and cultural sector, Portsmouth Education Partnership, which brings together schools and other partners involved in education, and Hive Portsmouth, which represents the city's voluntary and community sector.

Continuing to support and develop partnerships in the city and to facilitate and encourage Team Portsmouth is at the heart of our plan for 2023/24.

Of course, we also work as part of partnership teams that are wider than Portsmouth too. Examples are our work on waste collection and disposal, on

regional transport arrangements and in the arrangements we have for shared service delivery with other local authorities such as Gosport Borough Council. Partnership is critical to strong service delivery across our functions.

## 6. Our mission

Our mission for 2023/24 is to work together with partners and communities to improve the lives of our residents, protect and enhance our environment and be a champion for our city.

**Our mission for 2023/24 is to work together with partners and communities to be a champion for our city and improve the lives of our residents, and to protect and enhance our environment, tackling the causes of climate change and creating a green city**

Our council mission guides the priorities that we will focus our attention and resources on, here and now.

<b>Our mission for 2023/24 is to work together with partners and communities to be a champion for our city and improve the lives of our residents, and to protect and enhance our environment, tackling the causes of climate change and creating a green city</b>		
Improve the lives of our residents	Protect and enhance our environment	Be a champion for our city
We will work to <ul style="list-style-type: none"> <li>• support individuals and families struggling to make ends meet</li> <li>• make sure people feel safe and supported in their homes and communities</li> <li>• ensure people have access to the health and care services they need</li> <li>• work with partners, including Portsmouth's schools, to improve educational</li> </ul>	We will work to: <ul style="list-style-type: none"> <li>• reduce our own carbon emissions</li> <li>• help residents and business reduce their carbon emissions</li> <li>• Prioritise sustainable travel and improve transport systems in the city to reduce the environmental impact and improve journey times</li> <li>• ensure that the city has a healthy and resilient natural environment</li> </ul>	We will work to: <ul style="list-style-type: none"> <li>• ensure Portsmouth is a city equipped for the future, and that residents have the skills they need</li> <li>• get the best possible deal for our residents by lobbying and leading at a regional and national level to make sure the city's voice is heard</li> <li>• be an innovative and efficient organisation that values its staff and is at the front of new developments</li> </ul>

<p>attainment and opportunities for children and young people in the city</p> <ul style="list-style-type: none"><li>• regenerate major sites to create homes, jobs and economic opportunities in the city</li><li>• make sure our residents have the housing they need</li><li>• put culture at the heart of our city's success</li></ul>	<ul style="list-style-type: none"><li>• reduce the waste generated by the city, and make sure we dispose of our waste responsibly</li></ul>	<p>so we are learning and delivering the best possible services</p>
---	---	---

## 7. Mission 1 - We will improve lives

### **Priority - we will work to support individuals and families struggling to make ends meet**

We help residents maximise their income, recognising the impact economic prosperity has on all aspects of people's lives, including health and wellbeing. We help people access grants and benefits, including council tax support and housing benefit, and household support grants for those in greatest need. We provide information and advice, including through our cost of living helpline and hub, and aid households to reduce costs and make homes greener through Switched On Portsmouth. We enrich lives by providing free and low-cost activities through museums, libraries, and events, as well as our seafront and open spaces, and help people get around by supporting affordable and sustainable local transport, from the national £2 bus fare cap to rental electric scooters and shared bikes.

In 2023/24, we will also:

- make sure households in need benefit from the city's Household Support Fund
- provide additional help for people in the greatest need through support work, outreach and information and advice, and ensure that we help people to get on the right footing after a financial problem
- provide more grants for insulation, air source heat pumps and solar panels for low-income homes

- work in partnership with The Library of Things to enable residents to check heat loss from their homes
- work with health partners to develop a model for "warmth on prescription" -
- further develop the Holiday Activities and Food programme with more free events and activities
- work with partners to extend support such as community pantries
- continue to offer leisure card discounts on leisure activities for people on low incomes
- continue to offer free swimming for under 12s.
- work with the local bus industry to ensure affordable public transport.

Supports city vision aspirations around healthy and happy, thriving economy, green city, culture and creativity, easy travel.

### **Priority - we will make sure people feel safe and supported in their homes and communities**

The council works with other organisations through the Safer Portsmouth Partnership and provides services to help people feel safe in their homes and communities. This ranges from teams that tackle problems on our streets such as flytipping and graffiti, to regulatory services that deal with environmental issues, from air and noise pollution to pest control, to ensuring the city is prepared to respond to and recover from emergencies.

In 2023/24, we will also work to:

- re-establish a multi-agency group to tackle neighbourhood environmental issues and anti-social behaviour
- expand specialist drug and alcohol treatment support for offenders, reducing harm for families and communities
- tackle serious violence, including violence against women and girls, working with police and other partners
- implement the White Ribbon scheme in the city
- continue to lead partners on tackling modern slavery and human trafficking
- ensure that the city's night-time economy is safe, including through designated "safe space" provision, working with partners
- protect local people from 'scam' traders, and work with National Trading Standards to tackle large-scale criminality and recover proceeds of crime
- develop 'safe spaces' in the city for vulnerable adults
- use the findings from a pilot to connect social care with our safe at home service to inform the way we shape future services for people
- install more Changing Places toilets in the city

- make improvements to the way we manage social housing, including to fire and building safety in line with the Social Housing Charter
- continue to improve Portsmouth's transport network to provide safer travel and support access to services.

**Priority - We will ensure people have access to the health and care services they need**

In partnership with the NHS through Health and Care Portsmouth, we are already working to provide innovative integrated health and care services for our residents. From the elderly and people with disabilities to those coming home from hospital or who are simply lonely, we provide care where it is needed, keep people safe and help as many people as possible to connect with their communities and live their lives independently, including the city's vital unpaid carers. We also work to support children and families, including providing early help for families to help them cope with life's challenges, making sure children are safe and providing care when they cannot remain at home with their families.

In 2023/24, we will work to:

- continue to develop the neighbourhood health and care model to ensure people get the right care in the right place
- continue to develop preventative services to help residents get the care they need early, and avoid hospital admissions, working with the NHS
- review schemes that support residents being discharged from hospital, ensuring we have people-focussed and financially sustainable services
- support partners in the city to find solutions to the shortages of GPs, dentists, and other health professionals, including helping services with premises and exploring options for a centre for dental development
- work with partners to ensure support for mental health, including the mental health hub, more services for children and young people, and sports and leisure schemes
- work with Solent Mind to increase the number of mental health first aiders within the workplace to support and signpost staff and customers.
- continue to offer residents support to stop smoking, drink sensibly, be more physically active and eat a balance diet to improve their physical and mental health.
- improve access to support that helps residents live independently
- review short stay accommodation for residents with care and support needs
- improve health services for our children and young people in care, and ensure that we are good corporate parents
- develop our Family Hubs to deliver the government Start for Life offer
- review and implement a local offer for our care-experienced young people

- develop a "Going Home" project, supporting children in our care to return home when it is safe to do so

**Priority - we will work with partners, including Portsmouth's schools, to improve educational attainment and opportunities for children and young people in the city**

We work with partners, including through the Portsmouth Education Partnership, to support schools and improve educational attainment.

The council has a range of statutory responsibilities around education, including the provision of a system for school admissions and supporting children with special educational needs and disabilities.

Despite more city schools than ever being rated as Good or Outstanding by Ofsted, we know that too many children finish their education with results lower than their peers in other areas, so improving these outcomes is very important to us.

In 2023/24, we will work to:

- roll out the priority education investment area programme, focusing on literacy, maths, attendance, and digital technology
- enable more young residents with a learning disability to start apprenticeships and get into work
- improve our processing of requests for education, health and care plans for children and young people with special educational needs
- develop relational practice in our schools, and use this as a basis for a campaign to encourage school attendance post-pandemic
- deliver the youth strategy for the city, including developing a new youth provision in the city centre
- continue to support literacy opportunities through our library programme
- implement a programme of supported internships for young neurodiverse adults within the city council and acting as a role model employer

**Priority - regenerate major sites to create homes, jobs and economic opportunities in the city**

We are already identifying and bringing forward sites for development and regeneration, shaping plans that will create homes, including affordable social housing, jobs, and economic opportunities for our residents. We drive the local economy through our own enterprises, including developing a 20-year masterplan for the council-owned Portsmouth International Port that includes

growing the port's cruise business, supported by a successful bid for Levelling Up funding for a new terminal to manage 250,000 additional passengers per year. We provide the statutory planning function for the city, so process planning applications for schemes in line with government targets to ensure that development is suitable, and are progressing the finalisation of the new 2020-2040 Local Plan which will provide more contemporary guidance and certainty for applicants and in decision-making on Planning applications.

In 2023/24, we will work to:

- complete a new Local Plan, including the requirement to develop new homes and employment space to meet the needs of our residents
- continue to develop a masterplan for the whole city centre, including a new road, and the Commercial Road and Guildhall Walk areas
- implement our Port masterplan, to create new employment opportunities and enhance the wider city economy
- finalise plans to progress the Tipner West site, including setting out how the site can support future marine and maritime uses
- identify and implement creative "meanwhile" uses for sites where development is not ready to come forward
- maintain Lakeside as the south coast's premier business campus
- deliver Future High Street public realm improvements
- complete review of market provision and develop a markets strategy
- play an active part in the development of Solent Freeport, including the development of Dunsbury Park, and make sure that Portsmouth maximises the opportunities that are presented

### **Priority - help people have the housing they need**

We are already working to help people have the homes they need to live well, building new council homes and encouraging the development of affordable social housing, providing landlord services to our tenants and leaseholders in Portsmouth and Havant, and providing them with additional support through community-based play and youth services and community centres. We also offer advice and support to people living in the private rented sector and provide a range of help for those who are either homeless or at risk of becoming homeless, as well as administering financial support around housing, including housing benefit.

In 2023/24 we will work to:

- build new council homes
- continue the policy of buying back council homes, including those previously sold under Right to Buy
- review our empty property strategy to release more homes

- build more homes through our own development company, Ravelin Housing Ltd
- develop plans for better temporary accommodation for people without permanent homes
- review our processes and speed up our decision-making around the help we can offer people without permanent homes
- implement more licensing to ensure Houses in Multiple Occupation (HMOs) are safe and suitable accommodation
- develop an accommodation strategy for people with additional care and support needs
- continue to support resettlement schemes

### **Priority: We will put culture at the heart of our city's success**

We define culture as all the things that make the city a great place to be and recognise its value in relation to driving our local economy and creating jobs and opportunities for local people as well as supporting a healthy and happy city. We provide cultural opportunities through our diverse libraries, and the collections and exhibitions in our museums. We support then city's theatres and venues, and cultural and creative industries through our work with our partners through Portsmouth Creates. We provide opportunities for people to enjoy the city's rich heritage, its unique natural environment and our parks and open spaces, and we facilitate sport and leisure activities that enrich lives.

In 2023/24, we will work to:

- continue to transform the city's leisure offer, with schemes in Bransbury Park, King George V Playing Fields and Hilsea Linear Park
- improve our parks and open spaces, including the £2.8m Victoria Park scheme and a people's park scheme
- complete our parks and open spaces strategy setting out our plan for the protection and enhancement of spaces for local people for the next 15 years.
- take forward the development of Guildhall Walk as an important location for the city's cultural offer
- continue to support events in the city, including Victorious, Great South Run, and the Formula Kite European Championships
- celebrate public art in the city by expanding the installation of art work across our housing locations and through the Portsmouth Art Festival and other collaborative opportunities through Portsmouth Creates
- complete our heritage strategy, setting out our plans for important elements of our city's history and heritage, including the Round Tower
- work with the performance venues in the city to make sure that they are successful and sustainable
- continue to develop our community centres, libraries and museums as key venues for local people and communities to participate in cultural activities



**8. Mission 2 - we will protect and enhance our environment, tackling the causes of climate change locally and creating a green city**

**Priority - we will reduce our own carbon emissions and put in place measures that mean people can reduce theirs too**

We already provide strong leadership locally around carbon reduction and, having successfully applied to be part of Innovate UK's Net Zero Living Programme, are collaborating with our partners to develop a study looking at barriers around reducing carbon emissions and identifying citywide solutions. We are a pilot for the Greenprint framework for green recovery, working with the Partnership for South Hampshire (PfSH), as well as participating in international climate change initiatives and campaigns. And we are already acting, including through the largest local authority led coastal defences project in the country, which will protect the city from sea level rises, and has been recognised as a UN Climate Change High-Level Champion.

In 2023/24, we will work to:

- roll out £30m investment to improve energy efficiency including the installation of photovoltaic solar panels and battery storage
  - explore opportunities to improve wider energy efficiency in the city, working with major city institutions including PFC, the university and QA hospital
  - complete the build of a carbon-neutral passenger terminal extension at Portsmouth International Port
  - implement schemes to turn Portsmouth International Port into a living laboratory, using future fuels and battery technology
  - work to reduce carbon emissions in council homes by improving energy efficiency, including piloting retrofit and increasing insulation
  - reduce carbon emissions from council vehicles, for example powering our waste collection fleet with hydro-treated vegetable oil
  - encourage sustainable travel for our own staff journeys and cut energy use in our buildings
  - continue migrating IT applications into the cloud reducing our carbon footprint by 660 metric tonnes a year
  - work with partners to develop a Switched On model for businesses and schools to help reduce energy use and emissions
  - work with businesses and organisations to deliver workplace travel planning to make journeys more sustainable
  - continue to monitor and report in the Portsmouth Clean Air Zone, working closely with central government and the Joint Air Quality Unit (JAQU).
- **Priority - We will prioritise sustainable travel and improve transport systems in the city to reduce the environmental impact and improve journey times**

Through our responsibility for the local transport network, we make sure our roads are safe and well maintained (fulfilling our statutory responsibility to reduce and prevent road traffic accidents). We ensure buses are available and provide concessionary bus travel to those who are eligible. We also ensure the city has a network of active, sustainable, and low-cost travel options, including rental electric scooters and bikes, and provide facilities to encourage walking and cycling, from safe cycling routes to bike storage.

In 2023/24, we will also work to:

- improve cleaner transport options by expanding the shared bike scheme, providing additional bike hangars and launching the Portsmouth Car Club scheme
- continue to construct the East-West Active Travel corridor, between Fratton and Gunwharf Quays
- improve walking and cycling routes across the city, installing more pedestrian and cycling crossing facilities where needed
- launch the Breeze app to help people plan and pay for a seamless journey from catching a bus to hiring a bike
- introduce targeted low-cost and discounted bus fares and promotions as part of the Bus Service Improvement Plan
- continue to deliver South East Hampshire Rapid Travel (SEHRT) programme of bus journey time improvements including additional bus lanes and active travel improvements
- use the Zero Emission Bus Regional Area (ZEBRA) grant to enable the delivery of 62 electric buses across Portsmouth and the wider travel to work area
- continue to develop transport hubs across the city in key locations such as Tipner, Cosham, Southsea and the city centre.
- continue to manage, monitor, and report against the Clean Air Zone
- continue to make improvements in air quality, by encouraging the use of clean transport options
- develop and deliver micro freight consolidation as a trial project for Portsmouth as part of the Future Transport Zone
- roll out further school and play streets in the city
- develop Active Pompey Neighbourhoods (APN) to reduce through traffic, provide more access to active travel options and provide additional greening
- develop and consult on a Portsmouth parking strategy, Electric Vehicle Strategy and Public Transport Strategy
- Continue to deliver high quality parking services for residents, visitors and businesses
- Continue to investigate the opportunities that technology offers to enhance transport systems in the city

**Priority - we will ensure that the city has a healthy and resilient natural environment**

The council has made public commitments to protecting our natural environments through motions agreed by Full Council, and is taking action, including looking at reducing the use of harmful pesticides, and planting thousands of trees and shrubs, assisted by successful bids for funding, removing around 30 tonnes of carbon from the atmosphere. Recognising the impact on people's health, tackling air quality issues is included in our Health and Wellbeing Strategy and we are taking action, including through our Clean Air Zone, which tackles pollution and reduces carbon emissions.

In 2023/24, we will work to:

- continue to deliver the greening strategy and development plan
- plant more streets trees and providing more green spaces on our streets for trees, shrubs and wild flowers to improve environments for the city's people and biodiversity
- create more sustainable drainage through schemes such as rain gardens and permeable surface solutions.
- roll out green roof bus shelters
- progress actions around ocean management and nature, including working to reduce the use of pesticides in the city
- continue to hold water companies to account for their actions in the city and challenge them to make improvements
- take forward further bids to organisations such as Trees for Cities to ensure that we continue to create more green and pleasant spaces

**Priority - We will reduce the waste generated by the city, and make sure we dispose of our waste responsibly**

We are responsible for rubbish collections and for enabling recycling. We have expanded our recycling to include food waste collections, and added bring banks for plastic packaging and cartons, and we've taken steps to make our waste collection vehicles more sustainable by using Hydrotreated Vegetable Oil (HVO) fuel. We also work with local residents and businesses to encourage positive behaviour change around reducing and recycling, reducing our overall waste, and ensuring a greater percentage is recycled.

In 2023/24, we will also:

- progress work to transfer the waste collection service back to the council from a private contractor
- prepare to meet new responsibilities for councils under the Environment Act 2021, and continue to work with partners to prepare for twin stream

recycling collections which will expand the range of materials collected at the kerbside to include glass, plastic pots, tubs and trays and cartons - subject to confirmation from Government of legislative requirements and funding.

- complete roll out of food waste collection to every home
- introduce plastic recycling at more locations across the city
- bring forward a new Waste Management Policy to account for changes arising from the Environment Act 2021
- continue working towards developing our own anaerobic digestion plant
- create a vision for the closed landfill site at Horsea Island to focus on ecological and biodiversity outcomes, transforming the site

## **9. Mission 3 - we will be champions for Portsmouth**

**Priority - we will ensure Portsmouth is a city equipped for the future and that residents have the skills they need**

The world around us is changing constantly and fast, from new and emerging technologies to social and environmental change and we are already working to ensure the city adapts and our residents are prepared. We are already preparing homes to be more energy efficient and equipping the city for electric vehicles and encouraging sustainable travel. Our coastal defences schemes are preparing the city for the environmental changes associated with climate change. We have ensured the city has access to high speed internet through then local full fibre network, and we're working to ensure our young people have the right skills to succeed in a technology driven future through initiatives like the University Technical College.

This means that as well as all the other things we have already talked about in the plan, in 2023/24 we will:

- continue building the multi-million coastal defence schemes to protect the city from the increased threat of rising sea levels
- continued the roll out of the Local Full Fibre Network
- complete our electric vehicle strategy and implement more charging points.
- Use £350k from DLUHC Local Digital Fund, in conjunction with local authority partners to develop and pilot automation technologies
- Work with employers and delivery partners to further implement the Skills Strategy 2020 and ensure that the Local Skills Improvement Plan (LSIP) impacts positively on Portsmouth, its residents and businesses.

**Priority - We will get the best possible deal for our residents by lobbying and leading at a regional and national level to make sure the city's voice is heard**

The council has an important role to play in making sure we advocate for Portsmouth, so the city has a strong voice regionally and nationally. We

already make sure we advocate for our residents, working with our NHS colleagues through Health and Care Portsmouth, around issues including availability of health services. We have successfully bid for Government funding from across departments, including Levelling Up funding, to support significant improvements to our city, and we continue to work with our partners to promote the city as a great place to visit and to invest.

In 2023/24 we will work to:

- continue to be supportive partners to the wider Integrated Care System, sharing best practice and learning from others, and ensuring the city's needs are represented so we get a fair share of resources
- bring in funding through government programmes to help us achieve our priorities for the city
- act as the SE Regional Lead for the SEND & Alternative Provision Improvement Plan
- chair the British Ports Association (national trade body), raising the profile of Portsmouth International Port on a national scale and ensure the city features in industry discussions with Government
- work hard to oppose the Aquind development
- continue to lobby Government for an acceptable solution to the Border Control Post shortfall
- contribute to ongoing Solent Coast-focused devolution negotiations
- continue to work with neighbouring Local Transport Authorities and partnerships, such as Transport for South East and Solent Transport, to improve regional connectivity and identify funding opportunities.

**Our priority - We will innovate and be at the front of new developments so that we are learning and delivering the best possible services**

We want to keep making improvements and finding better ways to deliver our services, so that means trying new things and constantly learning. So for example, we are working with the Department for Transport and other partners on innovative technologies that provide real time information directly into vehicles, and working to increase our use of technology to keep people safe in their homes, and support keeping people out of hospital.

In 2023/24, we will work to:

- run the first Social Care apprenticeship scheme in partnership with health, having secure £300K of funding, adding to the existing workforce
- work with the University of Portsmouth and other partners to create a research alliance, ensuring our work is evidence-based
- progress a bid to fund development of technology in delivering care
- explore transport smart cities and other technologies to improve the way we manage our transport network and provide information for residents
- further develop the Portsmouth Neurodiversity Model for children and young people, including the screening tool and resource bank

## 10. Our organisation

The business of a local authority is diverse, but we know what needs to be done to achieve good outcomes for the residents of the city.

There are a number of key risks for us as we move into 2023/24. These include rising costs, driven by supply chain issues and inflationary pressures which create challenges on the revenue budget and for new developments. These pressures are also showing themselves in the cost of living crisis, which will continue to put residents under pressure and may lead to increased demand for services and support.

There is also an increasing dependency on key staff, and capacity of those staff to delivering increasingly complex briefs is a key risk to the organisation. There are wider workforce pressures emerging, with challenges recruiting to posts across the sweep of local authority activity.

In 2023/24, we will continue:

- supporting organisations to drive equality, diversity and inclusion in Portsmouth by creating an Equalities Strategy
- implementing our social value policy that makes sure we get the greatest value out of spending the Portsmouth Pound, and champion the use of local contractors and supply chains - our work in this area was recognised with a national award in March 2023
- exploring the options for becoming a Real Living Wage employer
- working closely with HIVE Portsmouth to encourage and value the work of voluntary and community sector organisations and individual volunteers in the city
- working to support the Armed Forces community in our proud naval city, and retaining Gold status for our work in applying the Armed Forces Covenant.
- develop plans for the future of the civic offices, including options for accommodation for the effective delivery of council services, and opportunities for the regeneration of Guildhall Square
- further develop our work to embed our organisational values and embed our customer promise

# Agenda Item 8



**Portsmouth**  
CITY COUNCIL

<b>Title of meeting:</b>	Cabinet
<b>Date of meeting:</b>	25 July 2023
<b>Subject:</b>	Ratification and update of the Waste Collection Policy
<b>Report by:</b>	James Hill, Director of Housing, Neighbourhood and Building Services
<b>Report Authors:</b>	Rebecca Adams, Project Manager - Waste Management Dave Emmett, Head of Waste Management
<b>Wards affected:</b>	All
<b>Key decision:</b>	Yes
<b>Full Council decision:</b>	No

---

## 1. Purpose of report

- 1.1. To update Cabinet on the proposed changes to the waste collection policy, arising from:
  - 1.1.1. The Environment Act 2021.
  - 1.1.2. Provision of additional recycling services - food waste collection; battery collection; carton & plastic recycling banks.
  - 1.1.3. Recycling contamination and the introduction of a charge for removal of contaminated recycling.
  - 1.1.4. Changes to bin provision policy for properties with limited space or no usable frontage to store bins on non-collection days.
  - 1.1.5. Change to waste presentation time.

## 2. Recommendations

- 2.1. That Cabinet approves the ratification and update of the Waste Collection Policy (Appendix 1), which includes;
  - 1) the changes related to the Environment Act 2021 and the provision of additional recycling
  - 2) the introduction of a charge to dispose of contaminated recycling as refuse.
  - 3) the update to the policy regarding the provision of waste receptacles to those properties with limited frontage to store waste receptables, while accounting for reasonable adjustments to those with protected characteristics.

4) the waste presentation time change to 6am.

2.2 That cabinet delegate further changes to the waste collection policy relating to the new Portsmouth City Council in-house waste collection service (starting on 01 April 2024) to the Director of Housing, Neighbourhoods and Buildings Services in consultation with the Cabinet Member for Environmental Services.

2.3 Cabinet note that further updates will be required to the Waste Collection Policy, once the government / DEFRA have clarified when the EPR/DRS will be introduced.

### **3. Background**

3.1. Under the terms of the Environmental Protection Act (EPA), 1990, Portsmouth City Council (the 'Council') is classed as a Waste Collection and Disposal Authority, and as such, under section 45 (1), has a statutory duty to collect household waste from all domestic properties in the city. Under Section 46(4) of the Act, the Council has specific powers to stipulate:

- The size and type of the collection receptacle(s);
- Where the receptacle(s) must be placed for the purpose of collecting and emptying;
- The materials or items which may or may not be placed within the receptacle(s);
- The time at which the receptacle(s) must be presented and removed.

3.2. Portsmouth City Council (PCC) operates a weekly refuse collection (with a weekly waste allowance) either via a black 140-litre wheeled bin or up to three (3) black bags per week, with fortnightly recycling services via a green 240-litre wheeled bin. PCC also provide a network of recycling bring bank sites for glass, textiles, mixed plastics and cartons. In addition, residents can take their domestic waste to the Household Waste Recycling Centre at Port Solent.

3.3. PCC are in a tri-partite partnership with Hampshire County Council and Southampton City Council for waste disposal. The tri-partite and Project Integra Authorities collectively agree the 'Joint Municipal Waste Strategy' (see background document list), and this was approved at a PCC Community Safety & Environment Portfolio Decision meeting on 1st December 2021.

3.4. In November 2021, the Environment Bill was passed into law and became the Environment Act 2021. This act will legislate changes in waste services, most notably:

- Mandatory separate food waste collections
- Consistent set of core materials be collected across England and Wales





- 3.5. In addition to the implementation of city-wide food waste collections which will be completed during the summer of 2023, the act also requires the introduction of further items to be collected as recycling at the kerbside as part of the consistent set of materials to be collected. In Portsmouth this means introducing pots, tubs & trays, glass, cartons, foil trays and flexible plastics collection at the kerbside. (see background documents - Recycling Infrastructure Update - February 2022)
- 3.6. An overview on the average contents of a refuse bin in Portsmouth can be found in Appendix 2. Percentages are based on the weight of material, rather than the volume of these materials, within a bin.
- 3.7. The current waste collection policy is dated the 2018 and needs to be updated in light of the changes since it was last published, and the proposed changes set out in this report. The proposed waste collection policy is in Appendix 1.

#### **4. Changes to the Waste Collection Policy**

##### **4.1. Charges for collection of contaminated recycling**

- 4.1.1. Contaminated recycling creates additional pressure on the disposal budget. In 2021/22, 8,882 tonnes of recycling were delivered to the Materials Recycling Facility (MRF), of that, 1,572 tonnes were rejected (17.7%). The approximate cost of processing and disposing of this contamination is an additional £150,000 to the Council.
- 4.1.2. To try and tackle the cost impact of contamination, the Waste Management Team have taken the following actions:
- Contamination checks and resident engagement - feedback cards to residents presenting contamination in their recycling.
  - Red hangers - attached to bins where contamination means the recycling cannot be collected.
  - Collection crew engagement - ensuring recycling crews are aware of the need to reject heavily contaminated recycling bins.
  - Development of a social media campaign.
  - Online A-Z guide detailing where materials should be recycled or disposed.
  - Improved bin stickers.
  - Student engagement programme.
- 4.1.3. Currently, if a resident's recycling bin is rejected and not emptied, they contact PCC and a Waste Management Officer will attend the property to educate and go through the recycling bin and remove contaminants in order for the resident to start afresh. If the bin is very heavily contaminated this is passed to the refuse collection crew to empty on their next visit.
- 4.1.4. Rejected communal recycling bins are emptied by the refuse collection crew.



- 4.1.5. From the beginning of 2018 to the end of June 2023, there were 1,778 incidents where requests were made to our waste collection contractor to empty recycling as refuse. Of these, 288 properties had multiple requests ranging from 2 to 26 visits for emptying recycling as refuse.
- 4.1.6. When recycling is removed as refuse by the waste contractor, good quality recycling is lost which impacts costs and the environmental benefits associated with recycling.
- 4.1.7. From the beginning of 2018 to the end of June 2023, Waste Management Officers made 3,095 visits due to contaminated recycling. These visits also included education and provision of recycling resources.
- 4.1.8. In the same time period, 307 properties were visited multiple times ranging from two to eight visits for contaminated recycling. This equated to 701 separate visits.

## **4.2 Outline of changes**

- 4.2.1 The proposed change introduces a charge to households and communal properties to empty contaminated recycling bins from 01 September 2023.
- 4.2.2 Waste Management Officers will continue to attend where contaminated bins are reported for the first time.
- 4.2.3 Charges will only apply where a household/landlord/managing agent requests a contaminated bin is emptied, and only where previous actions of remediation has failed.
- 4.2.4 Charges would be made on a sliding scale, depending on the size and number of recycling (see Appendix 3.)
- 4.2.5 There are other Councils who charge for emptying contaminated recycling bins, detailed in Appendix 4, and these charges cover the costs incurred (contamination charges, loss of income, contractor costs, administration)

## **4.3 Withdrawing the option for residents to obtain a wheeled refuse or recycling bin greater than 180litres and an updated process for bin removal if bins are left out on non-collection days**

### **4.3.1 Outline of changes**

- 4.3.2. From 01 September 2023, the Council will no longer supply wheeled refuse and recycling bins greater than 180L capacity to flat-fronted properties due to them being too wide to easily take through properties for storage in back gardens.

- 4.3.3. Additionally, the bin removal process will be amended for those households that leave refuse bins out on the pavement in contravention of section 4 of the waste collection policy. In this circumstance the households will be issued a warning letter if refuse and/or recycling bins are kept on the highway on non-collection days. The letter will ask that the receptacles are removed from the highway and only presented after 7pm the evening before the day of collection and removed as soon as possible after collection has taken place. The letter will also detail consequences of not adhering to the policy. If the household continues to store refuse receptacles on the highway on non-collection days, the refuse receptacle(s) will be removed.
- 4.3.4. If a household fails to keep their recycling receptacle(s) and/or food waste caddies off the highway on non-collection days, the Council will provide a smaller container if possible (e.g., slimmer recycling bin, caddies or boxes). If this does not resolve the issue, the Enforcement Team reserves the right to use their powers of Section 46(A) EPA 1990.
- 4.3.5 There may be instances, due to disability or health issues, where the resident may be authorised to leave their refuse bin (or recycling bin) on the highway. This will be reviewed on a case-by-case basis and will take into account how this may affect other pavement users.

#### **4.4. Changing waste presentation time from 7am to 6am**

##### **4.4.1. Outline of Change**

- 4.4.2. From 01 September 2023 residents will be asked to present their waste from 6am and no earlier than 7pm the evening prior to collection, instead of the current 7am arrangement. This will allow the Council to adjust the start times of collections when necessary, e.g., poor weather and extreme heat, or when catching up from incomplete rounds. It is not the intention to start collections earlier than 06:45am on a typical day.
- 4.4.3. This means that if a resident does not present their waste at 6am and the collection crew have serviced the road, any reported missed bin collections will not be rectified.

## **5 Reasons for Recommendations**

### **Contamination Changes**

- 5.1 Enforcement action cannot be taken when a household contaminates their recycling bin, however, emptying of a contaminated recycling bin can be classed as an additional service and charges incurred by the Council compensated. Furthermore, the resident can choose to resolve the contamination themselves to avoid any charge. Households have these options to resolve contaminated recycling free of charge:

- Remove contamination and place in refuse receptacle for collection.
- Emptying receptacle and taking additional waste to the Household Waste Recycling Centre.
- taking additional cardboard and metals to the Portsmouth Household Waste Recycling Centre or place additional recycling in a cardboard box (one can be requested from PCC), next to the recycling container, on the next scheduled recycling day.

5.1.1 Where properties use communal bins, the landlord or managing agent has a responsibility for waste management. This includes ensuring the correct waste types are presented in the correct bins. If a recycling bin is not collected due to contamination, the landlord or managing agent can remove contamination themselves and await the next scheduled collection day for collection or incur the charge for an additional refuse collection.

5.1.2 If the household does not resolve their contaminated recycling bin and place recyclables into the refuse, the Council has the power, under Section 46(A) of the Environmental Protection Act, 1990, to take enforcement action on those properties producing excess refuse and placing recyclable items into their refuse receptacles.

5.1.3 The Council charge would be less than the cost the household would need to pay for a fixed penalty notice if enforcement action is undertaken, currently £60 plus justifiable costs under a Notice of Intent - Section 46a of the Environmental Protection Act 1990, as amended by the Deregulation Act 2015, section 58.

5.1.4 By introducing this charge, it will push the responsibility of correct waste presentation and management back onto the household/landlord/managing agent.

## **5.2 Changes to wheeled bin provisions for properties with no usable frontage for storage**

5.2.1 When wheeled refuse bins were introduced in 2019, residents in flat-fronted properties or properties with no usable frontage to store waste receptacles could request a wheeled bin for refuse if they agreed to keep it off the highway on non-collection day.

5.2.2 Waste receptacles on the highway on non-collection days can cause a nuisance for other users, lessen the clearance space for wheelchair and pushchairs, and creates unnecessary dangers for the visually impaired.

5.2.3 Flat-fronted properties make up around 11.5% of all properties in the City.

5.2.4 Since the introduction of wheeled bins, approximately 28% of flat-fronted properties have been issued with a wheeled bin for refuse. This equates to just under 3,000 properties.



- 5.2.5 From 7 December 2021 to 6 June 2022, there were 739 requests or Community Wardens to visit properties whereby waste receptacles have been left on the highway on non-collection days. Of this total, 439 (59.4%) was resolved on the doorstep with the resident and in 58 cases (7.9%) bins were removed from the property. Of the total, 242 (32.7%) cases were still ongoing.
- 5.2.6 If a property is found to have their **recycling** bin on the highway on non-collection day, they are offered an alternative receptacle, such as a box (or boxes), stackable recycling caddies, or a smaller wheeled bin to make it easier for residents to move the recycling from within the home to the highway for collection.
- 5.2.7 As residents must present their **recycling** in a waste receptacle, the Council will support the resident in the first instance to recycle and is reluctant to remove the receptacle, inhibiting the household's ability to recycle. For recycling receptacles, if guidance and support does not prevent the resident from keeping their receptacle on the highway on non-collection day, the next step would be to start enforcement action.
- 5.2.8 Residents have an alternative option to present their **refuse** in black bags for collection. It is therefore possible to remove a refuse wheeled bin.
- 5.2.9 Whilst there is potential for black sacks to be attacked by pests, the introduction of food waste collections and caddies mitigate against potential attacks. Properties on a kerbside collection now receive a food waste collection service, including all flat fronted properties. Food waste caddies are secure from animal attack when compared to black sacks containing food waste.
- 5.2.10 Reasonable adjustments will be made for those residents who are unable to move waste receptacles from within the home to the highway for presentation.

### **5.3 Changes to waste presentation time**

- 5.3.1 Throughout the year, there are occasions where collections rounds need to start earlier to allow for extreme weather events occurring in the city. The recent examples of this were the heat health alerts in July 2022, August 2022 and June 2023 when collections rounds started at 6am to help crews complete rounds ahead of the hottest period of the day. When changes need to occur at short notice, the Council notifies residents through the webpage, social media posts and email bulletins. However, these do not reach all residents, and this can lead to waste collections being missed.
- 5.3.2 By changing the presentation time to 6am, it gives the Council more flexibility in starting earlier when necessary, without having to notify residents on each occasion.
- 5.3.3 Neighbouring authorities with presentation times earlier than 7am:

- Southampton City Council - 6:30am
- Fareham Borough Council - 6am
- East Hampshire District Council - 6am
- New Forest District Council - 6am
- Eastleigh Borough Council - 6:30am

## **6 Integrated Impact Assessment**

- 6.1 There are some impacts identified in the IIA (Appendix 5) however, there will be assurances in place to ensure those impacts are mitigated against.

## **7 Legal Implications**

- 7.1 As stated in paragraph 3.1 of the report under the terms of the Environmental Protection Act, 1990, Portsmouth City Council (the 'Council') is classed as a Waste Collection and Disposal Authority, and as such, under section 45(1) of that Act, has a statutory duty to collect household waste from all domestic properties in the city.

- 7.2 Under section 45A of the Act, recyclable household waste must be collected separately from other household waste.

- 7.3 Under Section 46(4) of the Act, the Council has specific powers to stipulate by notice given to the occupier of premises the Council's requirements in relation to the placing of household waste for collection, including:

- the size, type and number of the collection receptacle(s);
- Where the receptacle(s) must be placed for the purpose of collecting and emptying;
- the placing of receptacles on highways
- the materials or items which may or may not be placed within the receptacle(s).
- the time when receptacles must be placed for the purpose of emptying them and when they must be removed.

- 7.4 The policy outlines the basis upon which enforcement of the Council's stipulated requirements can be dealt with. The requirements of the Council described in this report and in the attached policy are considered to be reasonable and unlikely to be vulnerable to legal challenge or review.

- 7.5 As regards the placing of waste receptacles on the highway (which includes any pavement or footway which is part of the highway) the Council is the highway authority for its area and as such has both duties and powers under Part IX of the Highways Act 1980 in relation to the protection of the rights of the public to the use and enjoyment of any highway for which it is the highway authority. Such protection includes prevention, as far as possible, of obstruction of the highway.

- 7.6 In relation to the proposed charges for collection of contaminated recycling waste it is to be noted that under section 46(11) of the Act the Council has no duty to



collect household waste which is placed for collection in contravention of its requirements in relation to the placing and use of waste receptacles. Accordingly, where a request for the collection of contaminated recycling waste is made a charge may be made which is sufficient to cover the Council's collection costs.

7.7 The policy further outlines what steps can be taken to assist those who have a protected characteristic under the Equality Act 2010 (principally disability, age or medical need) to comply by way of making reasonable adjustments and reviewing on a case-by-case basis.

**8 Director of Finance's comments**

8.1 The Waste Collection service has a net budget allocated within the Climate Change and Environment Portfolio cash limit. The costs of waste collection, under the revised policy set out in this report, will be met from this budget. The introduction of a charge to dispose of contaminated recycling as refuse will reimburse the service for additional costs incurred and provide an incentive to encourage correct waste presentation and management.

.....  
Signed by: James Hill - Director for Housing, Neighbourhood and Building Services

**Appendices:**

- Appendix 1: Waste Collection Policy
- Appendix 2: What's in a black bin?
- Appendix 3: Charges to empty contaminated recycling as refuse
- Appendix 4: Council charges
- Appendix 5: IIA

**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
Joint Municipal Waste Management Strategy - December 2021	<a href="#">Joint Municipal Waste Management Strategy</a>
Recycling Infrastructure Update - February 2023	<a href="#">Recycling infrastructure update report - decision final.pdf (portsmouth.gov.uk)</a>

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

.....  
Signed by:

This page is intentionally left blank



**Summary:**

<b>ID</b>	
<b>Last Review Date</b>	
<b>Next Review Date</b>	
<b>Approval</b>	
<b>Policy Owner</b>	
<b>Policy Author</b>	
<b>Advice &amp; Guidance</b>	
<b>Location</b>	
<b>Related Documents</b>	
<b>Applicability</b>	

## Table of contents

<b>1. Introduction</b>	1
<b>2. Legislation</b>	1
2.1. The Waste (England and Wales) Regulations 2011 - Waste Hierarchy	1
2.2. Environmental Protection Act 1990	2
2.3. The Controlled Waste (England and Wales) Regulations 2012	3
2.4. The Environment Act 2021	3
<b>3. Classification of waste</b>	4
<b>4. Presentation of waste for collection</b>	5
<b>5. Assisted collections</b>	6
<b>6. Rubbish collections</b>	7
6.8. Waste allowance	7
<b>7. Recycling collections</b>	9
7.8. Additional waste	10
7.9. Additional containers	11
7.10. Contamination	11
<b>8. Food waste collections</b>	13
<b>9. Small electrical item collections</b>	15
<b>10. Battery collections</b>	16
<b>11. Servicing communal blocks/flats/mixed-use buildings</b>	17
<b>12. Missed collections</b>	19
<b>13. Recycling bring banks</b>	20
<b>14. Garden waste</b>	22
<b>15. Bulky waste</b>	22
15.3. Council bulky waste collection service	23
<b>16. Clinical waste</b>	24
<b>17. Flat-fronted properties and those with limited space for bin storage</b>	25
<b>18. Enforcement procedures</b>	27
<b>19. New bin/bin repair/bin replacement</b>	28
<b>20. Services to charities and community organisations</b>	30
<b>21. Planning considerations</b>	31
<b>22. Landlord responsibilities</b>	31
<b>23. Complaints process</b>	32
<b>24. Appendices</b>	34

24.1. Appendix 1 - Classification of waste ..... 34

24.2. Appendix 2 - Permitted collection and disposal charges..... 37

## 1. Introduction

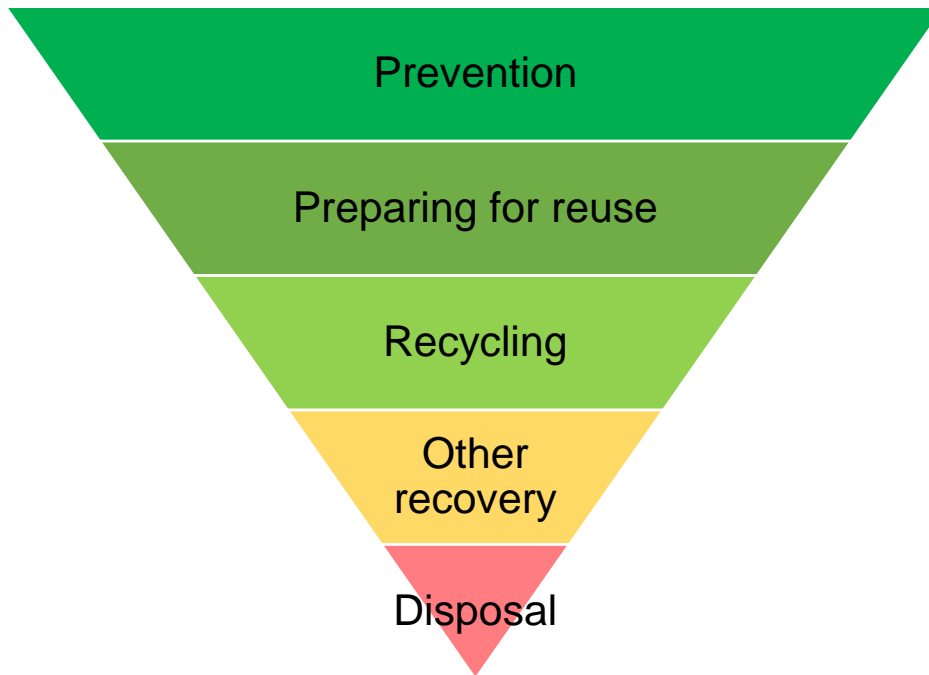
- 1.1. Portsmouth City Council's (the 'Council') waste collection policy aims to ensure that recycling and rubbish services operate efficiently to maximise recycling and reduce the amount of rubbish sent for disposal.
- 1.2. This policy is designed to support the existing collection system, and to layout an agreed policy detailing procedures that are clearly defined to ensure that residents, members, and officers are clear about their responsibilities.
- 1.3. This document outlines how the Council intends to deliver the recycling and rubbish collection services, as well as the actions required by householders to participate fully in the service to recycle and dispose of their rubbish.
- 1.4. This policy aims to align with the corporate aim of '*taking positive action to tackle climate change*' and the City Vision aspiration of '*In 2040, Portsmouth will be a green city*'.
- 1.5. The Council, as a unitary authority responsible for both waste collection and disposal, is in partnership with Hampshire County Council and Southampton City Council sharing disposal infrastructure and, through Project Integra, producing the Joint Municipal Waste Management Strategy. ([Joint Municipal Waste Management Strategy](#))
- 1.6. The waste collection and disposal service is funded from the general fund.

## 2. Legislation

*This section sets out the legislation informing this policy and the powers the Council has, as the collection and disposal authority, in enforcing how, when, where, and what waste will be collected.*

### 2.1. The Waste (England and Wales) Regulations 2011 - Waste Hierarchy

To fulfil our duty to process waste in the most environmentally friendly way the Council applies the 'waste hierarchy' where technologically, environmentally, and, economically practical:



- 2.1.1. Where possible, the Council aims to promote reduction and re-use of waste through donating to local charities, food banks, and selling/giving away unwanted items online. Furthermore, providing advice and guidance on how to reduce food waste ([www.portsmouth.gov.uk/services/recycling-and-rubbish/reduce-reuse-and-repair](http://www.portsmouth.gov.uk/services/recycling-and-rubbish/reduce-reuse-and-repair))
- 2.1.2. Waste that cannot be recycled through the Council kerbside collection service is sent to an energy from waste facility where waste is burnt to produce electricity which is placed on the national grid. The Portsmouth facility generates enough electricity to power 20,600 homes.
- 2.1.3. Food waste is sent for anaerobic digestion (AD) to produce biogas and nutrient-rich fertiliser. AD is the governments preferred method for treating food waste and counts towards local authority recycling rates. It can be classed as recycling as it turns 80% of the food waste into a new material, a nutrient-rich fertiliser
- 2.1.4. Approximately 3% of waste in Portsmouth is sent to landfill.

## 2.2. Environmental Protection Act 1990

- 2.2.1. Under the terms of the Environmental Protection Act, 1990, the Council is classed as a Waste Collection and Disposal Authority, and as such, under section 45 (1), has a statutory duty to collect household waste from all domestic properties in the city.

2.2.2. Under Section 46(4) of the Act, the Council has specific powers to stipulate:

- The size and type of the collection receptacle(s);
- Where and when the receptacle(s) must be placed for the purpose of collecting and emptying;
- The materials or items which may or may not be placed within the receptacle(s)

2.2.3. Under section 46 (11) the waste collection authority is not obliged to collect household waste that is placed for collection in contravention of a requirement under this section.

## 2.3. The Controlled Waste (England and Wales) Regulations 2012

2.3.1. The Controlled Waste (England and Wales) Regulations, 2012 Schedule 1 section 2 and 3 details how waste must be treated based on the place it was produced, as well as treatment based the nature or the activity which produces it notwithstanding the place where it is produced.

2.3.2. Classification of waste falls into three categories:

- Household waste;
- Commercial waste;
- Industrial waste.

2.3.3. Section 4 gives powers to the Waste Collection and Disposal Authority to charge for collection and/or disposal of household classified waste. Examples of household waste for which the collection thereof can be charged includes, but not limited to:

- An article of waste which exceeds 25kg in weight;
- Any article which cannot fit into a receptacle for household waste provided in accordance with section 46 of the Environmental Protection Act, 1990;
- Garden waste;
- Waste from a charity shop selling donated goods originating from a domestic property

## 2.4. The Environment Act 2021

2.4.1. Formerly the Environment Bill, passed royal assent in November 2021, aims to improve water and air quality, improve diversity, tackle waste, and ensure overall environmental improvements. It will create legal

frameworks for environmental governance and bring in measures for improvement of the environment.

2.4.2. Relating to waste activities, the principal areas to highlight are:

- Extending producer responsibilities - producers of waste, i.e., manufacturers, have a duty to cover cost of disposal for their products or materials
- Deposit Return Schemes - reverse vending machines for drink packaging to increase the capture of recyclable material
- Separation of waste - materials will need to be collected separately to increase the quality of recyclable materials
- Consistent set of core materials to be collected for recycling
- Mandated food waste collections for households and small and medium business

2.4.3. Consultations and government responses are underway to finalise the details of this new legislation and how it will impact local authorities and the future of waste collections.

### 3. Classification of waste

*This section details how waste is categorised based on where and how it is produced. The Council collects waste based on these categories and will only collect household waste produced in a domestic setting. Any waste not meeting this category can be subject to a charge for collection and/or disposal.*

- 3.1. The Council's waste collection service is for domestic properties only and to be used for household waste only. This is for waste produced in the day-to-day activities of a domestic property.
- 3.2. The Council's waste collection service does not permit waste produced from business activities within a home. For example, hair dressing, day care services, bed & breakfasts. A private/commercial waste collection will need to be set up for these activities.
- 3.3. The table detailed in Appendix 1 details waste which is to be treated as household waste, commercial waste, or industrial waste because of the place it is produced (The Controlled Waste (England and Wales) Regulations 2012, Schedule 1 (4))
- 3.4. The table detailed in Appendix 2 details household waste for which collection and disposal charges may be made (The Controlled Waste (England and Wales) Regulations 2012, Schedule (4))

## 4. Presentation of waste for collection

*This section sets out how, when, and where the Council will collect waste on collection day.*

- 4.1. Under the terms of the Environmental Protection Act 1990, section 46 (4) the waste collection authority, the Council, has powers to stipulate where and when the receptacle(s) must be placed for the purpose of collecting and emptying. The Council is not obliged to collect waste in contravention of the requirement under section 46 (11).
- 4.2. All waste receptacles or refuse bags must be placed out for collection by 6am on the day of collection and no earlier than 7pm the evening prior to collection.
  - 4.2.1. The time by which waste must be presented has been brought forward from 7am to 6am to allow for adjustments due to operational changes, adverse weather conditions, and situations outside the Council's control.
- 4.3. Waste receptacles must be presented on the front boundary of the property (where the property boundary meets the pavement) or on the pavement for collection.
- 4.4. Collection operatives will not enter the property to collect waste. This includes forecourts, front gardens, driveways, or back gardens unless an assisted collection has been agreed (please see section 5 of this policy).
- 4.5. Receptacles must be removed from the pavement as soon as possible after collection on the day of collection.
- 4.6. If a household uses a wheeled bin, dustbin, recycling box/caddy, or food waste caddy for collection and live in a flat-fronted property or property with limited bin storage space, the bin must not be kept on the pavement on non-collection days. Council officers reserve the right to remove the bin if this is not being adhered to.
- 4.7. Waste receptacles must not be overloaded. For wheeled bins, the lids must be closed. Bins/boxes/bags must not be so heavy the collection operatives are unable to move them safely. If they are too heavy to safely move, the operatives will not collect the waste and the household must take steps to ensure receptacles are not too heavy on the next scheduled collection.
- 4.8. Waste is the responsibility of the householder up until the point of collection.



## 5. Assisted collections

*This section outlines how householders can access the assisted collection service and allows for reasonable adjustments to the service delivery.*

- 5.1. Under the Equality Act 2010, it is against the law to discriminate protected characteristics, such as age and disability. The Council aims to ensure the services provided to residents are fair and accessible to everyone.
- 5.2. Residents who are physically unable to place their wheeled bins/box/bags at the required collection point can apply to be placed on the 'assisted collection' register. This includes householders with ill health, infirmity, or disability, and with no other occupants in the household able to assist them. Residents can request an assisted collection by contacting the Recycling and Rubbish team on 023 9284 1105, by emailing [recyclingandrubbish@portsmouthcc.gov.uk](mailto:recyclingandrubbish@portsmouthcc.gov.uk), or by visiting [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)
- 5.3. Requests for an assisted collection must be made by the householder and are considered on their merits. Home visits or telephone contacts may be carried out where necessary.
- 5.4. Alternative bins/boxes for recycling can be provided if requested and following independent assessment by the Council.
- 5.5. Residents on the 'assisted collection' register will have their wheeled bins/box/bags collected by a collection operative from an agreed location, emptied into the collection vehicle, and then returned to that same location.
- 5.6. If the householder's circumstances change, the resident must inform the Council.
- 5.7. The Council will periodically review the assisted collection register and may withdraw the service if the householder no longer meets the criteria.
- 5.8. Assisted collections are subject to the Council being satisfied that this service provision is warranted. The decision of the supervising officer will be reconsidered in light of any changes to a householder's circumstance.
- 5.9. Residents living in a communal property, with a communal bin area, who have issues accessing the bins may be offered a solution and detailed in section 11.5.

## 6. Rubbish collections

*This section provides information on collection requirements for refuse.*

- 6.1. Households are required to present their rubbish in a black 140-litre 'PCC issued' wheeled bin, or if they are in a non-wheeled bin area, will present their rubbish in up to three (3) standard-sized bin bags. Residents should check with the Council which scheme they are in upon moving into a property.
- 6.2. Households on a bag collection may use round dustbins to contain their waste on collection day. All waste must be contained in bin bags and not loose in the dustbin. Dustbins must not be stored on the highway on non-collection days. Dustbins are not provided by the Council.
- 6.3. Rubbish collections take place weekly and occur on the same day each week.
- 6.4. Collection days remain the same all year including when there are bank holidays, except for the Christmas period, where collection dates will be advertised to householders.
- 6.5. Residents can check their collection days online at [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk) and calendars along with Christmas collection date changes can be found in the winter edition of Flagship.
- 6.6. Residents must only place waste from normal day-to-day activities into the rubbish and no materials that can be recycled through the kerbside recycling scheme or local recycling bring banks.
- 6.7. Residents must not place DIY waste, soil, rubble, business waste, clinical waste, bulky waste, or garden waste into the rubbish. Collection operatives reserve the right to refuse collection if these items are found to be contained in the rubbish.

### 6.8. Waste allowance

- 6.8.1. The Council will only collect what is either contained in the 140-litre black bin or three (3) standard-sized bin bags per week from houses.
- 6.8.2. Any waste over that allowance will not be collected by the collection operatives and becomes the responsibility of the householder to dispose of. This includes waste placed by the side of the bin and overflowing bins. All waste must be contained within the 140-litre bin and the lid must be closed. If a household is on a bag collection,

additional bags over the three (3) standard-sized bin bags allowance will not be taken.

6.8.2.1. Exceptions to this policy may be permitted during adverse weather (snow and ice) and the Christmas period. This will be advised via the council website ([www.portsmouth.gov.uk](http://www.portsmouth.gov.uk))

6.8.3. Households can dispose of additional waste at the Portsmouth Household Waste Recycling Centre or, if sufficient space, present on the next collection day if the presented waste does not exceed the weekly waste allowance.

6.8.4. Households can purchase 'additional waste' stickers for occasional extra waste from the Recycling and Rubbish Team by phoning 023 9284 1105. A set of 12 stickers will be provided at a cost of £24 and only one set of 12 stickers may be purchased in a year.

6.8.5. Households can request extra allowance for their weekly rubbish collections if they are producing regular excess waste. Extra allowance will be provided in the form of a larger wheeled bin, two smaller wheeled bins if space is limited, or 'extra allowance' stickers if on a bag collection. To qualify for extra allowance, a household must meet a set of criteria, which includes:

- Larger household
- Children in nappies
- House of multiple occupation (HMO)
- Medical need
- Fully using the recycling services available to them
  - Kerbside recycling collection
  - Food waste collection
  - Glass banks
  - Textile banks

6.8.5.1. To request extra allowance, a household can call the Recycling and Rubbish Team on 023 9284 1105, email [recyclingandrubbish@portsmouthcc.gov.uk](mailto:recyclingandrubbish@portsmouthcc.gov.uk), or request online at [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk).

6.8.5.2. A householder may be contacted by the Recycling and Rubbish Team to discuss the request and either approved, denied, or passed to a Waste Management Officer for assessment.

6.8.5.3. Assessment by a Waste Management Officer will be conducted prior to the refuse collection and will determine whether extra

allowance is needed, and recycling services are being fully utilised.

- 6.8.5.4. Decisions by the Recycling and Rubbish Team and Waste Management Officers are at their discretion and their decision is final.
- 6.8.5.5. If extra allowance has been approved a larger bin or extra allowance stickers will be provided prior to the next scheduled rubbish collection.
- 6.8.5.6. If a household has been provided a larger weekly refuse allowance, and it is found that the household's circumstances have changed and/or they are not meeting the criteria as detailed in 6.8.5., the Council reserves the right to remove that additional allowance.
- 6.8.5.7. The Council will review the need of a larger weekly refuse allowance on an annual basis. If it is found the household no longer requires a larger weekly allowance, the Council will remove this allowance at their discretion.
- 6.8.5.8. Residents may receive up to two (2) assessments per year except in exceptional circumstances. Additional assessments will be at the discretion of the Recycling and Rubbish Team and Waste Management Officers.

## 7. Recycling collections

*This section provides information on collection requirements for recycling.*

- 7.1. Recycling must be presented in a 'PCC issued' green recycling bin or box. The standard recycling bin size is 240-litres but, if households are limited on space or find that size of bin unmanageable, a smaller bin or 55-litre box can be supplied.
- 7.2. Recycling collections occur fortnightly on the same day as the rubbish collection for houses. Collection days may differ for communal properties.
- 7.3. Collection days remain the same all year including when there are bank holidays, except for the Christmas period, where collection dates will be advertised to householders.

7.4. Residents can check their collection days online at [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk) and calendars along with Christmas collection date changes can be found in the winter edition of Flagship.

7.5. Households must only place these following materials into the recycling container:

- Paper (not shredded)
- Card (remove plastic packaging)
- Plastic bottles (with lids)
- Food and drink cans and tins (please rinse)
- Aerosol cans



7.6. Materials must be placed into the container clean, dry, and loose (not contained in plastic bags or inside one another).

7.7. The material accepted into the recycling stream is the same across Hampshire due to its shared infrastructure.

#### 7.8. Additional waste

7.8.1. All recycling should be contained within the recycling container however, if a household has additional cardboard, this can be folded and placed neatly next to the container for collection.

7.8.2. Only a reasonable amount of cardboard can be placed by the container. For example, if a household has a kitchen refitted, the amount of cardboard produced from this activity would need to be taken to the Portsmouth Household Waste Recycling Centre. If a household had a new fridge or TV delivered, this cardboard can be

broken down, flattened, and placed next to the container for collection if there is no space available within the container.

- 7.8.3. If a household has additional materials for collection, this can be placed in a cardboard box next to the recycling container for collection. Additional items will not be taken in a plastic bag.

## 7.9. Additional containers

- 7.9.1. A household can request a second recycling bin, free of charge, if they cannot fit recycling produced in a fortnight into their container.
- 7.9.2. A flat-fronted household, or household with limited storage space, can request up to two (2) additional 55-litre boxes, taking the total boxes a household can use per collection to three (3).
- 7.9.3. Households can request additional recycling containers by phoning the Recycling and Rubbish Team on 023 9284 1105, emailing [recyclingandrubbish@portsmouthcc.gov.uk](mailto:recyclingandrubbish@portsmouthcc.gov.uk), or requesting online at [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk).
- 7.9.4. Householders must not use additional containers for storage of other types of waste and the Council reserves the right to remove additional containers if found to be abused.

## 7.10. Contamination

- 7.10.1. Contamination is classed as any material not currently accepted in the Portsmouth recycling collection.
- 7.10.2. Processing contamination increases the disposal costs paid for by the council taxpayer and this money could be better used for more essential services.
- 7.10.3. A recycling bin or vehicle load could be rejected due to contamination, resulting in good quality recycling also being rejected. This has an impact on the authority's recycling rate and income received which can offset the disposal costs.
- 7.10.4. The main types of contamination includes, but not limited to:
- Plastic packaging
  - Plastic pots, tubs, and trays
  - Cartons
  - Glass

- Food wrappers and packets
- Takeaway cups
- Greasy takeaway containers
- Polystyrene
- Foil
- Plastic bags



- 7.10.5. During collection, collection operatives will monitor the contents of recycling bins before emptying into the back of the vehicle. If a household is found to have unacceptable materials in the recycling bin, the crew will not empty the bin. Instead, they will place a 'red hanger' on the handle of the bin and report this on their on-board computer system.
- 7.10.6. If a household receives a red hanger on the bin and/or the collection operatives have reported the recycling as contaminated, the resident must remove the contamination and place their container out on the next scheduled collection day.
- 7.10.7. The red hanger will provide information on the acceptable and unacceptable materials.
- 7.10.8. The collection operatives will not return to empty the bin, even if the contamination has subsequently been removed. Residents can take additional cardboard and metals to the Portsmouth Household Waste Recycling Centre or place additional recycling in a cardboard box (one can be requested from PCC), next to the recycling container, on the next scheduled recycling day.
- 7.10.9. The Council, at the discretion of the Recycling and Rubbish Team and Waste Management Officers, may assist a household with removing contamination from the recycling bin as an educational tool. This will

usually be a one-off good-will gesture, and any subsequent occasions whereby the household's recycling bin is not emptied due to contamination, the household has the following options:

- Remove contamination themselves and ensure recycling is free from contamination ready for the next scheduled recycling collection. The contamination removed may be placed in the refuse receptacle if the household is still within their weekly allowance
- If, when the contamination is removed and the household would go over the weekly allowance if placed in the refuse receptacle, the household can take this additional waste to the Portsmouth Household Waste Recycling Centre
- The household can request the recycling be emptied as refuse on their next scheduled refuse collection day or by a Waste Management Officer at a charge. To request this, the household can contact the Recycling and Rubbish Team on 023 9284 1105 or emailing [recyclingandrubbish@portsmouthcc.gov.uk](mailto:recyclingandrubbish@portsmouthcc.gov.uk). Charges can be found on the Portsmouth City Council webpages. ([Recycling and rubbish - Portsmouth City Council](#))

## 8. Food waste collections

*This section provides information on the collection requirements for food waste.*

- 8.1. Households are provided one (1) 5-litre caddy for use in the kitchen and one (1) 23-litre caddy for collection.
- 8.2. Households on a communal collection will be provided one (1) 5-litre or 7-litre caddy for use in the kitchen and a communal bin will be provided for the block to use for collection.
- 8.3. Food waste is collected weekly on the same day as rubbish collections by a dedicated collection vehicle. The collection day for communal properties may differ from the collection day for rubbish.
- 8.4. Collection days remain the same all year including when there are bank holidays, except for the Christmas period, where collection dates will be advertised to householders.
- 8.5. Residents can check their collection days online at [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk) and calendars along with Christmas collection date changes can be found in the winter edition of Flagship.



8.6. Materials accepted on the food waste collection service include:

- All uneaten food and plate scrapings
- Tea bags and coffee grounds
- Out of date or mouldy food
- Raw and cooked meat, including bones
- Raw and cooked fish, including skin and bones
- Dairy products such as cheese
- Eggs and eggshells
- Rice, pasta, and beans
- Baked goods such as bread, cakes, and pastries
- Fruit and vegetables, including raw and cooked vegetables and peelings
- Shredded paper
- Cut flowers

8.7. Materials not accepted on the food waste collection service include:

- Packaging of any kind
- Plastic bags
- Glass
- Liquids such as milk - these may leak causing spillages when transporting the food waste
- Cat litter/animal faeces
- Compostable cutlery





- 8.8. A household can request a second 23-litre caddy for collection free of charge if they are unable to fit their weekly food waste in one (1) 23-litre caddy. This can be requested by calling the Recycling and Rubbish Team on 023 9284 1105 or emailing [recyclingandrubbish@portsmouth.gov.uk](mailto:recyclingandrubbish@portsmouth.gov.uk).
- 8.9. Households are provided with one (1) roll of complimentary liners for use in the 5-litre kitchen caddy. Subsequent rolls will need to be sourced by the household.
- 8.10. Liners must be fully compostable and display the seedlings logo, or state they are 100% compostable with the reference EN13432.
- 8.11. If the caddies are lined with plastic bags, then the caddy will not be emptied by the collection operatives.
- 8.12. Liners can be purchased through most supermarkets or online. Using caddy liners is not compulsory; however, it does help keep the caddy clean. Newspaper can be used as an alternative to caddy liners.

## 9. Small electrical item collections

*This section provides information on the collection requirements for small electrical items.*

- 9.1. The Council offers a kerbside collection service for small electrical items.
- 9.2. This service is only available to houses or houses converted into separate flats. Currently, this service is not available to blocks of flats or those on a communal collection. Properties not included can take their electrical items to the Portsmouth Household Waste Recycling Centre.
- 9.3. Collections take place at the same time as the recycling collection.

- 9.4. The small electrical item must be placed in a carrier bag and positioned on top of the recycling bin/box lid (not inside the bin). This will be collected by the recycling collection operatives and placed into a separate compartment on the vehicle.
- 9.5. Small electrical items accepted include, but not limited to:
- Kettles
  - Toasters
  - Hairdryers
  - DVD players
  - Table lamps
  - Calculators
  - Electric razors
  - Electronic toys
  - Remote controls
  - Alarm clocks
- 9.6. Items must be able to fit into a standard-sized carrier bag. Any items too large for collection will be left by the collection operatives.
- 9.7. Households must ensure batteries are removed from items as well as any glass components such as light bulbs.
- 9.8. There may be occasions whereby the collection cage becomes full, and the operatives are unable to remove your electrical item. If this occurs, please place out on the next scheduled collection day.

## 10. Battery collections

*This section provides information on the collection requirements for batteries.*

- 10.1. This service is only available to houses or houses converted into separate flats. Currently, this service is not available to blocks of flats or those on a communal collection. Properties not included can take their batteries to the Portsmouth Household Waste Recycling Centre or local battery collection points in supermarkets or local stores.
- 10.2. Battery containers cannot be left unsupervised in bin store areas which is why, due to the fire risk, this service is unavailable for communal blocks.
- 10.3. Collections take place at the same time as the rubbish collections.
- 10.4. Batteries must be placed in a clear bag and placed on top of the rubbish bin. If on a bag collection, the clear bag must be placed on top of a black bag in

easy view for the crew. The bag of batteries will be placed in a separate compartment on the vehicle.

10.5. Batteries accepted on this collection include:

- C
- D
- AA
- AAA
- 9V
- Button batteries
- Rechargeable batteries
- Mobile batteries
- iPod batteries
- Hearing aid batteries
- Laptop batteries with the terminals taped
- Power tool batteries

10.6. Batteries not accepted on this collection include:

- Leaking batteries
- Car batteries
- Motorbike batteries
- Batteries with trailing wires
- Children's ride on toy batteries
- Corroded batteries
- Industrial batteries
- Sealed lead acid/gel batteries
- 12V leisure batteries
- Non-household batteries

## 11. Servicing communal blocks/flats/mixed-use buildings

*This section sets out the requirements for collecting from communal blocks and mixed-use buildings whose residents share waste receptacles.*

11.1. In communal blocks/flats/mixed-use buildings, communal bins are shared by the flats of the block. Communal bins include:

- Single or multiple refuse containers in sizes - 360-litre; 660-litre; 940-litre; 1100 litre
- Single or multiple recycling containers in sizes - 360-litre; 660-litre; 1100-litre; 1280-litre
- Single or multiple food waste containers in sizes - 140-litre; 660-litre (individual flats will be supplied 5-litre kitchen caddies)

- 11.2. The Council, at the cost of the landlord/managing agent of the block, will supply containers of the appropriate number and sizes based on the number of bedrooms/dwellings within the block.
- 11.3. Collections usually take place weekly for rubbish and food waste and weekly or fortnightly for recycling. Collection dates can be found at [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk).
- 11.4. Collection days remain the same all year including when there are bank holidays, except for the Christmas period, where collection dates will be advertised to householders.
- 11.5. The only occasion whereby an individual flat would be supplied their own bin, for their own personal use, would be in the event a ground floor flat required an assisted collection. This will be assessed on its own individual merit by the Council and collection contractor.
  - 11.5.1. If a resident of a block cannot access the bins in a communal waste storage area, it will be the responsibility of the landlord/managing agent to work with the resident to facilitate a solution.
  - 11.5.2. Waste Management will look to offer reasonable adjustments on a case-by-case basis e.g., supplying smaller bins if a resident is unable to reach/lift lids/apertures of larger bins.
- 11.6. Where residents of flats/mixed use buildings do not segregate their waste in an effective manner the Council will work with residents to encourage recycling. Where appropriate the Council may take appropriate actions to improve recycling performance.
- 11.7. The landlord/managing agent must ensure collection operatives can access the bins safely and all access/egress routes are clear. This includes removing bulky items prior to collection and ensuring waste is within the bins provided and not on the floor of the bin store area. The collection operatives do not have to tidy the bin store to access the bins. They reserve the right, at their discretion, to leave the bin unemptied if they deem the bin inaccessible or unsafe to access.
- 11.8. Refuse not contained within a bin will not be collected. If the block or property on a communal collection has the correct capacity, as deemed by the Council, no excess or side waste will be removed. It is down to the landlord/managing agent to work with residents to encourage recycling and remove any excess left over after collection.

- 11.9. If the collection operatives find materials in the bin which is deemed not to come from normal domestic activities or contain non-household waste, they reserve the right to leave the bin unemptied (e.g., DIY waste, construction waste, business waste, paint, bulky items).
- 11.10. If bins are not emptied due to them being inaccessible or containing the incorrect materials, it is down to the landlord/managing agent to find alternative legal disposal routes for the waste.
- 11.11. If the recycling bins are found to contain high levels of contamination, the collection operatives will not empty that bin as recycling. The Council may, at their discretion, empty the recycling as refuse and supply recycling information to the block as a one-off good-will gesture. Any subsequent occasions where the block's recycling bin is not emptied due to contamination, the landlord/managing agent has the following options:
- Remove contamination themselves and ensure recycling is free from contamination ready for the next scheduled recycling collection. The contamination removed may be placed in the refuse receptacle only if this does not cause the refuse bin to overflow
  - If, when the contamination is removed and by placing the contamination into the refuse would cause the block's bins to overflow, the landlord/managing agent would need to find an alternative legal disposal route.
  - The landlord/managing agent can request the recycling be emptied as refuse on their next scheduled refuse collection day at a charge. To request this, the household can contact the Recycling and Rubbish Team on 023 9284 1105 or emailing [recyclingandrubbish@portsmouthcc.gov.uk](mailto:recyclingandrubbish@portsmouthcc.gov.uk). Charges can be found on the Portsmouth City Council webpages. ([Recycling and rubbish - Portsmouth City Council](#))

## 12. Missed collections

*This section provides information on the process of reporting missed collections and how they will be rectified.*

- 12.1. Waste receptacles should be presented ready for collection by 6am on the designated day of collection, but no earlier than 7pm the evening before.
- 12.2. Waste receptacles not correctly presented at the time the collection operatives arrive, will be recorded as such.

- 12.3. Any receptacles not correctly placed out for collection, but subsequently reported by residents as not having been collected, will not be considered as missed. Responsibility for disposal of the waste will then become that of the householder. Under such circumstances, the Council will not be required to return to empty the bin.
- 12.4. Missed collections must be reported within two (2) working days of the scheduled collection day.
- 12.5. Should a missed collection be reported by a householder, without valid supporting information by our collection service illustrating why this might have occurred, collection operatives will be required to return within one (1) working day of the report.
- 12.6. If a missed collection has been reported by the household, the household may leave the waste receptacle(s) on the pavement until the missed collection has been emptied.
- 12.7. Occasions whereby the collection operatives do not have to return to a reported missed collection include:
  - Waste not out at time of collection
  - Contaminated bins
  - Access blocked and/or bin inaccessible at time of collection
  - Bins/bags too heavy to safely empty/collect
- 12.8. Where householders do not present their waste for collection in accordance with Council requirements, the householder will have the following options:
  - Take the waste to the Household Waste Recycling Centre
  - Store the waste until the next collection day (subject to allowances, e.g., no side waste for refuse)
  - If there is an excess of recyclables presented safely and suitably at the next collection day the operatives will collect all materials set out (See 7.8.3.).
- 12.9. The Council and/or the waste collection service may look at the vehicle CCTV to resolve reports of a missed collection.

## 13. Recycling bring banks

*This section sets out the part that bring banks play in increasing recycling and reducing waste.*

- 13.1. The Council provides a network of bring banks across the city and at the Household Waste and Recycling Centre so that residents can recycle

additional materials that are not collected as part of the kerbside recycling collection. Bring banks are provided for:

- **Glass**
- **Textiles**
- **Cartons**
- **Plastic pots, tubs, and trays (PTTs)**

13.2. In addition, charities and supermarkets also provide bring banks which are not managed by the Council.

13.3. Glass banks can accept glass bottles and jars along with their metal lids. They cannot accept the following items:

- Lightbulbs
- Panes of glass
- Mirrors
- Drinking glasses
- Candle glass jars
- Pyrex

13.4. Glass banks should only be used between the hours of 8am and 8pm to reduce noise disturbance to local residents.

13.5. Textile banks can accept clothes, shoes, handbags, bed linen, curtains, and towels no matter how worn but must be clean and placed in a carrier bag before depositing. They cannot accept the following items:

- Soiled clothing
- Quilts/duvet
- Pillows

13.6. Carton banks can accept food and drink cartons, including paper containers with metal ends (e.g., crisp tubes). They cannot accept:

- Paper
- Card
- Coffee cups
- Plastic bottles and bags
- Metal cans/tins or foil
- Textiles
- Glass

13.7. Plastic banks accept plastic pots, tubs, and trays. They cannot accept:

- Black plastic
- Plastic film
- Carrier bags
- Polystyrene



- 13.8. After using the banks, all bags and boxes used to carry the items to the banks must be taken home with you or placed in a local litter bin. They must not be left at the bank as this makes the area untidy and attracts fly tipping.
- 13.9. If the bank is full, please do not leave items on the floor by the bank.
- 13.10. Do not leave any waste of any kind on the ground by recycling brink banks as this will be investigated as fly-tipping.
- 13.11. To report a full or vandalised bank residents can contact the Recycling and Rubbish Team on 023 9284 1105 or by emailing [recyclingandrubbish@portsmouthcc.gov.uk](mailto:recyclingandrubbish@portsmouthcc.gov.uk) or reporting online at [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk).

## 14. Garden waste

*This section sets out the options for green waste from gardens of residents in the city.*

- 14.1. Garden waste should not be placed into refuse receptacles for collection and the collection operatives will leave bags they suspect have garden waste within them.
- 14.2. The Council's waste collection contractor, Biffa, run a fortnightly garden waste collection service at a charge called the Green Waste Club. This service is suspended two-weeks out of the year over the Christmas and New Year period.
  - 14.2.1. Households can subscribe to this service via [www.greenwasteclub.co.uk](http://www.greenwasteclub.co.uk) or by phoning 0800 0858 286 or emailing [gwc.pcc@biffa.co.uk](mailto:gwc.pcc@biffa.co.uk).
- 14.3. Alternatively, households can take their garden waste to the Portsmouth Household Waste Recycling Centre.
  - 14.3.1. There are no charges for garden waste, but soil will incur a cost. For more information on chargeable waste, visit [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk).

## 15. Bulky waste

*This section sets out how residents can get rid of larger bulky items.*

- 15.1. Large household items which exceed 25kg and/or do not fit into a standard-sized black bag must not be placed out for the weekly refuse collection.
- 15.2. There are several options available for households to off-load bulky items:

- If the item is in a good/reusable condition - sell on online marketplaces or give away for free
- Donate to charity - many local charities will collect items for free (visit [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk) for more details)
- Take to the Portsmouth Household Waste Recycling Centre - there is also a reuse area for items in good condition
- Book a collection via the Council
- Book a private collection - households must ensure they are using a reputable business and must ask to see the waste carriers licence of the person collecting the waste. The householder may be liable if the items are found to be fly tipped.
- If you are replacing like-for-like when ordering new items, the company may offer a collection of the old item for a charge.

### 15.3. Council bulky waste collection service

15.3.1. The Council run a bookable bulky waste collection service.

15.3.2. Charges start from £30 for the first cubic metre (payable at the time of booking).

15.3.3. If a household needs to cancel a collection, this must be done prior to 12pm the day before the scheduled collection day for a full refund. If bookings are cancelled after this time this may result in no refund or a part-refund.

15.3.4. Portsmouth residents in receipt of Council Tax Support (CTS) can receive one free collection of two cubic metres per year. To qualify, the resident must provide proof of CTS either by showing the award letter or giving permission for the Recycling and Rubbish Team to check records online. For collections larger than two cubic metres, there will be a charge for those additional cubic metres payable at the time of booking.

15.3.5. A household can get an estimate, quotation, or book collection by phoning 023 9284 1105 or emailing [recyclingandrubbish@portsmouthcc.gov.uk](mailto:recyclingandrubbish@portsmouthcc.gov.uk). If items are inside the property, Council staff may need to enter the property to give an accurate quote.

15.3.6. Items for collection must be available by 6am on the morning of collection.

15.3.7. Items will only be collected from ground level and in easy access to the road e.g., forecourt and driveways. If collecting from flat-fronted

properties, the items can be placed on the pavement no earlier than 7pm the evening before collection.

15.3.8. Council staff and/or collection operatives will not enter properties or back gardens to remove items or help to remove items.

15.3.9. Only items listed at the time of the booking will be collected.

15.3.10. A maximum of three cubic metres will be taken on each collection.

15.3.11. These are items we can accept on the bulky collection service:

- Sofas
- Beds
- Mattresses
- Fridges/freezers (these are charged at £30 each or £45 each for an American-style fridge/freezer)
- Washing machines/tumble dryers/dish washers
- General household items and furniture

15.3.12. These are items we cannot accept on the bulky collection service:

- Asbestos
- Building and DIY waste such as soil, rubble, tiles, concrete, bricks etc.
- Plasterboard
- Paint tins containing paint (paint tins must be empty)
- Gas canisters
- Batteries
- Car engines
- Tyres
- Garden waste
- Fluorescent lighting tubes
- Commercial or trade waste
- Ceramic sanitary ware – sink basins, pedestals, bidets, and toilet cisterns
- Anything longer than six feet (6ft)
- Anything too heavy for two people to lift safely such as a piano, waterlogged mattresses, and waterlogged sofas

## 16. Clinical waste

*This section provides information on collection of healthcare/clinical waste and how to request this service.*

- 16.1. The Council can collect regular or occasional healthcare waste/clinical waste.
- 16.2. Healthcare waste such as syringes, needles, scalpel blades (sharps), should never be put in with normal rubbish.
- 16.3. A household will need to submit a healthcare waste referral form either online at [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk) or by calling 023 9284 1105 for both regular and one-off collections.
- 16.4. The types of waste accepted on this collection include:
  - Sharps/needles contaminated with medicines, and which could be infectious
  - Sharps/needles contaminated with cytotoxic/cytostatic products which could be infectious
  - Bagged waste that is not infectious, or may be infectious but can be treated – this includes waste from home dialysis
- 16.5. The types of waste not accepted on this collection include:
  - Sharps or needles that are not contained in a special yellow sharps container. These are supplied by chemists and medical professionals.
  - Incontinence pads – these should be securely bagged and put in with your normal rubbish.
  - Used COVID-19 lateral flow device tests, PPE, used tissues and face coverings – these must be placed in your rubbish bin/bags.
- 16.6. On receipt of a healthcare waste referral form, the team will be in contact to arrange a collection. This is when the team will discuss correct presentation for this waste.

## 17. Flat-fronted properties and those with limited space for bin storage

*This section sets out the policy on households requesting wheeled bins for properties with no usable frontage to store the bin on non-collection days.*

- 17.1. The flat-fronted policy refers to properties whereby there is no frontage, such as a forecourt or driveway, to store waste receptacles on non-collection days.
- 17.2. When wheeled refuse bins were introduced in the City, residents of flat-fronted properties were able to request a bin if they could guarantee the receptacle would be stored off the highway on non-collection days.

- 17.3. Providing wheeled refuse bins to flat-fronted properties has led to an increased number of receptacles being left/stored on the highway on non-collection days which is in contravention of when and how waste should be presented as set out in section 4 of this policy.
- 17.4. Leaving waste receptacles on the highway obstructs users of the highway, especially those pedestrians who rely on mobility aids, are visually impaired and are pushchair users.
- 17.5. From 25 August 2023, the Council will no longer supply wheeled refuse and recycling bins greater than 180L capacity to flat-fronted properties.
- 17.6. Households in contravention of section 4 of this policy will be issued a warning letter if refuse and/or recycling bins are kept on the highway on non-collection days. The letter will ask that the receptacles are removed from the highway and only presented after 7pm the evening before the day of collection and removed as soon as possible after collection has taken place. The letter will also detail consequences of not adhering to the policy.
- 17.6.1. If the household, then continues to store refuse receptacles on the highway on non-collection days the refuse receptacle(s) will be removed.
- 17.6.2. Wheeled refuse bins will be removed, and the household will need to present their waste in black bags for future collection. The Council will not reinstate a wheeled refuse bin once it has been removed for non-compliance with the policy.
- 17.6.3. Where recycling bins/boxes and food waste caddies are left on the highway, which have not otherwise been approved by the Council allowing for reasonable adjustments (see 17.7.), households will be instructed to take these off the highway and subject to the enforcement procedure as set out in section 18 of this policy.
- 17.6.3.1. The Council does not want to remove the household's ability to recycle, so will offer alternatives in the form of recycling boxes, slimmer recycling bins or stackable recycling caddies to make it easier for the household to take recycling receptacles back into the property.
- 17.7. There may be circumstances whereby the household needs wheeled bins and may store them on the highway. This will be approved on a case-by-case basis. Certain criteria will need to be met and are as follows:
- Medical need - sanitary waste

- Unable to move bags through the house from the back garden to the front of the house and lone householder with no family/friends or carer to help present waste
- Waste receptacles will not cause an obstruction to the highway

17.7.1. For this to be assessed, a Waste Management Officer will visit the property to ascertain the circumstances and provide approval.

17.7.2. A 140-litre wheeled bin will be provided if the request is approved. Additional capacity will be assessed, and reasonable adjustments may be sought on a case-by-case basis.

## 18. Enforcement procedures

*This section outlines the legislative enforcement procedures for certain contraventions of the waste collection policy.*

- 18.1. The council will support residents to understand their responsibilities regarding the presentation of their recycling and rubbish. Where a full education process has not been successful, and residents persistently do not comply with the requirements of this policy the council may carry out enforcement actions.
- 18.2. Depending on the infringement, the support and advice may consist of warning and corrective hangers/stickers for bins/boxes, visits, leaflets, and letters which will advise of the change required.
- 18.3. If support and advice does not lead to compliance with this policy, appropriate enforcement will be considered for the following behaviours:
- Waste receptacle left on highway after collection day in an inappropriate way
  - Waste receptacles containing non-domestic waste items e.g., construction, DIY waste or soil
  - Excess refuse (side waste/overflowing bins)
  - Presentation of waste outside the prescribed time window for collection (before 7pm the evening before collection day)
- 18.4. **Where householders persistently breach this policy, enforcement action may be taken using Section 46A of the Environmental Protection Act 1990.**
- 18.5. Steps of enforcement:

18.5.1. Letter sent identifying the breach of the policy with guidance about what needs to change. This letter will also identify what the consequences of non-compliance would be.

18.5.1.1. Stickers will be placed on waste receptacles left out on the highway on non-collection days reminding residents to bring them back in.

18.5.2. If behaviour continues, the Council's Environmental Enforcement Team will send a formal Section 46A Environmental Protection Act 1990, Notice of Intent letter. The notice sets out specific instructions of what the resident is required to do regarding their waste and the penalty they could face if they fail to adhere to the educational instructions they will have been given. The notice will lay out the process for making a representation to the authority.

18.5.3. Following a statutory 28-day period, the notice will come into effect if no appeal has been made against it. Should the behaviour continue in breach of the instructions on the notice of intent then a formal Section 46A 'Final Notice', together with a £60 fixed penalty and any costs incurred by the Council, will be sent to the named resident.

18.5.3.1. The Final notice will set out:

- The grounds for the issuing of a fixed penalty
- The amount of the penalty and costs
- How payment may be made
- The period within which payment is required to be made
- The right of appeal
- The consequences of not paying the penalty

## 19. New bin/bin repair/bin replacement

*This section sets out what receptacles the Council provides to residents and how they can replace missing or stolen bin/box, or have their wheeled bin repaired. This only applies to PCC supplied bins.*

19.1. A delivery fee will be charged to residents requesting a new, lost, stolen or damaged refuse bin. Payment can be made online when requesting a new bin or over the phone. Please refer to the Portsmouth City Council webpages ([Recycling and rubbish - Portsmouth City Council](#)) for delivery charges.

19.1.1. If the collection crew has caused damage or lost the bin in the back of the vehicle and this is confirmed via vehicle CCTV, no payment will be required for delivery.

- 19.1.2. Damaged caused on collection, due to general wear and tear will incur a charge for delivery.
- 19.1.3. Residents can collect their new bin from various locations across the city on scheduled dates and times free of charge. Details of these locations, dates, and times will be provided at the point of order. Only the named resident can collect the bin and a form of ID will be required at the point of collection.
- 19.2. Households can request a new receptacle for recycling and food waste free of charge by contacting the Recycling and Rubbish Team on 023 9284 1105, by emailing [recyclingandrubbish@portsmouthcc.gov.uk](mailto:recyclingandrubbish@portsmouthcc.gov.uk), or online via [www.portsmouthcc.gov.uk](http://www.portsmouthcc.gov.uk).
- 19.3. Households can request a second bin for recycling or up to three (3) recycling boxes and a second 23-litre food waste caddy.
- 19.4. Waste receptacles supplied either for a delivery fee or free of charge to householders remain the property of the Council.
- 19.5. A cost recoverable charge will be made to the owners or managing agents of flats and shared properties of multiple occupation, for the supply of larger communal bin(s). These will range in size from 360-litres up to 1280-litres. Charges also apply for the replacement of any broken or stolen bins.
- 19.6. Damage to communal wheeled bins caused by collection crews during the collection process (excepting wear and tear issues) will be replaced free of charge.
- 19.7. Damage to communal wheeled bins, not caused by collection crews during collection, including wear and tear with the container becoming unserviceable will be at the cost of the owner or managing agent.
- 19.8. Charges will also be made to the developers of any new build properties for any bins required for a new development.
- 19.9. All waste receptacles supplied for a charge to owners and managing agents of communal properties remain the property of the purchaser.
- 19.10. Waste receptacles purchased by owners or managing agents are to only be used at the site they were purchased for, and bins cannot be moved between properties.



- 19.11. Replacement waste receptacles and communal waste receptacles shall be delivered to individual households and blocks as soon as practicable after the request has been processed.
- 19.12. If waste receptacles are lost/stolen or damaged and need repair or replacement, the household can request a replacement bin or bin repair by contacting the Recycling and Rubbish Team on 023 9284 1105, or emailing [recyclingandrubbish@portsmouthcc.gov.uk](mailto:recyclingandrubbish@portsmouthcc.gov.uk), or requesting online via [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk).
- 19.13. The Council will only replace or repair PCC-issued bins.
- 19.14. When householders move home, they must leave all PCC-issued waste receptacles at the property ready for the new occupant to use.
- 19.15. Householders are responsible for the storage, safe keeping and cleaning of waste receptacles provided by the Council or purchased by owners or managing agents.
- 19.16. The cost of providing wheeled bins for the garden waste service is the responsibility of the waste collection contractor who provide the 'Green Waste Club' on behalf of the Council (see section 14).

## 20. Services to charities and community organisations

*This section sets out the recycling and rubbish collection service which the Council provides to charities and community organisations within Portsmouth.*

- 20.1. Registered 'not for profit' charities and community organisations are not entitled to a domestic Council collection but can arrange collections via the Council's chargeable bulky waste collection service.
- 20.2. Churches and other places of religious worship are permitted a weekly collection of refuse using a 140-litre bin or up to three (3) black bags; fortnightly collection of recycling using a 240-litre bin; weekly collection of food waste using 23-litre caddy free of charge.
- 20.2.1. Collection from churches and other places of worship is only for activities relating to activities of the church or place of worship and not for waste relating to business activities taking place within the premises e.g., waste from a café, nursery or church hall hire.
- 20.2.2. If the church or place of worship requires capacity over the allowance set out in 20.2. then a private/commercial waste collection contract must be arranged.

## 21. Planning considerations

*This section sets out the waste management considerations in relation to planning applications. The Council will look to ensure capacity requirements meet the purpose of moving waste up the waste hierarchy and refuse allowance encourages the use of recycling bins. Part of planning comments will highlight the need of future requirements to meet the Environment Act 2021 and the move to a twin-stream recycling service from mid-2025.*

- 21.1. Planning applications are reviewed by Waste Management to ensure there is safe access and egress to the waste storage point. Additionally, checks are carried out to ensure that the waste storage area is of sufficient size and designed to the best interests for all parties to help design out issues that could cause problems after construction.
- 21.2. The planning team can supply a multi-point check list when considering how waste storage facilities should be designed and this is reviewed on a regular basis. Alternatively, guidance on specifications required for bin storage can be found on the Portsmouth City Council webpages. ([Bin collection and storage facilities – a guide for property developers - Portsmouth City Council](#))
- 21.3. Applications which include waste storage for flats and Houses of Multiple Occupation (HMO's) are given particularly careful consideration. HMOs of six (6) or more beds will require communal waste collections, starting with a minimum of 360-litre bins for rubbish and recycling.
- 21.4. The Waste Management Team will work with developers and architects to design out potential issues.
- 21.5. As the collection authority, the Council can state how the collections will take place (see section 2.2.). If a building is not built as agreed/instructed, or is not safe to collect for, the Council may suspend all waste collections from the property. This would mean that the owners would need to make arrangement for the collection of waste until the matter is resolved.

## 22. Landlord responsibilities

*This section sets out the landlord responsibility around waste produced from their properties and tenants. The policy is set to reduce negative impacts on the local area.*

- 22.1. The responsibility for correct waste management falls to the tenant of the property in privately rented accommodation. However, the landlord should ensure the tenant is adhering to the Council's waste collection policy in

terms of correct presentation of waste i.e., presenting waste at the correct time for collection, using the correct waste receptacle for certain waste types, storing containers correctly, and keeping to the weekly refuse allowance.

- 22.2. If the Council finds the tenant is not adhering to the waste collection policy, and attempts to rectify issues with the tenant fails, the Council reserves the right to contact the landlord/managing agent to assist in the rectification of those issues.
- 22.3. If the tenant moves out of the property and leaves contaminated containers and/or excess rubbish, the landlord/managing agent will then become responsible for the waste left behind.
- 22.3.1. If refuse bags are left behind by the tenant and the landlord/managing agent does not clear this waste, the Council may take necessary enforcement action in the form of Environment Act 1990, S46 or Community Protection Notices.
- 22.3.2. Where contaminated recycling containers are left by the tenants, a charge will be applied to empty the container as refuse. Charges are set out in sections 7.10.9. and 11.10. of this policy and based on size of container to be emptied.
- 22.4. Contents of the property owned by the landlord, any waste created from cleaning the property at the end of the tenancy, and waste created by building works is classed as business waste and must be disposed of as such. This waste will not be collected as part of the domestic waste collection.
- 22.5. The Waste Management Team and Safe, Clean and Tidy Team will be the initial contact point for waste and bin enquiries relating to an HMO property. These teams reserve the right to escalate issues to Private Sector Housing which may constitute a breach of the landlord's licence.

## 23. Complaints process

*This section sets out the route residents should take to report service issues and formal complaints against the service.*

- 23.1. If a part of the waste collection service does not meet satisfaction, there are steps a household can take to report the issue to get the issue resolved.
- 23.2. Issues could include, but not limited to:
- Collection crew behaviour
  - Missed collections

- Damages resulting from collection
- Delivery time of requested waste container

### 23.3. Report the issue to the Recycling and Rubbish Team

23.3.1. Issues can be reported online via the [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk) webpage or by phoning the Recycling and Rubbish Team on 023 9284 1105 or emailing [recyclingandrubbish@portsmouthcc.gov.uk](mailto:recyclingandrubbish@portsmouthcc.gov.uk).

23.3.2. It is important that households report any issues as and when they occur, this ensures the Council can respond and rectify the issue in a timely manner.

23.3.3. The first time of reporting an issue is considered as a service issue and not a formal complaint. The Recycling and Rubbish Team will take all necessary steps to ensure the issue is resolved. However, if the issue continues, then it may be necessary to go through the formal process of raising a Corporate Complaint.

### 23.4. Corporate Complaints Team

23.4.1. If, after reporting the issue to the Recycling and Rubbish Team and the issue has still not been resolved, formal complaints can be raised with the Corporate Complaints Team by phoning 023 9283 4702, emailing [corporatecomplaints@portsmouthcc.gov.uk](mailto:corporatecomplaints@portsmouthcc.gov.uk) or online via [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk).

23.4.2. The Corporate Complaints Policy can be found online via [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk).

## 24. Appendices

### 24.1. Appendix 1 - Classification of waste

<b>No.</b>	<b>Description</b>	<b>Classification</b>	<b>Exceptions</b>
1	Private storage premises used wholly or mainly for the storage of articles of domestic use	Household waste	
2	Land belonging to or used wholly or mainly in connection with domestic property or a caravan where waste from that property or caravan is to be treated as household waste	Household waste	
3	A private garage	Household waste	Where the garage has a floor area exceeding 25m <sup>2</sup> or is not used wholly or mainly for the accommodation of a private motor vehicle, the waste is to be treated as commercial waste
4	A vehicle or vessel used wholly for the purposes of living accommodation	Household waste	Where the vehicle or vessel is used in the course of a business for the provision of self-catering accommodation, the waste is to be treated as commercial waste
5	A place of worship	Household waste	
6	A residential hostel which provides accommodation only to persons with no other permanent address or who are unable to live at their permanent address	Household waste	
7	A penal institution	Household waste	
8	A charity shop selling donated goods originating from domestic property	Household waste	
9	A caravan or mobile home site for gypsies and travellers	Household waste	
10	Premises used wholly or mainly for public meetings	Household waste	

11	Domestic property used in the course of a business for the provision of self-catering accommodation	Commercial waste	
12	A caravan— (a) used in the course of a business for the provision of self-catering accommodation, or (b) which is not allowed to be used for human habitation throughout the year by virtue of a licence or planning permission	Commercial waste	
13	Premises occupied by a charity and wholly or mainly used for charitable purposes	Commercial waste	Where the waste is from a place of worship or from premises used wholly or mainly for public meetings, it is to be treated as household waste
14	A camp site or a tent pitched on land other than a camp site	Commercial waste	Where the waste is from domestic premises at a camp site, it is to be treated as household waste
15	A royal palace	Commercial waste	
16	Premises occupied by a club, society or any association of persons in which activities are conducted for the benefit of the members	Commercial waste	
17	Premises occupied by— (a) a court; (b) a government department; (c) a local authority; (d) a person appointed by or under any enactment to discharge public functions; (e) a body incorporated by Royal Charter	Commercial waste	Waste classified as household waste or industrial waste because it is from a place— (a) otherwise described in this table (except for entry 27); or (b) described in section 75(5) or (6) of the Act (household waste or industrial waste)

18	A hotel	Commercial waste	
19	Any part of a composite hereditament used for the purposes of a trade or business	Commercial waste	
20	A market or fair	Commercial waste	
21	The practice of a general medical practitioner	Commercial waste	
22	A workshop or similar premises which is not a factory only because— (a) those working there are not employees; or (b) the work carried on there is not carried on by way of trade or for purposes of gain	Industrial waste	Where the principal activities at the premises are computer operations or the copying of documents by photographic or lithographic means the waste is to be treated as commercial waste
23	Waste from a laboratory	Industrial waste	
24	Waste from a scientific research association	Industrial waste	
25	Waste from premises used for the breeding, boarding or stabling of animals	Industrial waste	
26	Waste imported into England or Wales	Industrial waste	
27	Directive waste from a place (including any vehicle, vessel or aircraft) not otherwise described in this table or in section 75(5) or (7) of the Act <sup>(1)</sup> (household waste and commercial waste)	Industrial waste	

## 24.2. Appendix 2 - Permitted collection and disposal charges

<b>No.</b>	<b>Description of household waste</b>	<b>Collection charge</b>	<b>Disposal charge</b>
1	Any article of waste which exceeds 25kg in weight	Yes	No, subject to entries 11 to 17
2	Any article of waste which does not fit or cannot be fitted into— (a) a receptacle for household waste provided in accordance with section 46 of the Act; or (b) where no such receptacle is provided, a cylindrical container 750mm in diameter and 1m in length	Yes	No, subject to entries 11 to 17
3	Garden waste	Yes	No, subject to entries 11 to 17
4	Dead domestic pets	Yes	No, subject to entries 11 to 17
5	Waste oil or grease	Yes	No, subject to entries 11 to 17
6	Asbestos	Yes	No, subject to entries 11 to 17
7	Waste which may not be put into a receptacle provided under section 46 of the Act because of a notice served under that section	Yes	No, subject to entries 11 to 17
8	Waste from premises used wholly or mainly for public meetings	Yes	No
9	Clinical waste and offensive waste produced at a domestic property, a caravan or a vehicle or vessel used wholly for the purposes of living accommodation	Yes	No
10	Waste from a residential hostel which provides accommodation only to persons with no other permanent address or who are unable to live at their permanent address	Yes	No
11	Waste from a charity shop selling donated goods originating from domestic property	Yes	Yes, but only to the extent that the waste originated from non-domestic property

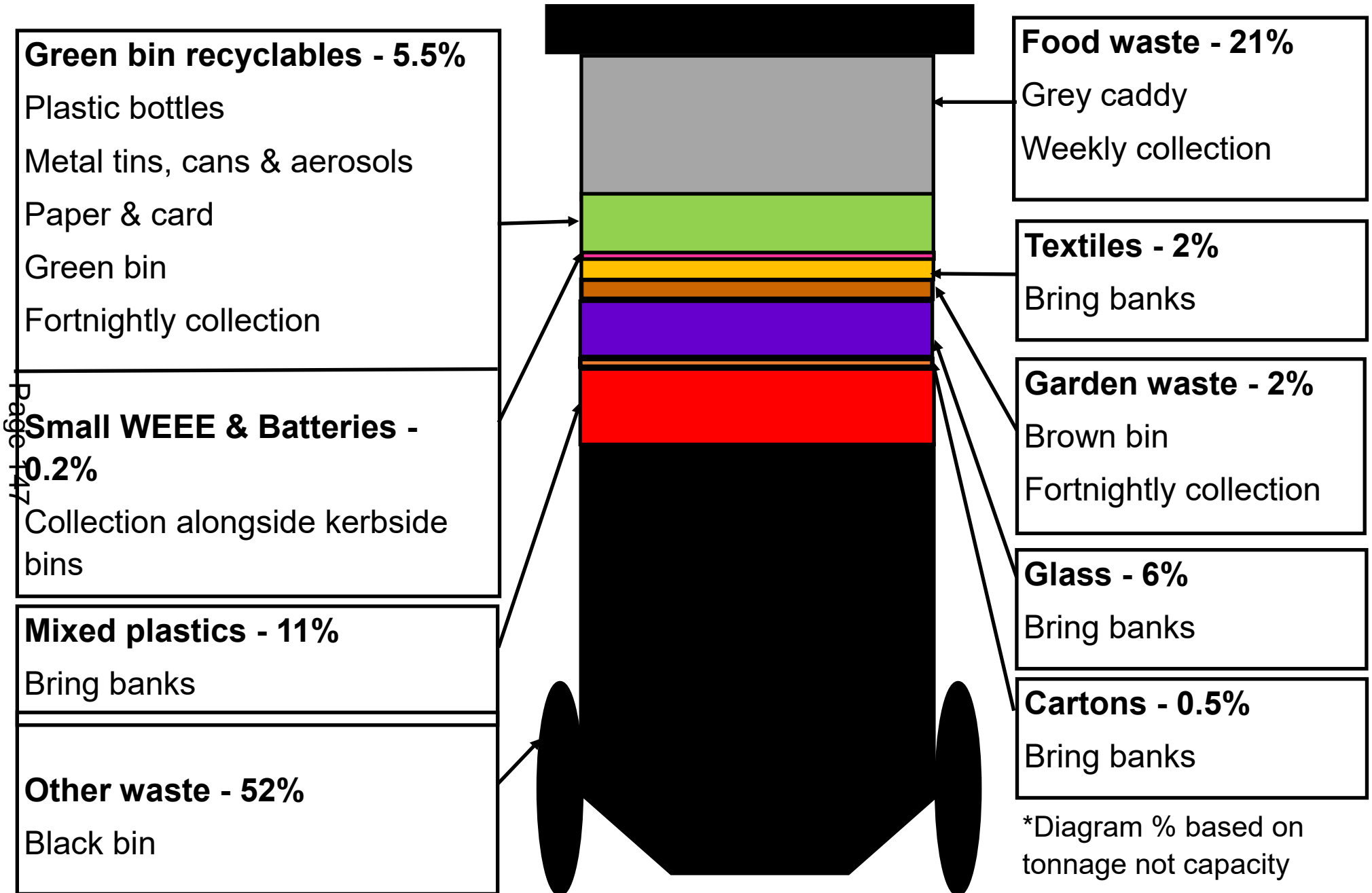


12	Waste from premises occupied by— (a) a community interest company (being a company which is registered as such with the registrar of companies), or (b) a charity or other not for profit body, which collects goods for re-use or waste to prepare for re-use from domestic property	Yes	Yes, but only to the extent that the waste originated from non-domestic property
13	Litter and refuse collected under section 89(1)(f) of the Act	Yes	Yes
14	Waste from a residential home or land belonging to or wholly or mainly used in connection with a residential home	Yes	Yes
15	Waste from premises forming part of a university, school or other educational establishment	Yes	In Wales: yes In England: yes, subject to paragraph 4(8)
16	Waste from premises forming part of a hospital or nursing home except for waste from a residential hostel forming such part which provides accommodation only to persons with no other permanent address	Yes	Yes
17	Waste from a penal institution	Yes	Yes

This page is intentionally left blank

What's in a black bin?

Based on sampling analysis 2022/23



This page is intentionally left blank

### Appendix 3 - Charges to empty contaminated recycling as refuse

<b>Size of recycling receptacle</b>	<b>Charge for emptying receptacle*</b>	<b>Charges applicable to</b>
23-litre	£6	Householder
55-litre	£6	Householder
140-litre	£14	Householder
180-litre	£18	Householder
240-litre	£24	Householder
360-litre	£36	Landlord/Managing Agent
660-litre	£60	Landlord/Managing Agent
1100-litre	£110	Landlord/Managing Agent
1280-litre	£128	Landlord/Managing Agent

\*Subject to inflation

This page is intentionally left blank

#### Appendix 4 - Council charges for emptying contaminated recycling bins

<b>Council</b>	<b>Bin type</b>	<b>Fee</b>	<b>For</b>
Buckinghamshire Council	2-4 wheeled bins	£35-84	Managing agents/Landlords
Wigan Council	Not specified	£20 per bin	Managing agents/Landlords
Watford Borough Council	240L - 1100L	£72.10-95.50	Managing agents/Landlords
Islington Council	Not specified	£50 per bin	Managing agents/Landlords
Manchester City Council	Not specified	£0-£27	Residents on bulky collection
Cambridge City Council	Not specified	£35 per bin	Managing agents/Landlords

This page is intentionally left blank





# Integrated Impact Assessment (IIA)

Integrated impact assessment (IIA) form December 2019

[www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

The integrated impact assessment is a quick and easy screening process. It should:

- identify those policies, projects, services, functions or strategies that could impact positively or negatively on the following areas:
  - Communities and safety
  - Regeneration and culture
  - Environment and public space
  - Equality & - Diversity This can be found in Section A5

**Directorate:**

Housing, Neighbourhood and Building Services

**Service, function:**

Waste Management

**Title of policy, service, function, project or strategy (new or old) :**

Waste Collection Policy 2022

**Type of policy, service, function, project or strategy:**

- Existing
- New / proposed
- Changed

**What is the aim of your policy, service, function, project or strategy?**

To update current policy (2018) in line with new services and proposing new policies relating to contaminated recycling bins, containers being stored on the highway, and changing waste presentation time from 7am to 6am.

Contaminated recycling bins - recycling contamination is a pressure on the disposal budget and officer time. The proposal is to introduce a charge for emptying contaminated recycling bins, for both residents and managing agents/landlords, after initial remediation practices have failed. This is an opt-in service and residents and managing/agents have to option to remove contamination themselves rather than incur a cost for an officer or waste collection contractor to remove contaminated recycling.

Waste containers stored on the highway - from 1 June, residents will not be able to obtain a wheeled bin for refuse or a recycling bin larger than 180L if they live in a flat-fronted property or properties with limited storage space. This proposal is to mitigate the impact to pavement users when containers are stored on the highway outside of collection times.

Presentation time changing to 6am from 7am - Residents will be instructed to present their waste containers by 6am on the day of collection. This is to allow for flexibility in operations when extreme weather events or occasions where collection crews need to begin collections at an earlier time. On a typical day, collection will continue to start no earlier than 6:45am.

Has any consultation been undertaken for this proposal? What were the outcomes of the consultations? Has anything changed because of the consultation? Did this inform your proposal?

No consultations have been undertaken for this update and proposed changes to the current policy. Changes and updates have been led by pressures on resourcing of the Safe, Clean and Tidy teams (Waste, Community Wardens and Enforcement Officers).

Though no consultations have taken place, evidence has been included in the report to highlight the need of the above service changes and updates to the Waste Collection Policy.

**A - Communities and safety**

**Yes**

**No**

Is your policy/proposal relevant to the following questions?

**A1-Crime** - Will it make our city safer?



In thinking about this question:

- How will it reduce crime, disorder, ASB and the fear of crime?
- How will it prevent the misuse of drugs, alcohol and other substances?
- How will it protect and support young people at risk of harm?
- How will it discourage re-offending?

If you want more information contact [Lisa.Wills@portsmouthcc.gov.uk](mailto:Lisa.Wills@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-spp-plan-2018-20.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impact

How will you measure/check the impact of your proposal?  
N/A

**A - Communities and safety**

Page 154

**Yes**

**No**

Is your policy/proposal relevant to the following questions?

**A2-Housing** - Will it provide good quality homes?



In thinking about this question:

- How will it increase good quality affordable housing, including social housing?
- How will it reduce the number of poor quality homes and accommodation?
- How will it produce well-insulated and sustainable buildings?
- How will it provide a mix of housing for different groups and needs?

If you want more information contact [Daniel.Young@portsmouthcc.gov.uk](mailto:Daniel.Young@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/psh-providing-affordable-housing-in-portsmouth-april-19.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

No impact

How are you going to measure/check the impact of your proposal?

N/A

**A - Communities and safety**

**Yes**

**No**

Is your policy/proposal relevant to the following questions?

**A3-Health** - Will this help promote healthy, safe and independent living?



In thinking about this question:

- How will it improve physical and mental health?
- How will it improve quality of life?
- How will it encourage healthy lifestyle choices?
- How will it create healthy places? (Including workplaces)

If you want more information contact [Dominique.Letouze@portsmouthcc.gov.uk](mailto:Dominique.Letouze@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cons-114.86-health-and-wellbeing-strategy-proof-2.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

By tackling and removing waste containers being stored on the highway on non-collection days, those using mobility aids and the visually impaired will be safer navigating the pavements without the obstruction of waste containers.

There may be occasions, medical or mobility issues, whereby a resident needs to keep their wheeled bin on the highway and this will be assessed on a case-by-case basis with reasonable adjustments made.

How are you going to measure/check the impact of your proposal?

This can be evidenced through demand-pulls for Community Warden checks, where residents and members of the community, have contacted the Council to inform us on wheeled bins being stored on the highway. We hope to see this demand decrease once the Policy has been implemented.

**A - Communities and safety****Yes****No**

Is your policy/proposal relevant to the following questions?

**A4-Income deprivation and poverty**-Will it consider income deprivation and reduce poverty?



In thinking about this question:

- How will it support those vulnerable to falling into poverty; e.g., single working age adults and lone parent households?
- How will it consider low-income communities, households and individuals?
- How will it support those unable to work?
- How will it support those with no educational qualifications?

If you want more information contact [Mark.Sage@portsmouthcc.gov.uk](mailto:Mark.Sage@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-homelessness-strategy-2018-to-2023.pdf>  
<https://www.portsmouth.gov.uk/ext/health-and-care/health/joint-strategic-needs-assessment>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Charging for emptying of contaminated recycling bins could impact low-income households, however, this will only be a requested service and residents have the option of removing contamination without cost. The Council will initially conduct education on correct recycling and help, where possible. If a resident needs more support on this, for example, if a resident does not have a car to take additional waste to the Household Waste Recycling Centre (HWRC) and they have removed contamination themselves (but now have excess refuse), the Council may allow additional waste to be placed out on next collection or offer a bin capacity assessment.

How are you going to measure/check the impact of your proposal?

We can evidence the number of visits officers visit a property due to contamination and hope that multiple visits reduce. With the introduction of charges, we will be able to assess how many residents have taken the option to pay for their contaminated bin to be emptied. We do not expect this to be an income but a tool to help behavior change and correct waste management for residents and managing agents/landlords.

**A - Communities and safety****Yes****No**

Is your policy/proposal relevant to the following questions?

**A5-Equality & diversity** - Will it have any positive/negative impacts on the protected characteristics?



In thinking about this question:

- How will it impact on the protected characteristics-Positive or negative impact (Protected characteristics under the Equality Act 2010, Age, disability, race/ethnicity, Sexual orientation, gender reassignment, sex, religion or belief, pregnancy and maternity, marriage and civil partnership,socio-economic)
- What mitigation has been put in place to lessen any impacts or barriers removed?
- How will it help promote equality for a specific protected characteristic?

If you want more information contact [gina.perryman@portsmouthcc.gov.uk](mailto:gina.perryman@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-equality-strategy-2019-22-final.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

By tackling and removing waste containers being stored on the highway on non-collection days, those using mobility aids and the visually impaired will be safer navigating the pavements without the obstruction of waste containers.

There may be occasions, medical or mobility issues, whereby a resident needs to keep their wheeled bin on the highway and this will be assessed on a case-by-case basis with reasonable adjustments made.

Charging for emptying contaminated recycling bins may impact those residents where English is not their first language. The Council will work with residents first, through education, to change recycling behaviours. It may be necessary translate information into different languages or braille in order to ensure we are providing clear information to those residents.

How are you going to measure/check the impact of your proposal?

We will be able to analyse demand pulls for waste containers causing obstruction on the highway as well as those residents who have required reasonable adjustments. Evidence can be sort on those residents requiring recycling information in other languages or braille which will allow us to adapt communications as necessary.

**B - Environment and climate change**

**Yes**

**No**

Is your policy/proposal relevant to the following questions?

**B1-Carbon emissions** - Will it reduce carbon emissions?



In thinking about this question:

- How will it reduce greenhouse gas emissions?
- How will it provide renewable sources of energy?
- How will it reduce the need for motorised vehicle travel?
- How will it encourage and support residents to reduce carbon emissions?

If you want more information contact [Tristan.thorn@portsmouthcc.gov.uk](mailto:Tristan.thorn@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cmu-sustainability-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

There may be a slight reduction in vehicle emissions if we are to restrict the number of officer visits to a property to empty contaminated recycling bin. If a recycling bin needs to be emptied by the refuse collection crew, the refuse vehicle would already be servicing that household so no additional visits would be taking place. Also, by introducing a charge to empty contaminated recycling bins, the resident may in turn place the correct recycling in the bin thus increasing recycling and reducing the need to double-handle and dispose of contamination which will reduce green gas emissions.

By changing the presentation time to 6am, if the Council needs to start collections earlier than typical. We can then stop the practice of returning to those bins which were presented ready for 7am but not by 6am. Currently, if we need to make adjustments to collection times, we will go back and collect those bins which were presented ready for the usual collection time but the crew have already serviced the road. This will stop additional trips back to a previous location by the collection vehicle.

How are you going to measure/check the impact of your proposal?

We can evidence contamination rates in recycling and hope the introduction of the charge, as well as BAU practices, will reduce the amount of contamination entering the recycling stream. We can also assess the demand-pulls for officers visiting properties for recycling education.

**B - Environment and climate change**

**Yes**

**No**

Is your policy/proposal relevant to the following questions?

**B2-Energy use** - Will it reduce energy use?



In thinking about this question:

- How will it reduce water consumption?
- How will it reduce electricity consumption?
- How will it reduce gas consumption?
- How will it reduce the production of waste?

If you want more information contact [Triston.thorn@portsmouthcc.gov.uk](mailto:Triston.thorn@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

<https://democracy.portsmouth.gov.uk/documents/s24685/Home%20Energy%20Appendix%201%20-%20Energy%20and%20water%20at%20home%20-%20Strategy%202019-25.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

These updates to the Policy will not reduce the overall waste produced from the property but will enforce the correct management of waste i.e. how waste is presented for collection.

How are you going to measure/check the impact of your proposal?

N/A

## B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

**B3 - Climate change mitigation and flooding**-Will it proactively mitigate against a changing climate and flooding?

In thinking about this question:

- How will it minimise flood risk from both coastal and surface flooding in the future?
- How will it protect properties and buildings from flooding?
- How will it make local people aware of the risk from flooding?
- How will it mitigate for future changes in temperature and extreme weather events?

If you want more information contact [Tristan.thorn@portsmouthcc.gov.uk](mailto:Tristan.thorn@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-surface-water-management-plan-2019.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/cou-flood-risk-management-plan.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

N/A

How are you going to measure/check the impact of your proposal?

N/A

## B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

**B4-Natural environment**-Will it ensure public spaces are greener, more sustainable and well-maintained?

In thinking about this question:

- How will it encourage biodiversity and protect habitats?
- How will it preserve natural sites?
- How will it conserve and enhance natural species?

If you want more information contact [Daniel.Young@portsmouthcc.gov.uk](mailto:Daniel.Young@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-solent-recreation-mitigation-strategy-dec-17.pdf>

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

<b>B - Environment and climate change</b>	<b>Yes</b>	<b>No</b>
---	------------	-----------

Is your policy/proposal relevant to the following questions?

<b>B5-Air quality</b> - Will it improve air quality?	<input type="checkbox"/>	<input type="checkbox"/>
--	--------------------------	--------------------------

In thinking about this question:

- How will it reduce motor vehicle traffic congestion?
- How will it reduce emissions of key pollutants?
- How will it discourage the idling of motor vehicles?
- How will it reduce reliance on private car use?

If you want more information contact [Hayley.Trower@portsmouthcc.gov.uk](mailto:Hayley.Trower@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/env-aq-air-quality-plan-outline-business-case.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

N/A

How are you going to measure/check the impact of your proposal?

N/A

<b>B - Environment and climate change</b>	<b>Yes</b>	<b>No</b>
---	------------	-----------

Is your policy/proposal relevant to the following questions?

<b>B6-Transport</b> - Will it improve road safety and transport for the whole community?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--	--------------------------	-------------------------------------

In thinking about this question:

- How will it prioritise pedestrians, cyclists and public transport users over users of private vehicles?
- How will it allocate street space to ensure children and older people can walk and cycle safely in the area?
- How will it increase the proportion of journeys made using sustainable and active transport?
- How will it reduce the risk of traffic collisions, and near misses, with pedestrians and cyclists?

If you want more information contact [Pam.Turton@portsmouthcc.gov.uk](mailto:Pam.Turton@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/travel/local-transport-plan-3>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?



N/A

How are you going to measure/check the impact of your proposal?

N/A

## B - Environment and climate change

Yes

No

Is your policy/proposal relevant to the following questions?

**B7-Waste management** - Will it increase recycling and reduce the production of waste?



In thinking about this question:

- How will it reduce household waste and consumption?
- How will it increase recycling?
- How will it reduce industrial and construction waste?

If you want more information contact [Steven.Russell@portsmouthcc.gov.uk](mailto:Steven.Russell@portsmouthcc.gov.uk) or go to:

<https://documents.hants.gov.uk/mineralsandwaste/HampshireMineralsWastePlanADOPTED.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

Though these updates would not reduce household waste, it will help enforce correct waste management through introducing a charge to empty contaminated recycling bins. Rather than incurring a charge to have a bin emptied, we hope residents will change recycling behaviours and managing agents/landlords will work with their tenants to ensure the correct waste goes into the correct bins. By preventing contamination going into a bin, which would then be rejected as refuse, the bin will be collected as recycling and thus increase recycling.

How are you going to measure/check the impact of your proposal?

We will be able to monitor contamination rates as well as recycling rates. However, we don't expect this to have a significant impact on the overall recycling rate for the authority. It's primarily to foster behaviour change and empower residents to manage their waste correctly.

**C - Regeneration of our city**

Yes

No

Is your policy/proposal relevant to the following questions?

**C1-Culture and heritage** - Will it promote, protect and enhance our culture and heritage?



In thinking about this question:

- How will it protect areas of cultural value?
- How will it protect listed buildings?
- How will it encourage events and attractions?
- How will it make Portsmouth a city people want to live in?

If you want more information contact [Claire.Looney@portsmouthcc.gov.uk](mailto:Claire.Looney@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/pln-portsmouth-plan-post-adoption.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

N/A

How are you going to measure/check the impact of your proposal?

N/A

**C - Regeneration of our city**

Yes

No

Is your policy/proposal relevant to the following questions?

**C2-Employment and opportunities** - Will it promote the development of a skilled workforce?



In thinking about this question:

- How will it improve qualifications and skills for local people?
- How will it reduce unemployment?
- How will it create high quality jobs?
- How will it improve earnings?

If you want more information contact [Mark.Pembleton@portsmouthcc.gov.uk](mailto:Mark.Pembleton@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

N/A

How are you going to measure/check the impact of your proposal?

N/A

Is your policy/proposal relevant to the following questions?

**C3 - Economy** - Will it encourage businesses to invest in the city, support sustainable growth and regeneration?

In thinking about this question:

- How will it encourage the development of key industries?
- How will it improve the local economy?
- How will it create valuable employment opportunities for local people?
- How will it promote employment and growth in the city?

If you want more information contact [Mark.Pembleton@portsmouthcc.gov.uk](mailto:Mark.Pembleton@portsmouthcc.gov.uk) or go to:

<https://www.portsmouth.gov.uk/ext/documents-external/cou-regeneration-strategy.pdf>

Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?

How are you going to measure/check the impact of your proposal?

**Q8 - Who was involved in the Integrated impact assessment?**

Rebecca Adams  
David Emmett  
Colette Hill

**This IIA has been approved by:**

**Contact number:**

**Date:**

This page is intentionally left blank

# Agenda Item 9



**Portsmouth**  
CITY COUNCIL

<b>Title of meeting:</b>	Cabinet
<b>Date of meeting:</b>	25 <sup>th</sup> July 2023
<b>Subject:</b>	Mandatory Licencing of Houses in Multiple Occupation
<b>Report by:</b>	James Hill - Director for Housing, Neighbourhood and Building Services
<b>Authors:</b>	Clare Hardwick - Head of Private Sector Housing Sam Rickeard - Housing Regulation Manager
<b>Wards affected:</b>	All
<b>Key decision:</b>	No
<b>Full Council decision:</b>	No

---

## 1. Purpose of report

- 1.1 Cabinet made a decision on 22nd November 2022 to introduce Additional licensing of all houses in multiple occupation (HMOs) in Portsmouth occupied by 3 or 4 people. This decision included agreement to a new approach to licensing properties, where licence holders will be given different licence terms based upon compliance criteria, a new fee structure to reflect this, and new licence conditions. Through the November 2022 decision report, cabinet instructed 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.
- 1.2 Therefore, the purpose of this report is to present proposals to align the current Mandatory HMO licensing scheme, with the new licensing model that will be introduced shortly for Additional Licensing of HMOs across the city.

## 2. Recommendations

- 2.1 It is recommended that Cabinet change the Mandatory HMO Licensing scheme, to alter the Mandatory HMO Licensing model, fee structure and Licence conditions to create consistency between Mandatory and Additional Licensing of HMOs.
- 2.2 Cabinet instructs officers to carry out a non-statutory consultation with existing Mandatory HMO Licence holders to be conducted from 26<sup>th</sup> July to 16<sup>th</sup> August 2023 on the proposal to create consistency between the Mandatory HMO licensing scheme and Additional Licensing scheme, as outlined in this report, including a



new approach to administering licences for different terms as outlined in Appendix 1, a new Licensing fee structure as outlined in Appendix 2, and new licence conditions as outlined in Appendix 3. Officers should then return to Cabinet on 5<sup>th</sup> September 2023 with the outcome of this consultation, in a report to present the final proposals for Cabinet approval.

### **3. Background**

- 3.1 The definition of whether a property is considered an HMO, and whether it requires a licence, are laid out in Section 254 of the Housing Act 2004, and through The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018. Properties occupied by three or more people forming more than one household, where basic amenities such as a kitchen or bathroom are shared, are considered to be a HMO. HMOs which are occupied by 5 or more people require a mandatory HMO. Council also have discretion to introduce Additional Licensing of HMOs in the local area if there is sufficient evidence that this is required.
- 3.2 The Council currently licenses approximately 1200 HMOs in Portsmouth consisting of approximately 665 licence holders, under the current mandatory licensing criteria.
- 3.3 Every HMO that meets the national Mandatory licensing criteria must be licensed, unless subject to either a temporary exemption notice or an interim or final management order (under Chapter 1 of Part 4 of the Housing Act 2004). Licence holders are required to adhere to several conditions applied to their licence, based around the safety and proper management of the HMO. Council Officers administer the scheme, which includes the processing of applications, issuing of licences, monitoring compliance through certification and carrying out proactive inspections of the property to ensure they are well managed and free from serious hazards. The Council has a legal duty to effectively implement a licensing regime that covers mandatory licensable HMOs in their area, along with discretionary powers to introduce further licensing of HMOs.
- 3.4 In November 2022, following a statutory consultation process, Cabinet made the decision to implement an Additional Licensing scheme for HMOs, approving a city-wide designation of every class of HMO, including converted buildings that are mainly or wholly tenanted (known as Section 257 HMOs). This scheme will commence from 1<sup>st</sup> September 2023. The approved Additional Licensing scheme includes several elements that differ from the way that current Mandatory Licensing scheme run by the council, which may cause confusion for landlords and agents, tenants and local residents, as well as being operationally demanding to administer the schemes in different ways.

### **4 Licensing Model**

- 4.1 The Council's current mandatory licensing scheme operates a traditional licensing model, whereby licences are typically granted on a 5-year basis, with the option to grant a licence for a shorter duration where Council Officers believe there are

justified reasons to do so, such as poor management identified or safety concerns that should be assessed more regularly. Officers may also award a licence for a shorter duration where the property is deemed unsuitable for the number of occupants, due to space and amenity provided, and a reasonable period of time is required to allow the licence holder to lawfully restrict the number of occupants. Currently there is no set criteria for assessing licence durations, and decisions to award a shorter licence term are based on individual circumstances and Officers professional judgement. As a proportion of licences granted in the mandatory licensing scheme, very few are currently granted for less than 5 years.

- 4.2 In making the decision to designate a city-wide Additional Licensing scheme, Cabinet considered and agreed to a new approach to licensing for the additional licensing scheme, in response to feedback through the statutory consultation, particularly by landlords. One of the main concerns raised by landlord respondents to the consultation, including the local landlord association (the PDPLA), was that 'good' landlords would be penalised by the scheme, while 'bad' landlords are not differentiated, and may manage to evade licensing all together. They expressed concerns that well performing landlords would in effect be funding a scheme through licensing fees that would resource dealing with poorly performing landlords. They felt this traditional licensing approach does not recognise that there are a significant number of well performing HMO landlords operating in the city who should be differentiated from those that a not performing as they should.
- 4.3 In response to this Cabinet agreed to adopt an alternative approach to licensing whereby well performing landlords are recognised with longer licence terms, and poor performing landlords kept under close review with short licence terms. In accordance with Section 68 of the Housing Act 2004 the maximum period a licence can be issued for is 5 years, however Local Authorities have discretion to issue licences for shorter periods if they are satisfied that in the circumstance of the particular property a shorter period is appropriate. Oxford City Council and Coventry City Council run HMO licensing schemes which follow a similar licensing model.
- 4.4 The additional licensing scheme will require all owners of HMOs that are occupied by three or four tenants and all converted self-contained flats that are wholly tenanted to apply to the Council for an HMO licence. Once a valid application is received the Council will determine which type of licence is appropriate using the criteria outlined in Appendix 1 when processing the application. This will include, amongst other things, an assessment of the landlord and manager's ability to comply with the licensing requirements and management practices. Licences will be issued for a period of 1 year, 2.5 years, or 5 years based upon the eligibility of the landlord or agent.
- 4.5 The principles of this approach are that landlords who have demonstrated a history of compliance, safety and well managed properties, will be given a longer licence term compared with those with a history of non-compliance. Over the term of their licence those with a 5 year licence, based on good practice, will pay less than those either on a 1 year or 2.5 year licence. More information about the scheme is



available on the council's website [Applying for an additional HMO licence - Portsmouth City Council](#).

- 4.6 The Council has considered the learning outcomes from other Local Authorities that have introduced similar schemes and has structured the scheme in such a way that benefits those landlords and agents that are compliant and provides incentives to improve compliance, whilst focusing resources and support to the non-compliant landlords through shorter licences.
- 4.7 This is reflected in the fees and charges structure and the eligibility for licences, which sees well performing landlords issued lower cost licences for the maximum 5 year licence term. The Council would inspect each licenced property at least once during the licence term, therefore a well performing landlord issued with a 5 year licence can typically expect an inspection once over that period, whereas a landlord issued with an annual licence because there are concerns identified with their management or compliance will receive an annual inspection, and will consequently pay more for their licence to cover the additional costs of council resources in doing so. This is in line with the Council's Private Rental Sector Strategy 2021-26 which seeks to encourage good landlord practice, and take decisive action to address poorly performing landlords.
- 4.8 Accreditation of Landlords and Agents will be used as a way to distinguish those landlords and agents who are experienced, knowledgeable in their profession and are committed to following good industry practice ([Accreditation scheme information - Portsmouth City Council](#)). To align both schemes, the existing mandatory licensing scheme should adopt the same criteria laid out in Appendix 1 when processing license applications for Mandatory licences to determine the term of the licence, and fee charged, for each licence issued. More information on the scheme can be found on the Council's website [Additional licensing information for landlords - FAQs - Portsmouth City Council](#).
- 4.9 Cabinet in this report are being asked to consider introducing the same model for Mandatory Licensing, whereby applications for mandatory licences will processed using the criteria in Appendix 1, and licences issued for 1 year, 2.5 years, or 5 years based on this criteria.

## 5. Licence Fees

- 5.1 Implementing the change described in section 4 above to the licensing model for mandatory licensing in line with the additional licensing scheme, would also require a similar fee structure to the one applied to additional licensing. The proposed fee structure for mandatory licensing is outlined in Appendix 2. This follows the same principles as the Additional Licensing fee structure.
- 5.2 All HMO licensing schemes require a fee payable by the licence holder to cover the Council's costs for operating the scheme. This fee will take into account all costs incurred by the authority in carrying out their functions, as outlined in the Housing Act 2004.



- 5.3 When setting the fees and charges structure for a licensing scheme, the Council must consider the costs incurred in adequately resourcing and administering such a scheme, including staff costs for administration, inspections and enforcement, training, and publicity and other costs such as office requirements and management support.
- 5.4 Any fee structure should be regularly reviewed to understand if it is achieving full cost recovery and if any changes have occurred that may impact this. Examples include changes to the national rate of inflation, changes to staffing costs, or further changes regarding the number of HMOs in the city or how many licenses are given a 1 year, 2.5 year or 5 year licence.
- 5.5 The fee structure adopted under additional licensing has been developed to provide incentives for compliant landlords whilst providing sufficient resources to ensure that the scheme can be delivered effectively, and every property can be inspected at least once during the licence term. There is variation in cost based on licence duration due to the fact licences issued for a shorter duration require more resources to administer, such as carrying out more property inspections compared with a compliant property. It is proposed the same structure is adopted within mandatory licensing for these same reasons.
- 5.6 The proposed licence fee for mandatory licensing would range from £1,525 for a 1 year licence (£127 per month), £1,138 for a 2.5 year licence (£38 per month), and £1,100 for a 5 year licence (£18 per month), depending on the applicant meeting the criteria for the different terms of licences (detailed in Appendix 1). Most notably each property will be inspected at least once during their licence term, so licences issued for 1 year where concerns have been identified with their management or compliance will require an annual inspection, whereas licenses issued for 2.5 or 5 years will require less inspections and administration. It is also anticipated that fewer issues will be identified in compliant properties on a longer licence duration, so will require less Officer intervention.
- 5.7 The Council has no way of accurately identifying how many licences will be issued for each licence term in advance. Officers estimate the vast majority of current licence holders will likely meet the level of compliance necessary to achieve a 2.5 or 5 yearly licence. However, there is limited data to predict the number of licence holders who would be willing to join a suitable accreditation scheme or produce to the Council a valid Energy Performance Certificate (EPC) as per the criteria for a 5 year licence.
- 5.8 It should be noted that although the proposed licensing fee structure for Mandatory Licensing outlined in Appendix 2 is based upon the same principles as those already agreed for the Additional Licensing fee structure, the fees are not directly comparable between the two schemes. This is because the Mandatory Licensing scheme is smaller (estimated to be 20% of HMOs in the city) than the anticipated size of the additional licensing scheme (estimated to be 80% of HMOs in the city), and therefore the fees charged need to recover fixed costs of running the scheme

from a smaller number of licences. The resources required, mainly in staffing, is also proportionately greater when considering that the properties are larger and more complex in nature. Comparatively therefore, the fee for a mandatory licence is higher than that of an additional licence. To give this context, the fee for a new application for a 4 bedroom HMO for 5 years for additional licensing is £776, whereas the fee for a new application for a 5 bedroom HMO for 5 years in the new proposed mandatory licensing structure is £1,100. This is however a lower cost than the existing mandatory fee of £1,209 for a 5 bedroom HMO for 5 years.

## **6. Licence Conditions**

6.1 On 22<sup>nd</sup> November 2022 Cabinet agreed to introduce new licence conditions for additional licensing. This was agreed in response to the statutory consultation feedback received, several new conditions will be included in licences issued through the additional licensing scheme. All licence conditions are detailed in Appendix 3, including the following as a direct result of the consultation:

- More detail regarding the requirements for waste management
- Reference requests for prospective tenants
- Provision of rent receipts (where rent is paid in cash)
- Supply of EPC certificates where required to demonstrate compliance with Minimum Energy Efficiency standards
- Have arrangements in place for tenants to report emergencies where the licence holder is out of the country for over one month
- Provide contact details for neighbouring property owners in case of emergencies
- Written procedure for dealing with complaints of nuisance, noise or antisocial behaviour.

6.2 Should the recommendations in this report be approved to align mandatory HMO licensing with the principles agreed for additional licensing, the licence conditions which will be applied as standard to all licences issued through the Mandatory Licensing Scheme are contained within Appendix 3 and summarised within this report, to ensure that all HMO licences are administered in the same way.

6.3 A licence holder will be required to adhere with these conditions when operating a licensable HMO. Breaches of licence conditions are an offence which can lead to prosecution or a civil penalty of up to £30,000 (any such action would be undertaken in accordance with Councils Private Sector Housing Enforcement Policy). The purpose of these conditions is to ensure the suitable management and health and safety of the HMO is in place.

6.4 The city council, through its private sector housing team, will administrate each licence application and may include additional "special conditions" on a licence based on the management or property requirements. These could be, for example, a condition that requests additional facilities or amenities be provided within the HMO, such as an additional toilet or cooking facilities if the existing amenities are insufficient.

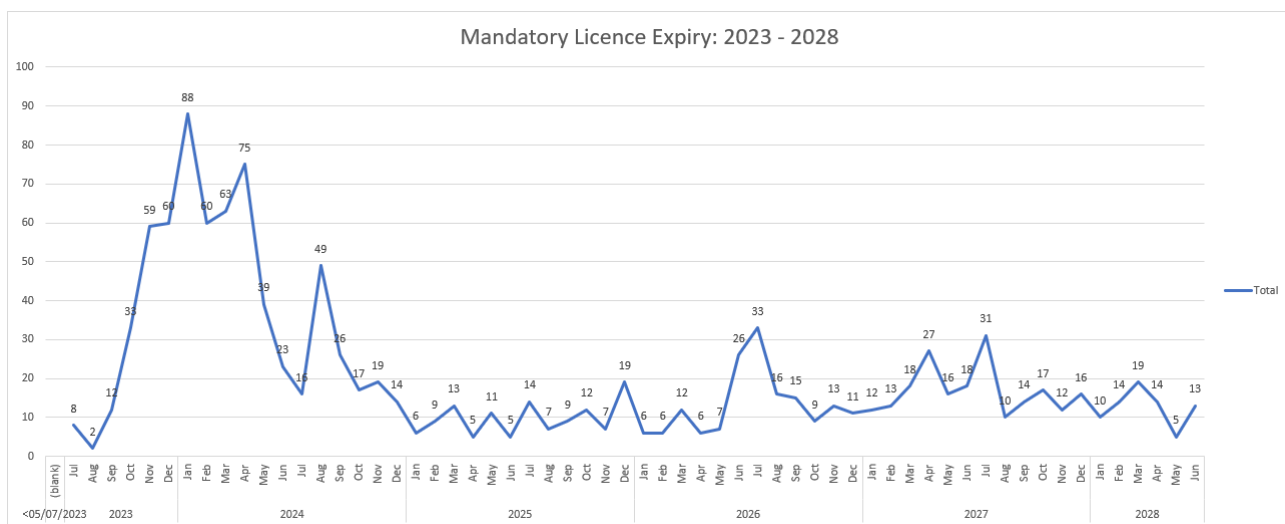


6.5 The licence holder may contest any licence conditions applied by the city council within 21 days of the draft licence being provided (or such other time period as stipulated by the council on issuing the draft licence), the council will then give consideration to these representations and respond to the licence holder. Once a full licence is granted, the licence holder can appeal to the first-tier property tribunal if they still do not agree with the conditions of the licence.

**7. Implementation**

7.1 As the Additional Licensing scheme will commence from 1<sup>st</sup> September 2023, it is recommended that if cabinet agree to align the two HMO licensing schemes, they implement this change to Mandatory licensing from 1<sup>st</sup> December 2023 to allow adequate notice for affected landlords to be made aware of the changes the Mandatory Licensing. Any licences due to expire on or after 1<sup>st</sup> December 2023, or any new licence applications received on or after 1<sup>st</sup> December 2023 will be administered through the new Mandatory Licensing criteria. This means that any current Mandatory HMO licenses would continue to run until their expiry date on their existing terms.

7.2 Approximately 600 (around 50%) of current mandatory HMO licences are expected to be renewed between 1<sup>st</sup> December 2023 - 1<sup>st</sup> December 2024. Therefore the transition from the existing way they are licenced to the proposed new criteria would take a full 5 years to fully implement, but the vast majority would be changed over within the first year or so of implementation, as shown in the graph below



7.3 If approved, information and advice will be published on the Council's website and through a variety of communication channels to key stakeholders, such as landlord and lettings/management agent groups and current Mandatory HMO licence holders.

7.4 Whilst there is not an express statutory duty to consult, there may be an implied duty to consult as part of a public authority's general duty to act fairly. It is therefore recommended that Cabinet instruct officers to undertake a consultation process

with those affected by the proposed changes (current Mandatory HMO licence holders) before making a final decision to align the two schemes. This would require officers to return to Cabinet on 5<sup>th</sup> September to present the results of the consultation, and recommendations for the scheme taking into account the responses received. It should be noted that the statutory consultation conducted for HMO licensing in 2022 invited all landlords of HMOs in the city to give their view, and engagement with the process was good. The responses to the consultation did shape the final proposals for the additional licensing scheme, which is now being proposed for mandatory licensing, however there has not been a consultation on making these specific changes to the mandatory licensing scheme, which Cabinet may be minded to do before making a final decision on adoption of these changes.

## **8. Reasons for recommendations**

- 8.1 Aligning the two schemes (mandatory and additional licensing) so that both schemes apply the same criteria when determining licence duration will provide a consistent approach for licence holders, whether they are applying for a licence for a property that falls under the additional licensing scheme (occupied by 3 or 4 people, or is a converted building mainly or wholly tenanted) or the Mandatory licensing scheme (occupied by 5 or more persons). It is common for landlords and managing agents to operate HMOs that span across these schemes. Adopting the same approach in both schemes will give clarity to those applying for a licence regarding how their application will be assessed and what criteria will be used to decide the length of licence.
- 8.2 Running two separate criteria across the mandatory licensing scheme and additional licensing scheme would likely lead to difficulty for the Council operationally. Examples include, administering different payment models, assessing different application types, and reviewing compliance with the schemes based on different criteria and licence conditions. Operating these schemes under separate criteria and fee models will also likely lead to confusion for licence holders, who would receive a differing service between both schemes.
- 8.3 Applying the same set of conditions will assist in achieving the aims of both schemes, i.e., To protect private rented tenants of HMOs from poorly managed and maintained properties.

## **9. Integrated impact assessment**

See Appendix 4

## **10. Legal implications**

- 10.1 On 22 November 2022, Cabinet made the decision to introduce an Additional Licensing scheme as detailed in this report. This report details the proposal to be considered in aligning the current mandatory model with the new licencing model.

- 10.2 There is no statutory duty under the Housing Act 2004 to further consult on this matter. However, where there is no express duty to consult, the courts may imply a duty as part of the public authority's general duty to act fairly. Best practice would therefore suggest that there should be consultation in some form with those who will be affected by the decision, this would then discharge the duty of the local authority to act fairly and prevent any risk of challenge to the decision.
- 10.3 As this would be a non-statutory consultation, there are no strict guidelines as to the consultation process, therefore the relevant officers can decide what form any such consultation should take.
- 10.4 It is within the Cabinet's powers to make the recommendations set out within this report, in accordance with the Council's constitution.

**11. Director of Finance's comments - to follow**

- 11.1 The revised charging mechanism for the Mandatory Licencing scheme has been designed to be cost neutral for the local authority. This requires accuracy to ensure that the costs of running the scheme are recovered through the fees charged, whilst also ensuring that no surpluses are made once the costs of administering the scheme have been taken into account.
- 11.2 The Mandatory Licencing charges work on the basis that we have a certain level of expenditure divided by the number and type of licences. The number of licences that will be issued for each licence term can, at this stage, only be estimated. The consequence of this is that the Licence fee income may not be adequate to cover the costs, resulting in a budget pressure. However, if the charging mechanism makes a surplus, this would be remitted to a ring-fenced reserve and the Council would need to demonstrate that over a 5-year period the scheme breaks even.
- 11.3 It is recommended that officers conduct an annual review of the fee structure for Mandatory Licensing to take account of the prevailing rate of inflation, changes to staffing costs and any changes to the number of HMOs in the city. Proposals for any required fee adjustments should be presented to the Cabinet Member for Safety in the Community for approval.

.....  
Signed by: James Hill - Director of Housing, Neighbourhood and Building Services

**Appendices:**

- Appendix 1 - Criteria for different licence terms
- Appendix 2 - Mandatory Licensing fee structure 2023
- Appendix 3 - Licence Conditions
- Appendix 4 - Integrated Impact Assessment



**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
Housing Act 2004	<a href="http://legislation.gov.uk">Housing Act 2004 (legislation.gov.uk)</a>
Cabinet report November 2022 - Additional Licensing Scheme for Houses in Multiple Occupation in Portsmouth	<a href="http://portsmouth.gov.uk">Additional Licensing of Houses in Multiple Occupation HMO.pdf (portsmouth.gov.uk)</a>
The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018	<a href="http://legislation.gov.uk">The Licensing of Houses in Multiple Occupation (Prescribed Description) (England) Order 2018 (legislation.gov.uk)</a>

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

.....  
Signed by:

### **Additional Licensing Model**

Portsmouth City Council will issue HMO licences for one-year, two-and-a-half-years, or five-year periods. To be eligible for a given length of licence, the licence applicant must meet all the criteria set out below at the point of application. The Council's HMO Licensing team will assess the application to identify which licence term the applicant will qualify for. In order for this assessment to be made the application will need to be valid at this stage.

Licences will be issued for two and half years where landlords are able to demonstrate that they are compliant with all required certification, and there is little or no indication of recent poor performance.

One year licences will be issued where concerns are identified in relation to competence or compliance. This will enable the council to focus their resources on these landlords/ agents and their properties, with regular inspections and review of their status as a licence holder.

Licences will be issued for five years where landlords are able to demonstrate that they are compliant with all required certification, there is no evidence of recent poor performance, they are accredited with (and therefore able to access education and support from) a PCC approved accreditation body, and they can demonstrate that their property has a good energy performance rating or they have registered a valid exemption (even where an EPC is not legally required for the property).

Before issuing an HMO licence, the Housing Act 2004 states that the council must be satisfied that the proposed licence holder (and manager) of the property are fit and proper person(s). If not, the licence must be refused unless other satisfactory arrangements can be agreed. A "Fit and Proper person" assessment is therefore carried out for all prospective licence holders as part of the application process. Those that fail the fit and proper person assessment will be refused a licence (in this situation they must appoint an appropriate alternative person to be a licence holder, or the Council may take over the management of the property through an 'Interim Management Order' until appropriate alternative arrangements can be made). Where some concerns are raised however through the fit and proper person assessment, but it does not constitute a 'failure', the council can address this in different ways.

### **One Year Licence criteria - Option B**

Where any of the following issues are identified by the Council when processing the licence application a one year licence will be issued:

- Fit and proper person concerns
- For licence renewals, there are conditions from the previous licence that have not been complied with
- More than 1 justified service requests in the last 12 months related to the applicant or proposed licence holder\*

## Appendix 1 - Mandatory Licensing model 2023

- Application submitted more than 14 days after [licencing start date] or for renewals 14 days after expiry of current licence
- Safety certificates not submitted with application (or they are not current and/or satisfactory):
  - Gas safety (if gas in property) - annual check
  - Electrical safety - 5 yearly check
  - Smoke / heat detectors or fire alarm system certificates / declarations - annual check
  - Emergency lighting (if installed) - annual check
- Fire risk assessment not submitted with application
- Planning permission not granted (for C4 or Sui Generis use or there is no certificate of lawful use) or unable to demonstrate historic use of the HMO
- All building work requiring building control approval not properly certified

\* Justified means where the council have investigated and have evidence that supports the allegation and / or had to take action to resolve the issue.

### **Two and Half year Licence criteria - Option B**

To receive a two and a half year licence, the applicant must submit a valid application and meet all of the following criteria:

- No fit and proper person concerns
- For licence renewals any conditions from previous licence must have been complied with
- No more than 1 justified service request in the last 12 months related to the applicant or proposed licence holder \*
- Application submitted by [licencing start date] or for renewals 14 days before expiry of the current licence
- Safety certificates submitted with application (must be current and satisfactory):
  - Gas safety (if gas in property) - annual check
  - Electrical safety - 5 yearly check
  - Smoke / heat detectors or fire alarm system certificates / declarations - annual check
  - Emergency lighting (if installed) - annual check
- Fire risk assessment submitted with application
- The property must have planning permission or a certificate of lawful use for C4 or Sui Generis use, or be able to demonstrate historic use of the property as an HMO
- All building work requiring building control approval properly certified
- Stage two fee paid as requested

\* Justified means where the council have investigated and have evidence that supports the allegation and / or had to take action to resolve the issue.



### **Five year licence criteria - Option B**

To receive a five year licence, the applicant must submit a valid application and meet all of the following criteria:

- No fit and proper person concerns
- For licence renewals any conditions from previous licence must have been complied with
- No justified service requests in the last 12 months related to the applicant or proposed licence holder \*
- Application submitted by [licencing start date] or for renewals 14 days before expiry of current licence
- Safety certificates submitted with application (all current and satisfactory):
  - Gas safety (if gas in property) - annual check
  - Electrical safety - 5 yearly check
  - Smoke / heat detectors or fire alarm system certificates / declarations - annual check
  - Emergency lighting (if installed) - annual check
- Fire risk assessment submitted with application
- The property must have planning permission or a certificate of lawful use for C4 or Sui Generis use, or be able to demonstrate historic use of the property as an HMO
- All building work requiring building control approval properly certified
- Accreditation with PCC approved organisations (details on approved accreditation shown separately)
- Provide the Council with a valid energy performance certificate (EPC) dated within the last 10 years (must be band E or higher unless property is exempt) even if the property does not legally require an EPC.
- Stage two fee paid as requested

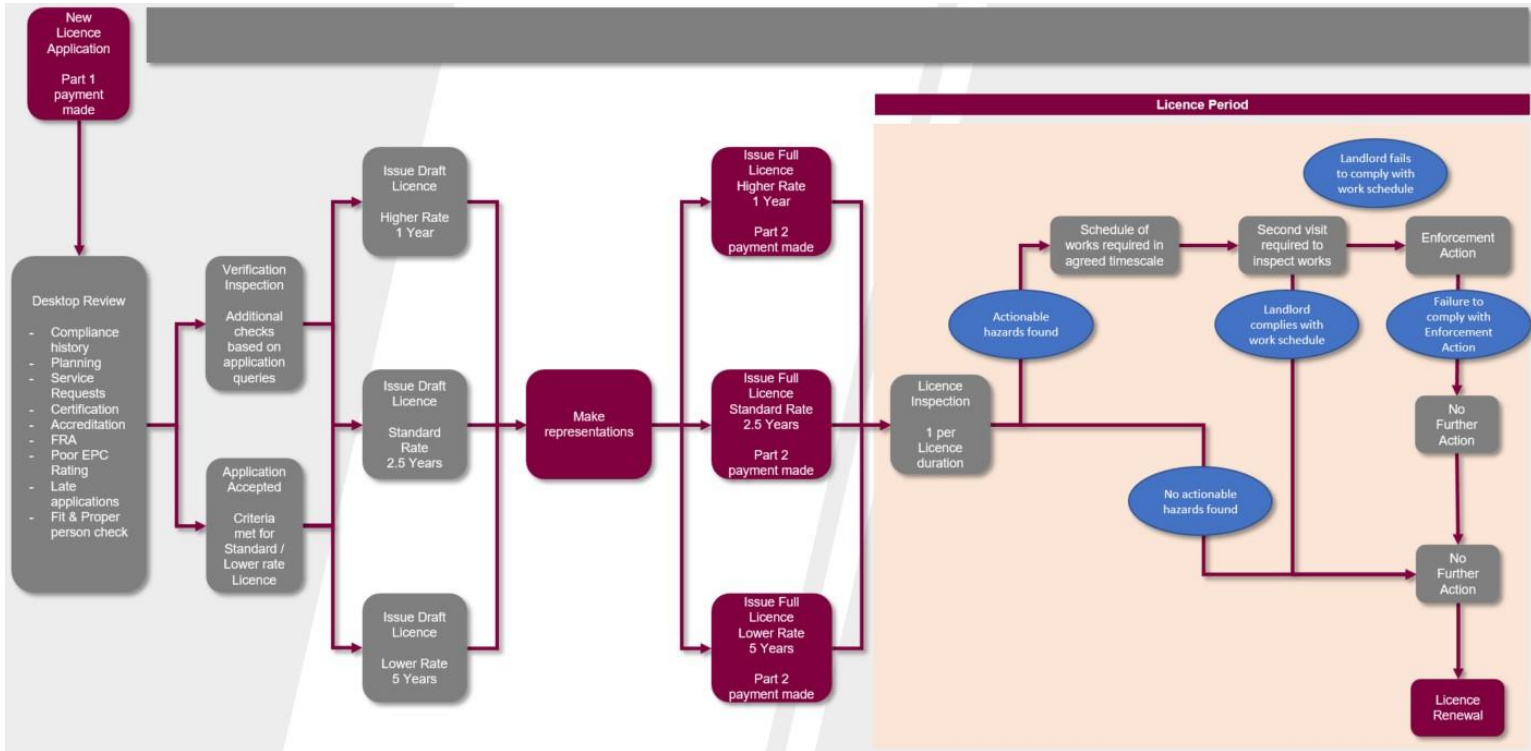
\* Justified means where the council have investigated and have evidence that supports the allegation and / or had to take action to resolve the issue.

For five year licences, we will accept national and local accreditation schemes approved by PCC (see separate details for the criteria for approved national and regional accreditation schemes). Please note, where the managing agent has full management control and is accredited then this will allow the landlord (licence holder) to gain a five year licence.

Appendix 1 - Mandatory Licensing model 2023

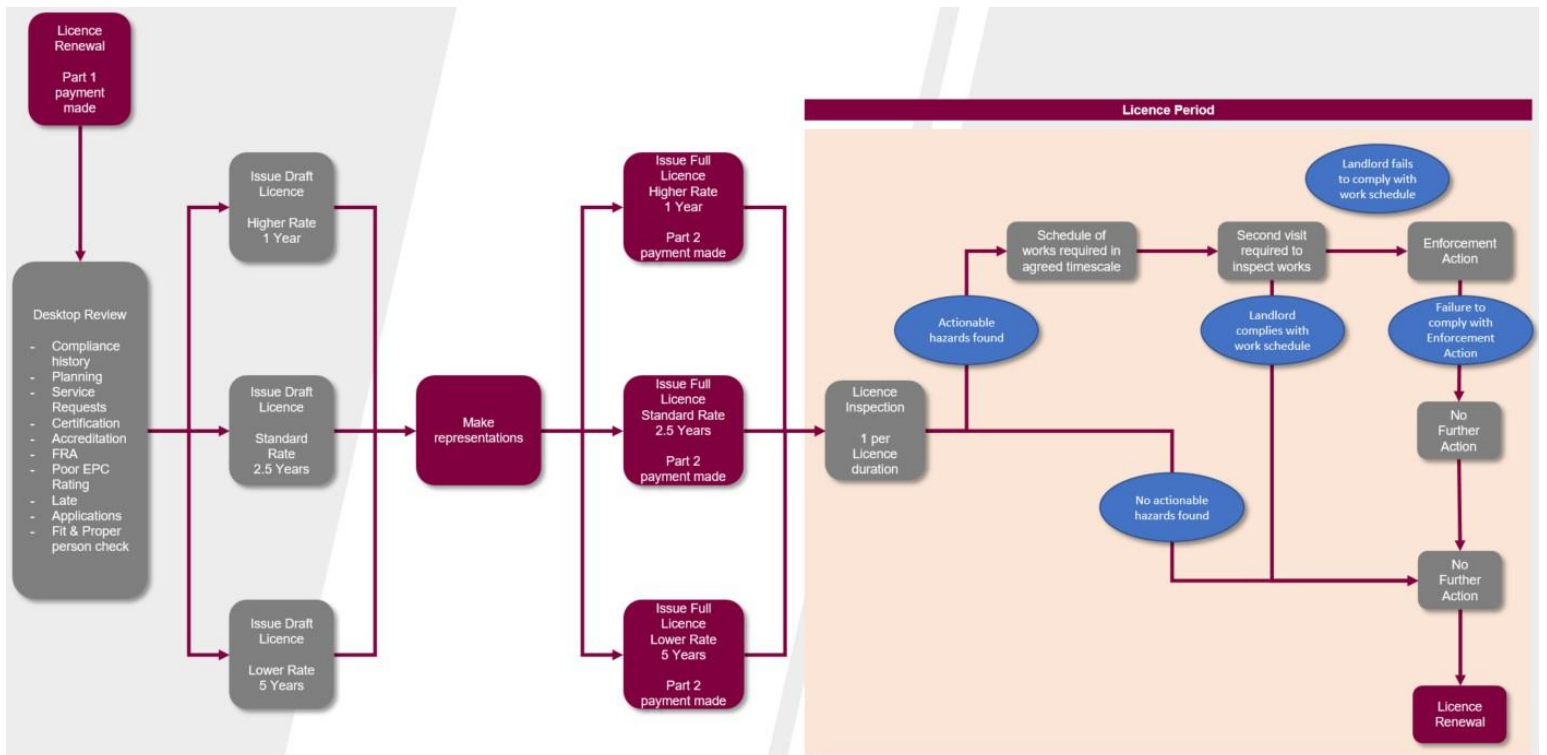
**Process for New Licence applications**

The following flow chart outlines the processes for new licence applications:



**Process for Licence renewals - Option B**

The following flow chart outlines the processes for new licence required applications:



## Mandatory Licensing fee structure

There are two types of HMO licence applications with two different licensing fee structures

- A new HMO licence application, which is when a licence holder applies for a HMO licence for a specific property which does not currently hold a licence.
- A Renewal HMO licence application, when a licence holder applies for a subsequent and successive HMO licence when the licence period comes to an end.

For an application to be treated as a renewal, it must be submitted before the expiry of the current licence.

The licence fee structure reflects the amount of work involved to process the application including the visit(s) to ensure that it is compliant with Part 2 matters of the Housing Act 2004. Each property would have at least 1 visit per licence term.

In line with recent court decisions – there are 2 stages to fee payment:

- the first stage fee payment will need to accompany the licence application so that the council can carry out necessary checks to enable the Notice of Intention to Issue the licence
- the second stage fee payment will need to be paid when your application is complete and at the granting of the final licence. The applicant will be notified when the final licence is issued.

The details of the licensing models are explained in Appendix 1.

Application type	Part 1 fee	Part 2 fee			
		5 Rooms	6 Rooms	7 Rooms	8 Rooms
New Application - 5 year Licence	£275.00	£825.00	£878.00	£931.00	£984.00
New Application - 2.5 year Licence	£275.00	£863.27	£916.27	£969.27	£1,022.27
New Application - 1 year Licence	£488.00	£1,037.26	£1,090.26	£1,143.26	£1,196.26
Licence Renewal - 5 Years	£180.00	£862.00	£915.00	£968.00	£1,021.00
Licence Renewal - 2.5 Years	£180.00	£738.56	£791.56	£844.56	£897.56
Licence Renewal - 1 Year	£180.00	£700.28	£753.28	£806.28	£859.28

**To work out the fee charged if the number of bedrooms exceeds those listed in the table above the following table explains how to do this:**

<b>Application type</b>	<b>Part 1 fee</b>	<b>Part 2 fee calculation</b>
New Application - 5 year Licence	£275.00	$((\text{No. of Bedrooms} - 5) \times 53) + 825$
New Application - 2.5 year Licence	£275.00	$(\text{No. of Bedrooms} - 5) \times 53 + 863.27$
New Application - 1 year Licence	£488.00	$(\text{No. of Bedrooms} - 5) \times 53 + 1,037.26$
Licence Renewal - 5 Years	£180.00	$(\text{No. of Bedrooms} - 5) \times 53 + 862$
Licence Renewal - 2.5 Years	£180.00	$(\text{No. of Bedrooms} - 5) \times 53 + 738.56$
Licence Renewal - 1 Year	£180.00	$(\text{No. of Bedrooms} - 5) \times 53 + 700.28$

For example to work out the Part 2 fee for a new application for a 5 year licence for a 12 bedroom HMO, the calculation would be:

$$((12-5) \times 53 = 371) + 825 = \underline{\underline{£1,196}}$$

### **Refunds Policy**

A refund will be given if:

- You have made a duplicate application
- You made an application for an exempted property by mistake
- You made an application for a property which is not licensable under Portsmouth HMO licensing schemes

A refund will not be given if:

- You withdraw your application at any stage
- We refuse your application
- We revoke (take away) your licence
- You are subsequently refused planning permission for your HMO
- Your property ceases to be let as an HMO during the term of the licence (including if you sell your HMO during the term of the license).

### **Risks identified:**

1. The profile of landlord licencing from 1 Year, 2.5 Year or 5 Year is estimated in the fee structure based upon assumptions
2. Inflation is a challenge in calculating costs and levels of fee licence modelling

## Appendix 3 - Licence conditions for Houses in Multiple Occupation

### HMO Licence Conditions

The licence holder must adhere to the following licence conditions. These conditions will be monitored by the Council, and inspections will be carried out to ensure these are being complied with during the period of the licence.

Failure to adhere to one or more of these licence conditions could result in formal proceedings against you, with an unlimited fine, a civil penalty and/or the loss of your licence. The Council may also consider whether it is appropriate to make a Management Order to take over management of the premises.

Compliance inspections will be carried out to ensure the premises is safe, free from disrepair and well maintained by using the Housing Health and Safety Rating System. Any issues found will be dealt with via the enforcement means available under the Housing Act 2004 (as amended) and other relevant legislation.

"\*" Indicates a mandatory condition prescribed by the Housing Act 2004.

Any reference to "on demand" means to provide, to the Council officer, the document within 14 days of the demand, unless otherwise stated by the Council officer.

### Licence Conditions to be applied to HMO Licences

1. \*The licence holder must ensure that:
  - the floor area of any room in the HMO used as sleeping accommodation by one person aged over 10 years is not less than 6.51 square metres;
  - the floor area of any room in the HMO used as sleeping accommodation by two persons aged over 10 years is not less than 10.22 square metres;
  - the floor area of any room in the HMO used as sleeping accommodation by one person aged under 10 years is not less than 4.64 square metres;
  - any room in the HMO with a floor area of less than 4.64 square metres is not used as sleeping accommodation.

The Licence Holder must notify the local housing authority in writing of any room in the HMO with a floor area of less than 4.64 square metres.

Any part of the floor area of a room in relation to which the height of the ceiling is less than 1.5 metres is not to be taken into account in determining the floor area of that room for the purposes of this condition.

2. The licence holder shall ensure that, where any room in the HMO is used as sleeping accommodation:
  - by persons aged over 10 years only, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence;

### Appendix 3 - Licence conditions for Houses in Multiple Occupation

- by persons aged under 10 years only, it is not used as such by more than the maximum number of persons aged under 10 years specified in the licence;
  - by persons aged over 10 years and persons aged under 10 years, it is not used as such by more than the maximum number of persons aged over 10 years specified in the licence and the maximum number of persons aged under 10 years so specified.
3. The licence holder must rectify the breach within the specified period where;
- Any of the requirements imposed by conditions 1 and 2 relating to floor area have been breached in relation to the HMO,
  - The licence holder has not knowingly permitted the breach, and
  - The local housing authority have notified the licence holder of the breach,

The specified period means the period which is specified in the notification, which shall be not more than 18 months beginning with the date of the notification, unless otherwise stated.

4. The following rooms are to be occupied for sleeping purposes by no more than the number of persons stated below:

Room number on plan	Occupancy level
X	xxx

5. The following room(s) are NOT to be used as sleeping accommodation by any person:
6. The licence holder will provide to Portsmouth City Council (The Council) copies of the following documents on, or within, 2 weeks of each anniversary of the granting of this licence:
- a) \*A current certificate certifying the safety of the landlord's gas appliances and installations (if present)
  - b) A current certificate of service demonstrating the proper operation of the fire alarm system(s) (If required).
  - c) Details of visual inspection and testing of the fire alarm system by the licence holder.
  - d) A current certificate of service demonstrating the proper operation of the emergency lighting system (if present).
  - e) A current PAT certificate (electrical appliance safety certificate) for appliances provided by the landlord (if required).
7. With the exception of item (c) above, all these documents are to be provided by a competent person (for example a qualified Electrician who is a member of a recognised Electrical association , or a member of Gas Safe association with regards to gas safety certificates. A register of competent persons is available from: [www.competentperson.co.uk](http://www.competentperson.co.uk))

### Appendix 3 - Licence conditions for Houses in Multiple Occupation

8. A copy of the following documents shall be displayed in the HMO to which all tenants have access:
- a) this licence, and the conditions attached thereto;
  - b) the manager's contact details; and
  - c) The procedure for notifying the manager of any emergency and other complaints concerning the property and details of how the manager will address them.
9. Where the Licence Holder is out of the country for more than two weeks and for less than four weeks, there must be emergency arrangements in place for the tenants to be able to arrange emergency repairs. These arrangements must be provided to the tenant.

Where the Licence Holder is out of the country for more than four weeks at a time, there must be a named managing agent or alternative person who can arrange repairs. This person must be named on the application form and must be a "fit and proper" person. These arrangements must be provided to the tenant.

10. \*The licence holder must comply with any waste management scheme, introduced by the local housing authority in respect of the storage and disposal of the household waste from the property pending collection.

The Licence Holder must give new tenants information on disposing of all refuse and recycling in an appropriate manner and at the appropriate time including:

- The collection days for the refuse and recycling
- Details on what they can and cannot recycle
- How they can dispose of bulky waste and the penalties for fly tipping

The Licence Holder must ensure suitable and adequate provision is made available at the start of a tenancy for storage of refuse generated in the house.

The Licence Holder must make supplementary arrangements for the disposal of refuse from the house as may be necessary. The Licence Holder must ensure that at the end of each tenancy any rubbish or unwanted household goods left behind are removed and disposed of appropriately before the start of the next tenancy. In particular any rubbish or goods left in the front or back garden or the pavement in front of the property should be removed. Where the tenancy agreement places responsibility on the tenants for garden maintenance, the Licence Holder must provide for garden waste collection by purchasing appropriate bins and payment of collection charge.

11. Any alteration to the electrical wiring must be completed by a competent fully qualified Electrician as mentioned in section 6.
12. \*Ensure that a smoke alarm is installed on each storey of the house on which

### Appendix 3 - Licence conditions for Houses in Multiple Occupation

there is a room used wholly or partly as living accommodation. The Licence Holder must keep all alarms in proper working order and supply the Council, on demand, with a declaration by him as to the condition and positioning of any such alarm.

13. \*The licence holder is required to ensure that the carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance and that these are kept in proper working order. Further, a licence holder will be required to supply the local housing authority, on demand, with a written declaration by him as to the condition and positioning of such alarm.
14. \*The licence holder is required to ensure that furniture made available by him in the house is in a safe condition. Further a licence holder will supply to the local housing authority on demand, with a written declaration by him of the safety of such furniture.
15. \*The licence holder is to ensure that every electrical installation in the house is in proper working order and safe for continued use; and to supply the authority, on demand, with a declaration by him as to the safety of such installations.

Ensure that an electrical installation condition report dated within the last five (5) years is submitted to the Council on application for a licence. If the current report expires during this licence term, ensure the new report is submitted. A valid electrical condition report must be in place for the property for the duration of the licence (there should be no gaps in between certificate dates). The report must detail the condition of the fixed electrical installation of the property, Carry out any remedial works identified on the report and submit evidence to the Council upon completion. The report must be issued in accordance with the latest edition of the BS7671 Regulations for Electrical Installations, as issued by the Institute of Electrical Engineers. The inspection, report and all electrical work must be undertaken by qualified electricians registered and assessed by a UKAS accredited Certification Body to A1.2 of the IET Electrotechnical Assessment Scheme. The register of competent persons is available from: [www.competentperson.co.uk](http://www.competentperson.co.uk)

16. \*Keep all electrical appliances made available to the occupants in a safe condition. On demand, the Licence Holder must submit to the Council a declaration by him as to the safety of such appliances.
17. At the start of each tenancy, occupants must be given appropriate fire safety advice regarding the means of escape in case of fire and other fire precautions. In particular, the importance of keeping fire doors closed and keeping the escape route clear, plus how to use the fire alarm system, fire extinguishers and fire blankets.
18. The licence holder is to ensure that the requirements of landlord and tenant legislation are properly adhered to. In particular, the licence holder will ensure that written terms of tenancy are to be provided for all occupiers. These terms



### Appendix 3 - Licence conditions for Houses in Multiple Occupation

will describe and give details of:

- a) The type of tenancy, its duration and terms of notice.
- b) The amount of rent due together with dates and method of payment, and the circumstances when the rent may be reassessed.
- c) The amount of deposit taken, how it is held and the terms for its return.
- d) An inventory of contents and condition at the commencement of the tenancy.
- e) The means of contacting the property owner and/or property manager to report repairs, etc.

The Licence Holder must, on demand, ensure that the Authority is provided with a copy of the written terms of tenancy described above\*.

- 19.** The Licence Holder must ensure there is a record of all rent payments received in respect of the property. The record must cover the duration of the licence. Where rent is paid in cash or cheque, the occupant(s) must be given a written receipt for the rental payment stating the date of payment, amount paid and the name of the person who collected the payment. Where rent is paid via bacs, this will count as the record of rental payment. The Licence Holder must, on demand, ensure that the Council is provided with a copy of rent payment records.
- 20.** The Licence Holder must ensure that references are requested from persons who wish to occupy the house and wherever possible, are obtained. When referencing consideration must be given to the tenant's history, credit and right to rent checks. The Licence Holder must, on demand, ensure that the Council is provided with a copy of any such references and records.
- 21.** The licence holder (or the property manager) shall attend the property at frequent intervals. The frequency of the inspections should be at least every 6 months unless otherwise agreed by Portsmouth City Council and the licence holder. The purpose of inspections is to:

  - a) Ensure the proper management of the property;
  - b) Ensure compliance with The Management of Houses in Multiple Occupation (England) Regulations 2006, and any revisions thereto; and
  - c) Ensure the property is maintained in such a condition that category 1 hazards, within the meaning of Part 1 of the Housing Act 2004, are not present or quickly eliminated.
- 22.** The licence holder will provide to the council copies of all the current tenancy agreement(s), and details of where any security deposit is held, on demand.
- 23.** The licence holder is required to notify the Council of any changes to the property, including structural alterations, changes to the ownership or management, or events that may affect the fit and proper person status of the owner, licence holder or manager, which may affect the licence.

### Appendix 3 - Licence conditions for Houses in Multiple Occupation

- The licence holder (or his manager) will attend the property as may be reasonably necessary for the purposes of inspection by the council.
- 24.** The licence holder must provide the occupants of adjoining properties with appropriate contact details in case of an emergency or to enable them to inform the licence holder of problems affecting their properties.
  - 25.** The Licence Holder must have a written procedure in place to undertake reasonable steps to resolve complaints of nuisance, noise, or anti-social behaviour perpetrated by his or her tenant(s)/occupier(s) or visitor(s) to the licensed premises. The Licence Holder must keep on file and have available for the council upon request, evidence that tenants have been made aware of appropriate behaviour and the procedures that he or she will follow should such issues occur.
  - 26.** The Licence Holder must keep on file and have available for the council upon request, documented evidence of how he or she has followed his or her procedure relating to nuisance, noise, or anti-social where complaints have occurred
  - 27.** The licence holder will work pro-actively and responsibly with all enforcement agencies in response to anti-social behaviour caused by tenants within the curtilage of the property and take all reasonable steps to prevent anti-social behaviour from within the boundaries of the property.
  - 28.** The licence holder must inform the Council if they no longer reside at the address given and provide the Council with the new address details within 21 days.
  - 29.** The licence holder must inform the Council if there is a change in managing agent, within 21 days.
  - 30.** If the licence holder is a managing agent they must inform the Council if the person who is specified as the main contact ceases to be employed by them and inform the Council of a new contact, within 21 days.
  - 31.** If the licence holder is a managing agent they must inform the Council if they cease to have an interest in the property, within 21 days.
  - 32.** A written record of visual inspections of the property undertaken by the licence holder relating to the overall condition of the property and Management Regulations shall be maintained by the licence holder and produced to the council when requested.
  - 33.** Produce to the local housing authority for their inspection a written copy of the Fire Risk Assessment. (Reviewed annually).
  - 34.** The licence holder and/or manager shall attend a specified training course if and when required to do so by the Council. (The arrangements for this will be by negotiation, but an unreasonable failure to attend such a course will be a breach of the conditions of licence).

### Appendix 3 - Licence conditions for Houses in Multiple Occupation

- 35.** The licence holder is to ensure that any works carried out at the property are done so with due regard to the comfort of the occupying tenants.
- 36.** Where an Energy Performance Certificate (EPC) is required for the HMO, on demand submit to the Council an energy performance certificate stating the property has a minimum energy efficiency standard of an E-rating. The person issuing the certificate must be an Approved Energy Assessor qualified to undertake such inspection and testing. If the property is exempt from the Minimum Energy Efficiency Standard, on demand provide details of the registered exemption.

## Appendix 3 - Licence conditions for Houses in Multiple Occupation

### Guidance and Notes

This information is provided to assist the Licence Holder to understand his / her obligations and comply with the Licence Conditions.

### Planning permission, including listed building consent, and Building Regulations

The grant of an HMO licence does not give planning permission for use as a C4 HMO or sui generis HMO. It is the responsibility of the licence holder to ensure the property has the necessary planning permission for use as an HMO.

Where conditions require work to be undertaken, the licence holder must ensure that you seek the necessary approval from Building Control and Planning, including Listed Building Consent, prior to work commencing.

### Further guidance / information

The following appendices are provided to assist licence holders to understand their duties and comply with their duties:

1. Housing Act 2004 Schedule 5 – process and procedure for grant or refusal to grant licence
2. Reasons for licence conditions

The government website <https://www.gov.uk/renting-out-a-property> contains information for landlords including:

- Landlord responsibilities
- Financial responsibilities (including tax and mortgage permissions)
- Repairs

The government website [https://www.gov.uk/housing-local-and-community/rentedhousing-sector#guidance\\_and\\_regulation](https://www.gov.uk/housing-local-and-community/rentedhousing-sector#guidance_and_regulation) contains information for landlords on:

- How to let guide
- Model tenancy agreement
- Understanding the possession action process
- Universal credit
- Landlord and tenants' rights and responsibilities
- Housing Health and Safety Rating System guidance for landlords

### Penalties for non –compliance with licence conditions

Under the Housing Act 2004 s72(3) any failure to comply with these conditions may render the Licence Holder liable to prosecution and an unlimited fine upon conviction or a financial of up to £30,000 as an alternative to prosecution. Under the Housing Act 2004 Section 70(2)(a) the Licence may also be revoked. Appendix 1 provides notes from the Housing Act 2004.

## Appendix 3 - Licence conditions for Houses in Multiple Occupation

Some conditions impose a duty on the Licence Holder which endures for the period of the Licence. Other conditions require a specific task or work to be done, which once completed, will discharge that obligation but the condition will remain as part of the Licence.

### Relevant legislation

Licence conditions are pursuant mainly to the following legislative authorities:

- Housing Act 2004 Section 67
- Schedule 4 of the Housing Act 2004
- The Management of Houses in Multiple Occupation (England) Regulations 2006 [SI 2006 No 372] or in the case of a Section 257 HMO then The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007 [SI 2007 No 1903]
- The Licensing and Management of Houses in Multiple Occupation (Miscellaneous Provisions) (England) Regulations 2006; Schedule 3 [SI 2006 No 373]

Further information regarding reasons for imposition of licence conditions is contained in Appendix 2.

### Definitions

Each Condition refers to the house named on the front page. In these Conditions:

‘BS’ and ‘BS EN’ mean a British Standard as published by the British Standards Institution.

‘competent person’ or ‘competent’ means a person properly qualified and accredited by the appropriate authority to install and/or inspect, test and certify the equipment, facility or utility.

‘house’ means the dwelling or residential accommodation at the address identified above for which this licence has been granted.

‘HMO’ means House in Multiple Occupation as defined by the Housing Act 2004.

‘IEE regulations’ means the latest edition of the Wiring Regulations published by Institution of Electrical Engineers (BS 7671).

‘Licence Holder’ means the person to whom this licence has been granted.

‘obtain and submit to the Council’ means that the Licence Holder must obtain a certificate from a competent person and forward a copy of it to the Private Sector Housing team at Guildhall, Portsmouth, PO1 2AL.

‘on demand’ means that the Licence Holder must provide the Customer Services Applications team or the named officer with a copy of the document if and when the Council requires it to be produced.

‘provide’ means that the Licence Holder must install the item mentioned as a fixture within the house and make its use freely available to the occupants of the house.

## Appendix 3 - Licence conditions for Houses in Multiple Occupation

### APPENDIX 1: HOUSING ACT 2004 - SCHEDULE 5.

#### LICENCES UNDER PART 2 PROCEDURE AND APPEALS - GRANT OF LICENCES

##### Requirements before grant of licence

1 Before granting a licence, the local housing authority must-

(a) serve a notice under this paragraph, together with a copy of the proposed licence, on the applicant for the licence and each relevant person, and

(b) consider any representations made in accordance with the notice and not withdrawn.

2 The notice under paragraph 1 must state that the authority are proposing to grant the licence and set out-

(a) the reasons for granting the licence,

(b) the main terms of the licence, and

(c) the end of the consultation period.

3 (1) This paragraph applies if, having considered representations made in accordance with a notice under paragraph 1 or this paragraph, the local housing authority propose to grant a licence with modifications.

(2) Before granting the licence the authority must-

(a) serve a notice under this paragraph on the applicant for the licence and each relevant person, and (b) consider any representations made in accordance with the notice and not withdrawn.

4 The notice under paragraph 3 must set out-

(a) the proposed modifications,

(b) the reasons for them, and

(c) the end of the consultation period.

##### Requirements following grant of licence

7 (1) This paragraph applies where the local housing authority decide to grant a licence.

(2) The local housing authority must serve on the applicant for the licence (and, if different, the Licence Holder) and each relevant person-

(a) a copy of the licence, and

(b) a notice setting out-

(i) the reasons for deciding to grant the licence and the date on which the decision was made,

(ii) the right of appeal against the decision under Part 3 of this Schedule, and

(iii) the period within which an appeal may be made (see paragraph 33(1)).

(3) The documents required to be served under sub-paragraph (2) must be served within the period of seven days beginning with the day on which the decision is made.

## Appendix 3 - Licence conditions for Houses in Multiple Occupation

8 (1) This paragraph applies where the local housing authority refuse to grant a licence.

(2) The local housing authority must serve on the applicant for the licence and each relevant person a notice setting out-

(a) the authority's decision not to grant the licence,

(b) the reasons for the decision and the date on which it was made,

(c) the right of appeal against the decision under Part 3 of this Schedule, and (d) the period within which an appeal may be made (see paragraph 33(1)).

(3) The notices required to be served under sub-paragraph (2) must be served within the period of seven days beginning with the day on which the decision is made.

### **Exceptions from requirements in relation to grant or refusal of licences**

9 The requirements of paragraph 3 (and those of paragraph 1) do not apply if the local housing authority-

(a) have already served a notice under paragraph 1 but not paragraph 3 in relation to the proposed licence, and

(b) consider that the modifications which are now being proposed are not material in any respect.

10 The requirements of paragraph 3 (and those of paragraph 1) do not apply if the local housing authority-

(a) have already served notices under paragraphs 1 and 3 in relation to the matter concerned, and

(b) consider that the further modifications which are now being proposed do not differ in any material respect from the modifications in relation to which a notice was last served under paragraph 3.

### **Meaning of "the end of the consultation period"**

12 (1) In this Part of this Schedule "the end of the consultation period" means the last day for making representations in respect of the matter in question.

(2) The end of the consultation period must be-

(a) in the case of a notice under paragraph 1 or 5, a day which is at least 14 days after the date of service of the notice; and

(b) in the case of a notice under paragraph 3, a day which is at least 7 days after the date of service of the notice.

(3) In sub-paragraph (2) "the date of service" of a notice means, in a case where more than one notice is served, the date on which the last of the notices is served.

### **Meaning of "licence" and "relevant person"**

13 (1) In this Part of this Schedule "licence" means a licence under Part 2 or 3 of this Act.

(2) In this Part of this Schedule "relevant person", in relation to a licence under Part 2 or 3 of this Act, means any person (other than a person excluded by sub-paragraph (3))

## Appendix 3 - Licence conditions for Houses in Multiple Occupation

- (a) who, to the knowledge of the local housing authority concerned, is-
- (i) a person having an estate or interest in the HMO or Part 3 house in question, or
  - (ii) a person managing or having control of that HMO or Part 3 house (and not falling within sub-paragraph (i)), or
- (b) on whom any restriction or obligation is or is to be imposed by the licence in accordance with section 67(5) or 90(6).
- (3) The persons excluded by this sub-paragraph are- (a) the applicant for the licence and (if different) the Licence Holder, and (b) any tenant under a lease with an unexpired term of 3 years or less.

### **Right to appeal against refusal or grant of licence**

31 (1) The applicant or any relevant person may appeal to a First-Tier Tribunal (Property Chamber) against a decision by the local housing authority on an application for a licence-

- (a) to refuse to grant the licence, or
- (b) to grant the licence.

(2) An appeal under sub-paragraph (1)(b) may, in particular, relate to any of the terms of the licence.

### **Time limits for appeals**

33 (1) Any appeal under paragraph 31 against a decision to grant, or (as the case may be) to refuse to grant, a licence must be made within the period of 28 days beginning with the date specified in the notice under paragraph 7 or 8 as the date on which the decision was made

(3) A First-Tier Tribunal (Property Chamber) may allow an appeal to be made to it after the end of the period mentioned in sub-paragraph (1) if it is satisfied that there is a good reason for the failure to appeal before the end of that period (and for any delay since then in applying for permission to appeal out of time)

### **Powers of First-Tier Tribunal (Property Chamber) hearing appeal**

34 (1) This paragraph applies to appeals to a First-Tier Tribunal (Property Chamber) under paragraph 31 or 32.

(2) An appeal-

- (a) is to be by way of a re-hearing, but
- (b) may be determined having regard to matters of which the authority were unaware.

(3) The tribunal may confirm, reverse or vary the decision of the local housing authority

(4) On an appeal under paragraph 31 the tribunal may direct the authority to grant a licence to the applicant for the licence on such terms as the tribunal may direct.



## Appendix 3 - Licence conditions for Houses in Multiple Occupation

### APPENDIX 2: REASONS FOR LICENCE CONDITIONS

The following information is provided to explain the reasons for licence condition.

#### NUMBER OF OCCUPANTS AND HOUSEHOLDS

When deciding whether to grant a licence, the Housing Act 2004 s64(3)(a) requires the authority to be satisfied that the house is reasonably suitable for occupation by not more than the maximum number of households or persons either specified in the application form or other maximum number decided by the authority

#### MANDATORY LICENCE CONDITIONS

The Housing Act 2004 s67(3) states that all licences include the conditions required by Schedule 4 of the Housing Act 2004. The authority has no discretion on these conditions. These licence conditions are denoted by the \* by the condition title or in the text.

#### DISCRETIONARY LICENCE CONDITIONS

The Housing Act 2004 s67(1) permits the authority to include conditions that the authority consider appropriate to regulate the management, use and occupation of the house concerned and its' condition and contents and under s67(2):

Those conditions may, in particular, include (so far as appropriate in the circumstances)—

- (a) conditions imposing restrictions or prohibitions on the use or occupation of particular parts of the house by persons occupying it;
- (b) conditions requiring the taking of reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house;
- (c) conditions requiring facilities and equipment to be made available in the house for the purpose of meeting standards prescribed under section 65;
- (d) conditions requiring such facilities and equipment to be kept in repair and proper working order;
- (e) conditions requiring, in the case of any works needed in order for any such facilities or equipment to be made available or to meet any such standards, that the works are carried out within such period or periods as may be specified in, or determined under, the licence;
- (f) conditions requiring the Licence Holder or the manager of the house to attend training courses in relation to any applicable code of practice approved under section 233.

All HMO licences have conditions numbers 1 through 36. Portsmouth City Council considers it necessary to add these conditions to all HMO licences either as a mandatory condition and to regulate the management, use and occupation of the house concerned and its' condition and contents. This is to ensure that HMOs do not give rise to one or more particular problems either for those occupying the HMOs or for members of the public.

When determining the maximum number of permitted occupants or households, the authority can add conditions under s67(2)(c) to make the house suitable for that permitted number of occupants or households. Normally, these conditions are added following inspection of the HMO and require the landlord to provide additional amenities and / or facilities. These will appear in the licence conditions appended to the 36 standard conditions.

### Appendix 3 - Licence conditions for Houses in Multiple Occupation

The authority may further add property specific conditions to regulate the management, use, occupation and condition and contents. Normally, this is where there have been identified breaches of the Management Regulations or to resolve specific issues with antisocial behaviour identified at the property. These will appear in the licence conditions appended to the 36 standard conditions.

<b>Form name</b>	Integrated Impact Assessment
<b>Reference</b>	IA529011983
<b>Date</b>	04/07/2023



## Policy details

<b>Request date</b>	04/07/2023 13:42
<b>Directorate</b>	PCC Housing, Neighbourhood and Building Services
<b>Service</b>	Private Sector Housing, Mandatory Licensing of Houses in Multiple Occupation (HMO)
<b>Title of policy, service, function</b>	Mandatory HMO Licensing
<b>Type of policy, service, function</b>	Existing
<b>What is the aim of your policy, service, function, project or strategy?</b>	The aim of HMO licensing is to ensure that HMOs are safe and well managed for the safety of the tenants.
<b>Has any consultation been undertaken for this proposal?</b>	yes
<b>What were the outcomes of the consultations?</b>	A consultation was undertaken from May to August 2022 regarding HMO licensing, with a focus on the potential introduction of additional licensing of HMOs in the city, along with a review of the Private Sector Housing enforcement policy, Private Sector Housing HMO space & amenity standards, and licence conditions. The results showed that the respondents to the consultation were overall in support of introducing an additional licensing scheme in the city. Respondents provided views on a number of aspects of the proposed scheme which have been taken into account
<b>Has anything changed because of the consultation?</b>	yes

<b>Please provide details</b>	The Cabinet agreed in November 2022 to introduce a city wide designation of Additional Licensing in the city, this included a new approach to licensing whereby licences will issued for different terms based on the compliance of the landlord or agent. The consultation led to changes being made to the proposed licensing model, fee structure, and related policies. One aspect of feedback was that landlords felt it was unfair that they should be subject to the same scheme and have to pay the same fee as those landlords who are not compliant.
<b>Did this inform your proposal?</b>	yes
<b>Please provide details</b>	The fee structure and criteria for licensing are designed to reflect that landlords who are compliant require less officer time and therefore will pay a lower licensing fee than those who raise concern about their compliance, who will pay more as officers will spend more time monitoring their compliance.

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

<p><b>With the above in mind and following data analysis, who is the policy, service, function, project or strategy going to benefit or have a detrimental effect on and how?</b></p>	<p>The scheme will positively impact those living in Houses in Multiple Occupation (HMOs). Evidence suggests that HMOs have a disproportionately high level of safety issues and/or poor management compared to other properties in the Private Rental Sector. Lowest income groups - Due to Local Housing Allowance rates, shared housing is often the only source of accommodation available for people on benefits and low income. It is important that such properties are improved proactively as previous consultations with HMO tenants have indicated that those living in HMOs due to affordability often do not feel able to complain about the conditions they live in for fear of eviction. Those on low incomes living in poor quality HMOs in the city will be positively impacted by improved living conditions through this scheme. Those on the lowest incomes who feel unable to move from poor living conditions because they cannot afford better accommodation will particularly benefit from the licensing scheme, as those who can afford to move from a property they are unhappy with already have the option to improve their living environment. Age - there is a significant population of students/young adults whose only source of affordable housing in the city is the shared house in multiple occupation. There is also data to suggest that people are relying on HMOs for accommodation later in life, with the occupants of HMOs steadily increasing to older age groups, who often feel they have no alternative options or prospective of moving out of the sector. It is important to ensure that good quality safe accommodation is provided for the benefit of all HMO occupants.</p>
<p><b>Will any of those groups be affected in a different way to others because of your policy, project, service, function, or strategy?</b></p>	<p>Those on low incomes living in poor quality HMOs in the city will be positively impacted by improved living conditions through this scheme. Those on the lowest incomes who feel unable to move away from poor living conditions because they cannot afford better accommodation will particularly benefit from the licensing scheme, as those who can afford to move from a property they are unhappy with already have the option to improve their living environment.</p>
<p><b>If you are directly or indirectly discriminating, how are you going to mitigate the negative impact?</b></p>	<p>It is not envisaged that this scheme is discriminating against a protected group/ characteristics</p>

<p><b>Who have you consulted with or are planning to consult with and what was/will be your consultation methodology?</b></p>	<p>a 10 week statutory consultation exercises from May to August 2022 sought views via</p> <ul style="list-style-type: none"> <li>• Online questionnaire tailored to gauge a cross section of views. It was open for anyone to engage with, but was particularly targeted to tenants of HMOs, local residents living near to HMOs, and landlords and agents of HMOs, as well as to local businesses. It was promoted through ward and communities groups ;</li> <li>• Online focus groups with key stakeholder groups such as the universities and student bodies;</li> <li>• Other key organisations such as Hampshire Fire and Rescue Service, Police, University etc.</li> <li>• Drop in sessions in various parts of the City;</li> <li>• E-communications through social media and the Council`s website • Local Landlord association</li> <li>• Flagship articles in the Councils city-wide magazine • Leaflets and door knocking in areas of the city with high concentrations of HMOs</li> </ul> <p>This consultation had a focus on the potential introduction of additional licensing in the city, rather than amending the current mandatory licensing scheme. However, several of the policies consulted upon impact both mandatory and additional licensing, and all landlords and agents were invited to participate in the consultation, including those who are mandatory licence holders.</p>
<p><b>How are you going to review the policy, service, project or strategy, how often and who will be responsible?</b></p>	<p>The licensing scheme, and in particular the licensing fees, will be reviewed regularly. The report includes an annual review of the licence fees, but the performance of the scheme will be reviewed alongside the reviews of additional licensing during the 5 year designation period of additional licensing.</p>

## **Crime - Will it make our city safer?**

<p><b>Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?</b></p>	<p>Entry by Intruders is one of the 29 HHSRS which is considered by officers as part of the HMO inspection programme. Every licensed property will be inspected at least once during its licence term. The licence fee is designed to cover the cost of Council resources in carrying out these inspections.</p>
---	--

<b>How are you going to measure/check the impact of your proposal?</b>	A record of all hazards found during inspections will be reviewed, and that these are being monitored for compliance through the scheme.
--	--

### **Housing - will it provide good quality homes?**

<b>Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?</b>	Evidence suggests that approximately 1 in 3 HMOs in the city may have one or more serious hazards, making them unsafe for the occupants or visitors of the properties. The licensing scheme is aimed at proactively inspecting these properties, identifying the safety issues, and ensuring that the licence holder rectifies these in a timely manner.
<b>How are you going to measure/check the impact of your proposal?</b>	Measures of the performance of the service, including the disrepair/safety issues identified and rectified will be measured and reviewed.

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

<b>Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?</b>	There is significant body of evidence (Marmot Review) which demonstrates that there is a strong link between a residents health and poor housing, By raising the standard of housing in HMOs it is expected to have a positive impact on the health of HMO occupants.
<b>How are you going to measure/check the impact of your proposal?</b>	Measures of the performance of the service, including the disrepair/safety issues identified and rectified will be monitored and reviewed. The specific health outcomes for the occupants will not be possible to measure, but national research and data can be used to extrapolate the impact of this work.

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

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

**Carbon emissions - will it reduce carbon emissions?**

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

**Energy use - will it reduce energy use?**

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

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

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

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

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

**Air quality - will it improve air quality?**

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



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

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

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

<b>Please expand on the impact your policy/proposal will have, and how you propose to mitigate any negative impacts?</b>	The licence conditions for each HMO will include a requirement for the licence holder to ensure that local waste management policies are adhered to.
<b>How are you going to measure/check the impact of your proposal?</b>	Compliance with licence conditions will be an important part of the scheme, and monitoring that licence holders are compliant will be ongoing throughout the scheme. Action will be taken in accordance with the councils Private Sector Housing enforcement policy when non-compliance is identified.

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

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

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

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

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

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

## Social value

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

## Involvement

<b>Who was involved in the Integrated impact assessment?</b>	Head of Private Sector Housing Housing Regulations Manager
<b>Name of the person completing this form</b>	Clare Hardwick
<b>Date of completion</b>	2023-07-04