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# NOTICE OF MEETING

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## CABINET

**TUESDAY, 10 SEPTEMBER 2024 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.

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## Membership

Councillor Steve Pitt (Chair), Councillor Dave Ashmore (Cabinet Member), Councillor Chris Attwell (Cabinet Member), Councillor Kimberly Barrett (Cabinet Member), Councillor Peter Candlish (Cabinet Member), Councillor Suzy Horton (Cabinet Member), Councillor Lee Hunt (Cabinet Member), Councillor Hugh Mason (Cabinet Member) and Councillor Matthew Winnington (Cabinet Member)  
Councillor Darren Sanders (Vice-Chair)

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(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.**

## AGENDA

- 1 Apologies for Absence**
- 2 Declarations of Interests**
- 3 Record of Previous Decision Meeting - 23 July 2024 (Pages 5 - 8)**  
A copy of the record of the previous decisions taken at Cabinet on 23 July 2024 is attached.
- 4 Dog Controls - Public Space Protection Order - Renewal in 2025 (Pages 9 - 16)**  
Purpose

To seek approval for a new Public Spaces Protection Order ('PSPO') in relation to dog fouling and dog controls to replace the existing 2022 order upon date of expiry on January 7<sup>th</sup> 2025.

**RECOMMENDED that the Cabinet agrees**

1. **That approval is given by Cabinet to hold a public consultation on the details of the exclusion of dogs from the beach during the bathing season in the next PSPO. The two suggested revisions to the order relating to the beach areas between Eastney and Old Portsmouth are as follows:**
  - **Consultation on whether to make any amendments to the eastern boundary of the seasonal dog exclusion zone on the beach.**
  - **Consultation on whether to make any amendments to the period of exclusion from 24 hour exclusion of dogs to a daily time constrained exclusion period.**
2. **That the section of the PSPO relating to dog control orders in city parks renews without revisions following the advice of the Environmental Enforcement Manager who reports no issues with the current legislation and with no recorded evidence of any member of public or organisation raising an issue with the current legislation.**
3. **That following assessment of data from the consultation the PSPO be brought back for approval of revision, or renewal of existing order should the data suggest revisions are not suitable.**

**5 Progress on Enforcement of Waste Management Policy (Pages 17 - 20)**

Purpose

To update the Cabinet on the progress of the enforcement of the updated waste management policy - particularly with regards to flat fronted properties and properties with limited storage space for bins and the changes made to improve accessibility whilst helping those with disabilities.

**6 Update on transfer of Solent LEP functions into the Upper Tier Local Authorities (Pages 21 - 32)**

Purpose

To update Cabinet on the arrangements that have been in place, in partnership with Southampton City Council and Isle of Wight Council, in response to the integration of LEP functions into upper tier local authorities and to seek approval to the delegation of responsibility to the Leader to make decisions on behalf of Portsmouth City Council at the Solent Growth Partnership Board.

**RECOMMENDED that the Cabinet**

1. **Note the update contained within this report.**
2. **Agree that the Leader of the Council should have delegated responsibility to make decisions on behalf of Portsmouth City Council at the Solent Growth Partnership in line with the terms of reference for the Solent Growth Partnership attached at Appendix 1**

and paragraph 3.4.1.

**7 Devolution deal for Portsmouth / Hampshire and the Solent (Pages 33 - 36)**

Purpose

To update Cabinet on the latest position on local devolution and to seek permission for the Leader and Chief Executive to maintain the dialogue with neighbouring authorities and the Government to understand whether there is a devolution opportunity that would be for the benefit of the people of Portsmouth.

**RECOMMENDED that the Cabinet**

- 1. Note that there are currently discussions underway to explore the potential for a devolution deal for local authorities across Hampshire & the Isle of Wight (including sub-regional geographies such as the Solent).**
- 2. Agree that delegated authority be given to the Leader of the Council and the Chief Executive to engage with Government, and neighbouring authorities, to understand whether there is a devolution deal that would be worth bringing back for Cabinet and Full Council to consider.**

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.

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# Agenda Item 3

DECISIONS of the meeting of the Cabinet held on Tuesday 23 July 2024 at 2 pm at the Guildhall, Portsmouth

## **Present**

Councillor Steve Pitt (in the Chair)

Suzy Horton  
Dave Ashmore  
Chris Attwell  
Kimberly Barrett  
Peter Candlish  
Lee Hunt  
Hugh Mason  
Darren Sanders  
Matthew Winnington

**55. Apologies for Absence (AI 1)**

There were no apologies for absence.

**56. Declarations of Interests (AI 2)**

There were no declarations of interest.

**57. Record of previous decision meeting - 25 June 2024 (AI 3)**

The record of the previous decision meeting held on 25 June 2024 was agreed as a correct record.

**58. Exclusion of Press and Public**

Members agreed to remain in open session but not refer to the exempt information.

## **DECISION**

**The confidentiality of Appendix 3 only, relating to commercial matters, was upheld.**

**59. Performance Report on Property Investment Fund (AI 4)**

Tom Southall, Assistant Director, Property & Investment, introduced the report, noting that the £10m gap between the investment fund's original value and the amount invested would be used for renewal, repair and update of buildings. Going by benchmark comparisons, whilst there was a reduction in capital value, the portfolio had outperformed the property market to show the strengths of the investments. Last year the rental income was £9.5m and the total for the last few years was over £64m, a considerable amount of money. It was hoped the two assets due for renewal would return an income in excess of £1m.

Councillor Pitt noted that although elements of the property portfolio were commercially sensitive, overall performance indicators were very strong. The investment strategy's strict criteria were paying dividends. It was prudent not to have invested in properties such as shopping centres. An update on when the two refurbished properties were performing as expected would be useful.

**The Cabinet noted the report.**

**60. Member Champions Annual Report (AI 5)**

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

Councillor Pitt noted that two Member Champion posts had been deleted this municipal year. The Heritage post would be subsumed by the imminent Heritage Strategy which would cover how the council looked after its assets from now on. The Third Sector & City of Service role sat across portfolios.

Councillor Attwell thanked all the Champions for championing their areas of interest and wished them well. Councillor Pitt explained the Champions' role was promotion and advocacy; they did not have areas of responsibility. Heritage would be championed by people who owned the strategy, in other words, there would be 42 Heritage Champions, not just one.

**The Cabinet noted the report.**

**61. Look Up Festival 2024 (Permission to use PCC assets) (AI 6)**

Andrew Malbon, Principal Architect, introduced the report. Over the last decade or so Housing had incorporated street art into educational settings. Last year's festival had over 200 artworks. Although most feedback was positive some was negative so engagement had been improved to fully consult with residents, for example, through better phrased newsletters, events such as Somersfest on 27 July and open days in libraries and the community. James Hill, Director of Housing, Building & Neighbourhood Services, explained the report had come to the Cabinet as the assets were spread across several portfolios. Based on the success of last year's event Housing had sought permission to use assets in other Directorates with the opportunity for the festival organiser (Articulate Sage) to work with other organisations in Portsmouth.

Members felt the festival influenced Portsmouth creatively and thanked all the artists "from the hill to the sea" for their work. Local artists working in schools gave children respect in themselves and pride in their city. Increased resident engagement was welcomed as it meant the initiative was more likely to succeed. It was good to have art even if some of it was disliked and as it was street art it was transient. Despite some unpopularity about the art at the Alderman Lacey Library it had not been defaced. It was a good use of council assets and the art would be seen when entering and travelling through the city. The council was working with organisations like Network Rail and could do this more, especially where properties were connected with council owned buildings. Portsmouth's thriving art community had come to the fore. Bright and good public art benefitted health and wellbeing, as well as increasing pride so it made a difference. Members were pleased to see art on council estates and were delighted it had been successful and the initiative extended.

Councillor Pitt saw the festival as part of much wider work over the last few years and gave examples of how the council's support and relatively modest investment resulted in significant external funding. The council paid £50,000

to launch Portsmouth Creates and received £0.3m from the Arts Council in grants as it had contributed £30,000 to the matchfunding pot. Last year backing the Battle of Southsea leveraged in over £150,000 from the National Heritage Lottery Fund. Another £150,000 was leveraged in for Downtown Pompey's LGBTQ+ work. Arts Council funding enabled the 2023 Look Up Festival to run community workshops and diversionary anti-social behaviour activities. Altogether there was over £1.3m investment as all the administration were in support. Everyone should be extremely proud of what they did as a city. The Arts Council now saw Portsmouth as an exciting place to watch. Last week their Regional Director saw Pete Codling's artwork at Fratton Park. There was much goodwill for Cathy Hakes' (Head of Museums) wonderful work. Articulate Sage and My Dog Sighs, who ran the 2023 Look Up Festival, reported positive feedback. Residents were inspired by seeing female artists at work. One commented that Portsmouth was less tired and more like a metropolitan city.

## **DECISIONS**

### **The Cabinet**

- 1. Approved the use of the consultation process established in 2023 for the inclusion of the walls across a number of PCC assets identified in Appendix 1 for inclusion in the 2024 Look Up Portsmouth Festival.**
- 2. Noted that PCC Directorate teams who operate the assets proposed for inclusion have been consulted and subject to Cabinet approval, Adult Social Care, and Culture and Leisure have agreed, Environment and Transport agreed with the principle and requested more details.**

### **62. Treasury Management Outturn Report 2023-2024 (AI 7)**

Chris Ward, Director of Finance & Resources, introduced the report. Treasury Management was the day to day management of cash activities by short-term investments and short-term and longer-term borrowing. Last year all activity remained within the indicators and limits set by the council.

Councillor Pitt noted the enormous part the finance team played in supporting services. Although difficult decisions had to be made, the council could implement budget savings without being in the situation other local authorities were. Members agreed the council had strong financial control so was in a better position to invest in services and projects such as community wardens, CCTV, parks, the D Day Landing Craft Tank or Charles Dickens' bicentenary. It also enabled spare money to encourage outside investment. Members noted interest bearing deposits had an average return of over 5% and costs were below the £1.3m revised budget which spoke volumes about the care with which finances were managed by the finance team. They thanked Mr Ward and the Chief Executive and requested their thanks were recorded for how well managed the council was.

Last week Councillor Pitt had met Matthew Sheldon, the new Chief Executive Officer of the National Museum of the Royal Navy. The National Lottery Heritage Fund had greenlit £0.5m to house the Royal Marines Museum in the Historic Dockyard; members looked forward to it opening in 2026.

## **DECISIONS**

### **The Cabinet**

- 1. Noted the actual prudential and treasury management indicators based on the unaudited accounts, as shown in Appendix B, (an explanation of the prudential and treasury management indicators is contained in Appendix C).**
- 2. Recommended that Full Council note the content of the report.**

The meeting concluded at 2.37 pm.

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Councillor Steve Pitt  
Leader of the Council



# Agenda Item 4



**Title of meeting:** Cabinet

**Date of meeting:** Tuesday 10<sup>th</sup> September 2024

**Subject:** Portsmouth City Council (Dog Controls) Public Space Protection Order 2022 - renewal in 2025

**Report by:** Director of Culture, Leisure, & Regulatory Services

**Cabinet Member:** Councillor Steve Pitt

**Wards affected:** All wards

**Key decision:** No

**Full Council decision:** No

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## 1. Purpose of report

1.1 To seek approval for a new Public Spaces Protection Order ('PSPO') in relation to dog fouling and dog controls to replace the existing 2022 order upon date of expiry on January 7<sup>th</sup> 2025.

## 2. Recommendations

2.1 That approval is given by Cabinet to hold a public consultation on the details of the exclusion of dogs from the beach during the bathing season in the next PSPO. The two suggested revisions to the order relating to the beach areas between Eastney and Old Portsmouth are as follows:

- Consultation on whether to make any amendments to the eastern boundary of the seasonal dog exclusion zone on the beach.
- Consultation on whether to make any amendments to the period of exclusion from 24 hour exclusion of dogs to a daily time constrained exclusion period.

2.2 That the section of the PSPO relating to dog control orders in city parks renews without revisions following the advice of the Environmental Enforcement Manager who reports no issues with the current legislation and with no recorded evidence of any member of public or organisation raising an issue with the current legislation.

2.3 That following assessment of data from the consultation the PSPO be brought back for approval of revision, or renewal of existing order should the data suggest revisions are not suitable.



### **3. Background**

- 3.1 Section 59 and Section 62 of the Anti-Social behaviour, Crime and Policing Act 2014, Clean Neighbourhoods and Environment Act 2005 (section 51) enabled Portsmouth City Council 'the Council' to introduce a PSPO to replace the Dog Control Act 2011. This legislation enabled PCC to cover all aspects of owner's responsibility, fouling of land by dogs, dog exclusion areas and dogs on lead and full consultation in accordance with the act was carried out.
- 3.2 The PSPO made under the 2022 legislation is cited as the Portsmouth City Council (Dog Controls) PSPO which was enacted on 7<sup>th</sup> January 2022. Under s.60 of the 2014 legislation, PSPOs can only last for a maximum 3 year period unless extended. Unless the Council extends or varies this Order before it has expired, it shall expire 7<sup>th</sup> January 2025.
- 3.3 The subject of Dog Control Orders is highlighted as one of the most frequent subjects of complaint and comment that Seafront Services staff respond to in any given year. An assessment of contact received over the last three years (2022-2024) highlights that approximately 50% of complaints or comments reaching the Seafront Operations Officer were in relation to dog control orders.
- 3.4 Assessment of the details of the complaints highlights an approximate 50% split between owners of dogs upset about the existence of rules, and a lack of consideration for dog owners and access to public space and 50% who do not favour dogs and would welcome stronger levels of enforcement or exclusion. The balance of emotions around the specifics of dog controls highlights the requirement for a public consultation on the details of future orders rather than a simple renewal of the existing order.
- 3.5 The content of this report has been compiled through consultation and discussion with the Environmental Enforcement Officer Manager and

### **4. Reasons for recommendations**

- 4.1 To have an effective PSPO in place for the next three years upon the anniversary of the existing order.
- 4.2 To follow the democratic process of consulting with members of the public regards the future of the order given the subject of dog controls generates the greatest level of contact with Seafront Services. Revisions to the next PSPO could reduce the number of complaints around the existing dog control order, freeing up valuable time to concentrate on other matters.

### **5. Integrated impact assessment**

The Integrated impact assessment is attached.



## 6. Legal implications

- 6.1 The Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act") sets out the relevant statutory requirements to enable a PSPO to be made, extended or varied.
- 6.2 A PSPO can be made for a maximum duration of up to 3 years. Section 60 of the Act provides a power to extend a PSPO if the Council is satisfied on reasonable grounds that doing so is necessary to prevent:
- 6.2.1 occurrence or recurrence after that time of the activities identified in the order;
  - or
  - 6.2.2 an increase in the frequency or seriousness of those activities after that time.
- 6.3 An extension of a PSPO can be for a period of not more than 3 years and must be published in accordance with statutory requirements. Such extensions can be repeated, with each extension lasting for a maximum of 3 years.
- 6.4 Section 61 of the Act provides a power to vary a PSPO, which may include altering the area to which it applies, and/or adding or removing a prohibition or requirement included in the Order.
- 6.5 The same legislative tests should be applied to extensions and variations of a PSPO as to proposed new PSPOs. The Council must be satisfied on reasonable grounds that the prohibitions imposed are ones that are reasonable to impose in order to prevent the detrimental effect from continuing, occurring or recurring, or to reduce the detrimental effect, or reduce the risk of its continuance, occurrence or recurrence.
- 6.6 Section 72 of the Act details the requirements for consultation rights, consultation, publicity and notification, which includes when PSPOs are extended or varied. There are statutory requirements regarding publishing or publicising and Councils are required to undertake a further consultation process.
- 6.7 Consultation includes consulting the chief officer of police and the local policing body, any community representatives the Council thinks it appropriate to consult and the owner or occupier of land within restricted areas (where this is not the Council). In this case, this should include The Crown Estate in relation to the foreshore. In addition, consultation should be undertaken with animal law and welfare organisations.
- 6.8 Section 72 of the Act requires the Council at all stages to have particular regard to Articles 10 and 11 of the Human Rights Act 1998.
- 6.9 The Council must consider the results of the consultation and the evidence in support before varying and/or extending the PSPO.



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

The activities proposed within this report are expected to be funded from the existing service portfolio budgets, as approved by Full Council

.....  
Signed by: Claire Looney, Commissioning and Partnership Manager

**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:

<b>Title of document</b>	<b>Location</b>
Current PSPO (Jan 22 - Jan 25)	<a href="#">Signed and sealed PSPO 4 Jan 2022.pdf</a>
Weblink to list of Park Spaces and Beaches to which the PSPO applies	<a href="http://portsmouth.gov.uk">Tables (portsmouth.gov.uk)</a>
Map of current boundaries of dog control order zone on Seafront	<a href="#">DCO-Southsea-beach-accessible.pdf (portsmouth.gov.uk)</a>
Integrated Impact Assessment	<a href="#">Integrated Impact Assessment.IA642298356 - Dogs Control Order.pdf</a>

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

.....  
Signed by:

<b>Form name</b>	Integrated Impact Assessment
<b>Reference</b>	IA642298356
<b>Date</b>	29/08/2024



## Policy details

<b>Request date</b>	29/08/2024 14:01
<b>Directorate</b>	PCC Culture Leisure and Regulatory Services
<b>Service</b>	Seafront Services
<b>Title of policy, service, function</b>	Portsmouth City Council (Dog Controls) Public Space Protection Order 2022 - renewal in 2025
<b>Type of policy, service, function</b>	Existing
<b>What is the aim of your policy, service, function, project or strategy?</b>	To consult on possible revisions to the next dog control order which will run for a three year period from January 7th 2025 to January 7th 2028.
<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"/>
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## Crime - Will it make our city safer?

<b>This section is not applicable to my policy</b>	<input checked="" type="checkbox"/>
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## Housing - will it provide good quality homes?

<b>This section is not applicable to my policy</b>	<input checked="" type="checkbox"/>
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**Health - will this help promote healthy, safe and independent living?**

<b>This section is not applicable to my policy</b>	<input checked="" type="checkbox"/>
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**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"/>
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**Carbon emissions - will it reduce carbon emissions?**

<b>This section is not applicable to my policy</b>	<input checked="" type="checkbox"/>
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**Energy use - will it reduce energy use?**

<b>This section is not applicable to my policy</b>	<input checked="" type="checkbox"/>
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**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"/>
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**Natural environment - will it ensure public spaces are greener, more sustainable and well-maintained?**

This section is not applicable to my policy	<input checked="" type="checkbox"/>
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**Air quality - will it improve air quality?**

This section is not applicable to my policy	<input checked="" type="checkbox"/>
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**Transport - will it make transport more sustainable and safer for the whole community?**

This section is not applicable to my policy	<input checked="" type="checkbox"/>
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**Waste management - will it increase recycling and reduce the production of waste?**

This section is not applicable to my policy	<input checked="" type="checkbox"/>
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**Culture and heritage - will it promote, protect and enhance our culture and heritage?**

This section is not applicable to my policy	<input checked="" type="checkbox"/>
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**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"/>
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## 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"/>
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## Social value

<b>Please explain how your policy, service, function, project or strategy delivers Social Value</b>	The proposed revisions will have the potential to give a wider area of beach space for families with dogs. Currently families with children and dogs are restricted to a remote section of beach lacking in services compared to the main section of beach. A new boundary will allow families with children and dogs a greater opportunity to access open space in proximity to toilets, showers, and F&B outlets.
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## Involvement

<b>Who was involved in the Integrated impact assessment?</b>	Seafront Operations Officer
<b>Name of the person completing this form</b>	Mark Collings
<b>Date of completion</b>	2024-08-29





**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>	Progress on Enforcement of Waste Management Policy
<b>Date of meeting:</b>	10 September 2024
<b>Report by:</b>	Colette Hill, Assistant Director of Neighbourhoods
<b>Wards affected:</b>	All

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## 1. Purpose

- 1.1. To update the Cabinet on the progress of the enforcement of the updated waste management policy - particularly with regards to flat fronted properties and properties with limited storage space for bins and the changes made to improve accessibility whilst helping those with disabilities.

## 2. Background

- 2.1. In July 2023, the administration approved changes to the Waste Collection policy to reflect a number of changes to the service including:
  - **Provision of separate food waste collections**
  - **Provision of mixed plastic bring banks**
  - **Provision of carton bring banks**
  - **Provision of kerbside battery collections**
- 2.2. Following complaints about littering and nuisance caused by bins left on pavements changes were also made to the process regarding provision of, and if necessary enforcement relating to bins for properties that are flat fronted or properties with limited space at the front to store bins off the pavement.  
The changes included:
  - Removal of refuse bin - revert to up to 3 standard bin bags
  - Removal of recycling bins - options include swapping to a smaller bin, or stackable caddy system
  - S46a notice - Environmental Protection Act 1990
- 2.3. All bins should be stored off the highway on non-collection days - this is to ensure that pavements are clear from obstructions. This ensures residents can pass freely and safely. Where residents cannot easily store bins off the highway, they can place out 'up to 3 standard bin bags' weekly on collection day and recycling boxes or stackable boxes can be provided.

## **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 amendments in the July 2023 policy streamlined the process for removal of bins where residents are not complying to the requirements to store bins off the highway.

Section 4 - Presentation of waste the policy states:

*'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'*

### **3. Progress**

- 3.1.** There were a large number of bins being left out on the highway on non-collection days and the approach to enforcement is education led. The education approach focusses on explaining to residents their responsibility to bring the bin in and the inconvenience (anti-social behaviour) caused to others using the pavements etc.
- 3.2.** The Waste Management and Community Warden teams have taken a staged approach to the management of bins on the highway and work together to carry out the street audits and education/enforcement actions.  
This included:
  - Communications to public to 'bring your bin back in' on social media - July/August 2023
  - Door knocking/Letter drop to affected homes explaining how residents need to manage their waste and bins - October/November 2023
  - Attendance at the Portsmouth District Private Landlords Association meeting to update and ensure landlords understand the collection policy regarding waste collections
  - Flagship article
  - Staged approach - road is audited on non-collection day and doors knocked/letters dropped advising residents what they need to do and consequences of repeat incidents. This is followed up in a following fortnight and non-compliance action is taken. This could be removal of the refuse bin or swap to alternative recycling bin provision. This is also communicated to residents in person or via letter - Started January 2024



**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)

- 3.3. Since the 1 January 2024 the team has received 124 reports of bins on streets from residents.
- 3.4. The team has started the work with the roads where we have had the most complaints and issues. To date we have completed the following actions:

Road Name	Warning Letter Issued	Bin Removed/ Swapped
Collins Road	1	
Alver Road	2	
Balliol Road	11	10
Beatrice Road	25	15
Binstead Road	13	2
Cyprus Road	40	22
Harold Road	46	26
Highland Street	4	
Jersey Road	18	12
Langley Road	1	
Leopold Street	25	14
Malta Road	20	12
Methuen Road	74	
Morley Road	2	
Newcome Road	59	34
Norman Road	25	18
Owen Street	16	
St Stephens Road	24	13
Stansted Road	27	
Toronto Road	29	11
Trevor Road	36	24
Winchester Road	35	15
<b>Grand Total</b>	<b>553</b>	<b>229</b>

Please note the blanks indicate we have completed the warning letter stage only at this time.

- 3.5. There are 358 roads where bins have been reported to be stored on the highway and the team are working through these.
- 3.6. In the course of this work to date an additional 27 assisted collections (collections for households with mobility issues that prevent them presenting bins in the required way) have been agreed - in these cases residents are permitted (where possible) to store their bins on the highway. These have been agreed in line with the policy as a reasonable adjustment and bins are stickered to indicate they are permitted to be on the pavement.

**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)

- 3.7. Revisits/Further complaints - where we have taken action we have revisited to ensure that compliance continues. Largely roads have remained clear and we have taken necessary steps to act on continuing issues.
- 3.8. Enforcement - overall the main enforcement action we have taken is to remove refuse bins and swap out recycling bins. We are also able to take a more formal approach where this doesn't resolve the issue and consider action under S46a of the Environmental Protection Act 1990. This is a power which can result in repeated fines for incorrect presentation of waste. This is the final enforcement step and will be used where appropriate.
- 3.9. As part of the education led approach we have also been engaging with residents to swap out larger recycling bins for smaller ones or for stackable boxes.

**4. Next Steps**

- 4.1. The policy and education led approach using enforcement action is working but takes time. The Waste and Community Warden teams are continuing to work through this area of work in order of greatest demand.
- 4.2. There is an article scheduled for the winter edition of Flagship regarding street scene issues - this will include a reminder to 'bring your bin in' and contact numbers for advice and support.

.....

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
<a href="http://legislation.gov.uk">Environmental Protection Act 1990 (legislation.gov.uk)</a>	
<a href="#">Agenda for Cabinet on Tuesday, 25th July, 2023, 2.00 pm Portsmouth City Council</a>	

# Agenda Item 6



**Title of meeting:** Cabinet

**Date of meeting:** 10<sup>th</sup> September 2024

**Subject:** Update on transfer of Solent LEP functions into the Upper Tier Local Authorities

**Report by:** Chief Executive

**Cabinet Member:** Leader

**Wards affected:** All

**Key decision:** No

**Full Council decision:** No

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## 1. Purpose of report

- 1.1 To update Cabinet on the arrangements that have been in place, in partnership with Southampton City Council and Isle of Wight Council, in response to the integration of LEP functions into upper tier local authorities and to seek approval to the delegation of responsibility to the Leader to make decisions on behalf of Portsmouth City Council at the Solent Growth Partnership Board.
- 1.2 It should be noted that Isle of Wight Council ('IoWC') and Southampton City Council ('SCC') will be taking similar reports to their Cabinets, but because of the differing timeframes there will need to be work and decision making in parallel with the approval processes across the three authorities.

## 2. Recommendations

- 2.1 Cabinet is recommended to:
  - 2.1.1 Note the update contained within this report
  - 2.1.2 Agree that the Leader of the Council should have delegated responsibility to make decisions on behalf of Portsmouth City Council at the Solent Growth Partnership in line with the terms of reference for the Solent Growth Partnership attached at Appendix 1 and paragraph 3.4.1 below.

## 3. Background

- 3.1 On the 4<sup>th</sup> August 2023, the Government (HMG) issued a letter which confirmed their support for Upper Tier Local Authorities (UTLAs) and combined authorities to take on the functions currently delivered by LEPs. UTLAs were required to submit an Integration Template outlining the approach that they wished to take for the integration of LEP functions including the preferred geography. The three Solent UTLAs submitted an Integration Template to HMG stating that their preference was for the existing LEP functions, within their geographical area, to be transferred to



the three authorities working together. Hampshire County Council submitted an Integration Template stating that their preference was for the integration of LEP functions to take place on their administrative boundary. HMG approved both templates and so from the 1<sup>st</sup> April the 3 Solent Unitary UTLAs, working in partnership, have been responsible for delivering the functions previously delivered by Solent LEP in the Isle of Wight, Portsmouth and Southampton. Hampshire County Council are responsible for the delivery in the rest of the old Solent LEP area.

- 3.2 A report was taken to Cabinet on 6<sup>th</sup> February 2024 which set out the anticipated approach that was going to be taken to the LEP integration by the three Solent Unitary UTLAs with a similar report taken to the Isle of Wight Council Cabinet and Southampton City Council cabinet. Since the publication of this report there have been some significant changes to the anticipated approach and this report provides an update on these changes and the new approach that is being taken.
- 3.3 The most significant change, from the approach suggested in the February Cabinet report, is that the Unitary UTLAs decided in the May meeting to no longer seek to use Solent Partners Ltd (SP), and its current governance structure, as a delivery vehicle for previous functions of the Local Enterprise Partnership (LEP), including ongoing contracts and grant funded programmes.
- 3.4 The decision was made because it was felt that the cost of the infrastructure needed to support Solent Partners did not justify the added value of using them as the delivery vehicle. This has meant that whilst Portsmouth City Council (PCC) will remain as the employers of any relevant staff, they will be providing services for the three authorities and will be part of the normal directorate reporting structure of PCC. A review / organisational change process is underway to look at the necessary staffing structure to deliver the integrated LEP functions and wherever possible existing staff will be transferred into the new roles. The rest of this section of the report will provide an update on the various functions that are now the responsibility of the UTLAs.
- 3.4 Governance
  - 3.4.1 The February Cabinet report referenced the Joint Upper Tier Local Authority Board. This is now called the Solent Growth Partnership (SGP). Attached as Appendix 1 are the terms of reference for the SGP, which have been recently updated to focus on economic development and prosperity, allowing wider matters of devolution to be separately progressed. The report is seeking delegated authority to be given to the Leader of the Council to fulfil the role required in these terms of reference and so that the Leader can make decisions to support the driving of economic growth to the Solent region. Specifically delegations are sought so that Leaders can:
    - Make decisions and take actions jointly within the partnership and separately for their own local authority in respect of:
      - The Growth Hub
      - The Careers Hub
      - The Business Representative Forum
      - Joint Strategic Economic Planning
      - The Skills Bootcamps



- To enter into agreements to deliver programmes and activities for and on behalf of third party organisations including, but not limited to, other Local Authorities, Higher Education Institutions and Departments and organisations of central government
  - To enter into agreements, deliver and action joint unemployment programmes including, but not limited to, Universal Support
  - Make significant capital and revenue spending decisions, in line with existing council delegations, to invest in economic growth for the 3 unitary UTLA area, subject to financial approval of the s151 officer of Portsmouth City Council acting as the Accountable Body for the SGP.
- 3.4.2 It is worth noting that the terms of reference are clear that each Member of the Board can nominate a standing Cabinet deputy to attend in their place if they are unable to attend and that political deputies will have voting rights, with the agreement of the Leaders.
- 3.4.3 It is worth noting that the SGP has a clear role in relation to the economic development and growth ambitions of the three unitary Solent UTLAs. There are associated but separate conversations that are currently underway around devolution and issues to do with Solent Transport. The response to these issues is being dealt with outside of the formal governance of the SGP although there will be potential overlaps that will need to be addressed depending on the outcome of the discussions that are underway.
- 3.4.4 It can also be noted that the SGP has set up an Officer Board, with Officers from all three unitary Solent UTLAs to take forward decisions delegated to them. This officer group has been informally meeting on a weekly basis for many months and has now been formally constituted under its own Terms of Reference.
- 3.5 Careers Hub
- 3.5.1 The February Cabinet report envisaged that Solent Partners would run the Careers Hub via a contract from the Careers Enterprise Company (CEC). In discussions with the CEC it became apparent that they were only prepared to deal directly with the UTLAs. Agreement was reached with Hampshire County Council (HCC) that the existing contract, working with schools across the whole of the Solent area, would be maintained for the remainder of this academic year. The provision is managed by Portsmouth City Council's children services directorate on behalf of the four UTLAs.
- 3.5.2 A new contract is in place for the 2024/25 academic year. At this point HCC will manage the provision for the schools within their administrative geography, including within the Solent area outside the Unitary UTLA area. On this basis relevant staff will TUPE from PCC to HCC to undertake the role in HCC schools. Portsmouth will continue to manage the provision for the unitary UTLA area. The UTLA provision is more focussed on ensuring that the needs of disadvantaged groups are catered for and that the requirements of the CEC contract are fully met.





### 3.6 Solent Growth Hub

3.6.1 In the February report it was envisaged that the Solent Growth Hub would be managed by Solent Partners. Again, this is now being managed by Portsmouth City Council on behalf of the 3 unitary UTLAs using the staff that were previously providing the service and local Solent businesses should be experiencing a seamless service. The contract for the Solent Growth Hub is until the 31<sup>st</sup> March 2025 although it is envisaged that there will be a new contract for the period beyond that subject to any changes in HMG policy.

### 3.7 Business Representative Board

3.7.1 As part of the LEP Integration, the Functional Economic Areas (FEAs) were responsible for creating or continuing to engage with an Economic Growth Board (or similar) made up of local business leaders and relevant representative bodies to both provide the view of local businesses as part of regional decision making and also to work with local leaders to create a broad economic strategy for the area. For our area this meant that the unitary UTLAs have to create a business representative board.

3.7.2 In the February report it was envisaged that Solent Partners would be administering and providing strategic support to the Solent Business Representative Board (SBRB). Following the decision of the SGP this function will now be undertaken by the three authorities directly. Rachel Randall, the previous chair of Solent LEP, has accepted the role of Chair of the SBRB. It is envisaged that there will be an overarching board providing UTLA engagement with additional specialist focus groups around adult education, business support and skills to encourage specialist discussions and broad engagement. Additional subgroups can be developed to include sector specialisms, including development of a Culture and Tourism group to access funding opportunities as a local visitor economy partnership, and other sectors including Transport or Film to deliver on priorities of the Solent area.

3.7.3 SBRB Board members will attend on a voluntary capacity and responsibilities will include:

- Being responsible for shaping the economic growth of the functioning economic area
- Using their significant expertise to shape and influence strategic thinking, policy and funding decisions for the functioning economic area
- Being a voice for industry to advocate across sectors, geographies and business types
- Helping the SGP to create an environment where local business can flourish and grow our economy

3.7.4 In addition to the SBRB Boards and sub-groups it is envisaged that there will be annual events for wider business engagement which will be held in rotating locations with up to 3 delivered per year. Where possible these will coincide with related local events that are already planned.

### 3.8 Strategic Economic Planning

3.8.1 Strategic economic planning was a policy area that was explicitly mentioned in the LEP integration. The government approved FEAs, which in our case is the Solent Unitary UTLAs, have a requirement to prepare an economic plan for their area by October 2024 (within 6 months of the LEP functions being integrated into the UTLA





area). The Solent Unitary UTLAs have agreed a specification and are currently in a procurement process to get consultancy support to produce this economic plan. Alongside side this each authority is doing a specific plan for their own area so that there is clarity about what needs to happen at the local authority level to support the sub-regional economic plan. The plan, when it is commissioned, will need to have regard to the district and boroughs within the Solent area because their economies are intertwined with the unitary economies. It is not yet clear how these plans will align with the future Growth Plans that are part of the policy agenda for the new government.

### 3.9 Financial disaggregation

3.9.1 In the February Cabinet Report the role of PCC, as the Accountable Body for Solent LEP, in relation to dealing with the disaggregation of the Solent LEP legacy funds was clearly set out. Since this report the Accountable Body has been liaising with HCC about the agreed disaggregation of these legacy funds and it is envisaged that a Memorandum of Understanding (MoU) will be signed by all parties in the very near future. On the assumption that the current MoU is signed then, aside of funding for the activities set out above, will provide a revenue budget of approximately £1.5m for the SGP and a capital budget of £12.5m. These funds will need to be spent for the benefit of the geography in the Solent area as will the equivalent funding that will be disaggregated to HCC. The SGP is currently in the process of agreeing a budget of how this funding will be used.

## 4. Reasons for recommendations

4.1 There have been considerable developments in the approach to LEP integration since the February Cabinet report and this report provides an update on the approach that is now being undertaken in response to the integration of LEP functions into the Solent Unitary UTLAs.

4.2 The report also seeks approval of delegated authority to be given to the Leader of the Council to make decisions at the SGP to promote economic growth in the Solent region. This delegated authority, for each of the three Leaders, is needed to allow the SGP to operate effectively.

## 5. Integrated impact assessment

5.1 With this report only providing an update on work that is underway, or seeking delegated authority for future decisions there is no need to prepare an integrated impact assessment at this stage. Future decisions may require one and this will be undertaken in the future as required.

## 6. Legal implications

6.1 The report sets out a clear narrative - the authority sought is within the construct of competency and the risk profile to the Authority is negligible. The report sensibly sets out the need to work as a cohort and deals with the relevant sub elements, other iterations will follow as things develop over time.



**7. Director of Finance’s comments**

7.1 The Accountable Body have been working closely with Hampshire County Council to agree the disaggregation of all legacy LEP funding and it is expected that this will be finalised shortly.

An initial budget including the SGP allocation of LEP legacy funding and non-core funding that the Solent LEP / Solent Partners had also been able to access was presented to the SGP at their Board meeting on 15<sup>th</sup> August where they have begun to agree how the funding will be used.

.....  
Signed by:

**Appendices:**

APPENDIX 1 – Terms of Reference for the Solent Growth Partnership

**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

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

.....  
Signed by:

**SOUTHAMPTON CITY COUNCIL, PORTSMOUTH CITY COUNCIL & ISLE OF WIGHT  
COUNCIL**

**Terms of Reference – Solent Growth Partnership**

**1. Purpose**

The Levelling Up White Paper set out three key policy objectives, to extending devolution across England, empowering local leaders, and integrating Local Enterprise Partnership (Solent LEP) functions into local democratic institutions.

The Board will be led by local democratic leaders, to direct the future growth of the sub-region in terms of economic development, investment in new infrastructure and in our human capital, with a clear focus on driving sustainable growth.

- The Board will ensure that there is a strong, independent, and diverse local business voice in local democratic institutions.
- The Board will drive strategic economic planning and ensure that the area's economic priorities and sectoral strengths are fully considered and articulated.

The partners are committed to delivering sustainable, inclusive growth in the Solent sub-region, by:

- Setting objectives and determining key decisions on behalf of the three unitary authorities in relation to the delivery of LEP functions.
- Ensuring that the partners work together in partnership, in a coordinated, impactful, and effective manner to deliver the Solent 2050 strategy.
- Work to ensure that more responsibilities, functions, and powers are devolved to the Solent sub-region.
- Considering how the benefits of inclusive growth can be distributed more evenly and to more disadvantaged communities.
- Consider how the Net Zero transition to a green and sustainable future will provide new opportunities to growth in the Solent sub-region.

**2. Role**

The Board will act as a strategic decision-making body, for the integration of LEP functions and driving economic prosperity for the Solent area.

As such the Board will need to evolve over time. Therefore, the terms of reference for the Board should be periodically reviewed, and if required, can be realigned.

1. The Board will provide oversight and scrutiny for the integration of LEP devolved functions including Business Representation, Local Economic Planning and the delivery of government programmes as directed, across the three unitary authorities.
2. The Board will own the Solent 2050 Strategy and will commission any work needed to update the strategy. This will involve building and maintaining a robust local evidence base that identifies local strengths and challenges, future opportunities and the actions needed to support priority sectors.
3. The Board will be responsible for instigating commissioning, overseeing delivery, both direct delivery and any delivery partners.
4. The Board will hold any delivery partners to account for the delivery of the programmes and functions assigned to them, to support the economic growth agenda across the geography of the three unitary authorities.
5. The Board will oversee a monitoring and evaluation framework, being responsible for and receive regular reports and updates from officers and sub-groups.

### **3. The Chair, Core Membership, and Information Management**

The shadow board will agree a Chair from the membership. The Leader of Southampton City Council has volunteered to act as the initial Chair of the Board.

- Chair – the Leader of Southampton Council
- The Leaders of Isle of Wight Council and Portsmouth City Council
- The Chief Executives of Southampton City Council, Isle of Wight Council and Portsmouth City Council

The Chief Executives will be responsible for managing the communication of information, in determining confidential matters and decisions made by the Board, to their Councils, partner organisations and relevant service areas leads.

### **4. Governance**

The key drivers for the proposed governance model centre on the need to empower local leaders and in turn with the integration of Solent LEP functions into local democratic institutions.

The formal decision-making process by the Board will centre on building a consensus amongst the three Leaders, each with delegations, provided by their respective Cabinets.

Initially the delegated authorities to each of the Leaders will cover the following areas set over the sub-regional geography. Sub-regional partnerships and initiatives, sub-regional strategic economic planning, economic development business support and strategic skills and unemployment programmes.

The delegated authority given to the Leaders in respect of decisions taken at the Board is as follows:

- To make decisions and take actions jointly within the partnership and separately for their own local authority in respect of:
  - The Growth Hub
  - The Careers Hub
  - The Business Representative Forum
  - Joint Strategic Economic Planning
  - The Skills Bootcamps
- To enter into agreements to deliver programmes and activities for and on behalf of third party organisations including, but not limited to, other Local Authorities, Higher Education Institutions and Departments and organisations of central government
- To enter into agreements, deliver and action joint unemployment programmes including, but not limited to, Universal Support

Where decisions are needed that are outside of these delegations, then the decision will be formally made by each respective Cabinet.

Decisions may be delegated to a joint officer board or boards, constituted with equal representation from each of the member council.

#### ***4.1 Decisions making***

Decision-making will be by consensus, amongst the Leaders and in consideration of purpose and role of the Board. In circumstances that a consensus cannot be reached the follow options will be considered.

1. Chief Executives task officers with assessing and presenting compromise solutions.
2. Individual authorities have the option to act independently, if the decision to do so is considered, not to be detrimental to the sub-regional economy or to the tripartite partnership.

For the Board to be quorate all three Leaders or political deputies, with voting rights, will need to be present. (*Please refer to section 6 - Attendance by Others*).

## **5. Relationships with other bodies**

It is envisaged that the Board will evolve through time, developing a clear remit, initiated as a Shadow Board to agree terms of reference. Once adopted the Board will be formally constituted, with interdependencies with the following bodies:

- The members Councils
- Other partnership and organisational boards
- The Solent Freeport Board and Retained Rates Investment Committee
- HM Government
- Business representatives

## **6. Attendance by Others**

Each Member of the Board shall nominate a standing Cabinet deputy to attend in their place if they are unable to attend. Political deputies will have voting rights, with the agreement of the Leaders.

The work of the Board will be initially supported by the attendance of officer representatives from each Unitary Authority. These attendees will not have any voting rights.

The Board can determine to invite representatives of partner bodies to join Board meetings as required, where-by the Leaders agree that any representations will be relevant to the role of the Board and to assist in decision-making. It is likely that invites will be to those bodies described in section 4.2.

The Board may receive deputations on a matter from any organisation or individual, where notice has been given, which is deemed relevant to the role of the Board.

## **7. Duration and administration**

The duration and election of the Chair will be agreed between the Leaders.

As the Board evolves the Board may seek to develop an independent secretariat function, if appropriate, drawn from the resources of member bodies making best use of, and potentially aligning economic development resources and activities.

Meetings of the Board will be scheduled according to an agreed duration by its members and as necessitated by the timelines and decisions required by delivering LEP functions. The duration of meetings is subject to change as per these same requirements.



## **APPENDIX 1**

The Board will be supported by programme officers from each member authority, for the purposes of scheduling, organisation, and collating and distributing agendas, minutes, actions, and decisions. Papers and agendas for Board meetings will be distributed ahead of time by the supporting officer according to an agreed timescale by Board members.

### **8. Expected Conduct of Board Members**

All Board Members are expected to follow "The 7 principles of public life" code of conduct.

### **9. Declarations of Interest**

In accordance with the National Local Growth Assurance Framework, a register of interest will be established, or shared by the member Councils and all Board Members will have a duty to declare their interests (direct or indirect) in transactions or arrangements involving the remit of the Board.

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# Agenda Item 7



**Title of meeting:** Cabinet

**Date of meeting:** 10<sup>th</sup> September 2024

**Subject:** Devolution deal for Portsmouth / Hampshire and the Solent

**Report by:** The Chief Executive

**Cabinet Member:** The Leader of the Council

**Wards affected:** All

**Key decision:** No

**Full Council decision:** No

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## 1. Purpose of report

1.1 To update Cabinet on the latest position on local devolution and to seek permission for the Leader and Chief Executive to maintain the dialogue with neighbouring authorities and the Government to understand whether there is a devolution opportunity that would be for the benefit of the people of Portsmouth.

## 2. Recommendations

2.1 Cabinet is recommended to:

2.1.1 Note that there are currently discussions underway to explore the potential for a devolution deal for local authorities across Hampshire & the Isle of Wight (including sub-regional geographies such as the Solent).

2.1.2 Agree that delegated authority be given to the Leader of the Council and the Chief Executive to engage with Government, and neighbouring authorities, to understand whether there is a devolution deal that would be worth bringing back for Cabinet and Full Council to consider.

## 3. Background

3.1 Over the last 10 years there have been a number of different attempts to take forward a devolution opportunity that would involve Portsmouth City Council. This has included two attempts at a whole Hampshire & Isle of Wight approach, which have never led to an actual formal application to Government, and three attempts at a Solent devolution deal. One of the Solent deals led to a signed agreement which was pulled at the last minute. One of the other Solent proposals led to formal approval by each of the three Solent unitary councils to make a formal application to Government requesting that a Solent Mayoral Combined Authority should be established. The Government did not approve the application, stating that the withdrawal of Hampshire County Council from the proposals meant that they could not support it although Hampshire County



Council were not part of the application to Government nor was their permission required by law.

- 3.2 Despite these numerous failed attempts at devolution, the potential prize on offer is still significant. Under the last Government, a number of funding streams were allocated to areas with Mayoral Combined Authorities whilst other areas were subjected to expensive competitive bidding processes. As part of any devolution deal there is scope to negotiate a sizeable 30 year investment fund for the local area as well as having more flexibility, including funding, for a wide range of policy areas. This means for example that there could be a single transport settlement for the area or there could be local responsibility for the design and delivery of unemployment support programmes or the use of the adult skills budget. Whilst an initial deal can often be quite limited in its scope, it is a door opener for wider and more extensive devolution of powers and funding. It is worth noting that whilst devolution is mostly about government functions being delivered at the regional level there are likely to be some current local functions that would be delivered at a sub-regional level including, for example, some transport, planning and economic development functions.
- 3.3 The new Labour Government has said that it is committed to devolution and within a week of the General Election the Prime Minister and Deputy Prime Minister met with all the Elected Mayors to talk about how to take forward further devolution and how Elected Mayors can help drive local economic growth to contribute to a national Industrial Strategy. The Government has also set up a Council of Nations and Regions to allow for shared decision making between central government and local areas. This new body will be chaired by the Prime Minister but will also include the First Ministers of the Devolved Nations and all the Directly Elected Mayors.
- 3.4 There is considerable interest locally to explore whether a devolution deal can be agreed which would work for all the local authorities in the area. This will require a new mindset that ignores the issues from the previous attempts and looks to positively explore what can be achieved in the future. The Leaders of the four upper tier local authorities (Portsmouth, Southampton, IOW and Hampshire) have met, with a collective appetite, to explore whether a devolution deal for the Solent and Hampshire local authorities can work for the benefit of their residents and businesses.
- 3.5 It will be important, however, to make sure that any deal protects the interests of Portsmouth and the Solent sub-region and helps ensure that our economic potential is fulfilled. It will be possible to build protections into the Governance framework for any Combined Authority that would allow this to happen. Whilst there is a clear preference for any deal not to have an Elected Mayor, it may be that this will be required to achieve any sort of meaningful devolution. If this is the case a decision will then need to be made about whether having a Mayor is a price worth paying to achieve the devolution offers that have been negotiated.
- 3.6 There is currently no devolution deal within the South-East region and civil servants are very keen to see a deal agreed for the Hampshire & Isle of Wight area. Legislation introduced by the last Government, in 2023, does not allow for districts and boroughs to be constituent Members of any Combined Authority.



There is however legislation that is still current, that would allow districts and boroughs to be constituent Members. This could either happen with the agreement of Hampshire County Council or the three unitaries could form a Combined Authority which subsequently a district or borough could apply to join, subject to their own governance review, without the agreement of Hampshire County Council.

3.7 It will be important that all local authorities in the area are fully supportive of any devolution deal and so it will be important that any deal builds in the importance of the role of the Districts and Boroughs, particularly as they are the Planning & Housing authorities and drive most localised work on economic investment and addressing deprivation - which will be key outcomes from any deal we would want to see. This is in line with statements from the current Minister responsible for devolution.

3.8 If a deal can be negotiated, and agreed locally by Leaders and with Government, then a formal proposal will come back to Cabinet and then Full Council for debate and agreement. This process will be followed by all relevant local authorities in the area. There is a genuine opportunity at the moment to work with our neighbouring local authorities to negotiate a devolution deal for the area. The Leader of the Council and the Chief Executive need to be given permission to continue these discussions and to negotiate the best possible deal for the area and also to be given permission to leave the discussions if it is clear that any possible deal will not be in the interests of Portsmouth or its communities. The deal needs to consider all possible options and discount those that are not possible or do not deliver on meeting the needs of the area. Any negotiated deal will be brought back to Full Council for approval. With a potential deal having a significant lasting impact it is suggested that there should be regular meetings of a cross-party group leaders' working group with all councillor briefing sessions held whenever a significant milestone is met.

#### **4. Reasons for recommendations**

4.1 Initial discussions have taken place locally to explore whether there is an opportunity to agree a devolution deal with Government. To get to the next stage, discussions and negotiations will need to take place with Government and simple pro-forma needs to be returned to the Ministry of Housing Communities and Local Government (MHCLG) by the end of September stating whether this is something that the local authority wishes to pursue. At this time, it is only an 'expression of interest' indicating to the Government that there is a wish for a devolution deal to be explored in this area. This paper has been prepared so that Cabinet is aware of discussions that are taking place and also to get agreement that the Leader of the Council and the Chief Executive can act on behalf of the Council to negotiate a devolution deal that works for Portsmouth and which can be brought back to the Council for formal approval.

#### **5. Integrated impact assessment**

5.1 There is no need for an integrated impact assessment at this stage. If there is a devolution deal that is agreed, there will be a requirement for an assessment as the different elements of any deal are implemented.



**6. Legal implications**

6.1 There are no direct legal implications in terms of the negotiation phase for a devolution deal. Depending on what is agreed as part of the deal there could be significant Governance changes that will need to be incorporated into our overall Governance framework.

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

7.1 There are no direct financial implications at this stage of the process nor with the recommendations in this report. A future deal could have significant financial implications but this would be subject to a future report to Cabinet and Full Council.

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Signed by:  
Natalie Brahma-Pearl  
Chief Executive

**Appendices:**  
*None*

**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

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

.....  
Signed by: