

## **CABINET**

RECORD OF DECISIONS of the meeting of the Cabinet held on Monday, 11 December 2017 at 12.00 pm at the Guildhall, Portsmouth

### **Present**

Councillor Donna Jones (in the Chair)

Councillors Luke Stubbs  
Simon Boshier  
Jennie Brent  
Ryan Brent  
Hannah Hockaday  
Frank Jonas BEM  
Robert New  
Linda Symes

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

Apologies for lateness were received from Councillor Robert New.

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

There were no declarations of members' interests.

#### **48. Record of Previous Decision Meeting - 28 September 2017 (AI 3)**

The record of decisions of the previous Cabinet meeting held on 28 September 2017 was agreed as a correct record and signed by the Leader.

#### **49. Appointment to Portchester Crematorium Joint Committee (AI 4)**

The Leader explained that following Councillor Robert New's resignation from the Portchester Crematorium Joint committee a new representative from the Cabinet needed to be appointed.

**DECISION: Councillor Hannah Hockaday replaces Councillor Robert New as one of Portsmouth City Council's two representatives on the Portchester Crematorium Joint Committee.**

#### **50. Local Plan Consultation Responses and Way Forward (AI 5)**

Claire Upton-Brown as Assistant Director of Culture & City Development and Toby Ayling as Principal Planning Officer introduced the report.

The Leader thanked the planning policy team on all their work on this huge piece of work and thanked everyone who responded to the consultation. She added that the city council is building a really strong community base who are helping to assist the council from a technical perspective.

**DECISIONS: The Cabinet:**

- (1) Noted the summary of representations received during the Issues and Options consultation, and the issues raised;**
- (2) Endorsed the approach to carry out and complete further technical work to inform the production of the new Local Plan;**
- (3) Delegated the approval of any necessary funding necessary to complete the Local Plan, to the Director of Finance and Section 151 Officer, in consultation with the Leader of the Council.**

**51. Budget and Performance Monitoring Quarter 2 (AI 6)**

Chris Ward as Section 151 Officer introduced the report. Councillor Ryan Brent as Cabinet Member for Children and Families made reference to paragraph 5.1 of the report regarding the overspend of the children's social care portfolio and wanted to give reassurance. He said there is demand nationally with increases of children in care meaning that Portsmouth is not a unique local authority. He added that it is important that the local authority understand where the pressures are and this is predominately higher costs and the number of placements. The council have increased the social work capacity and continue to make a plan to reduce the overspend.

The Leader added that the Administration is working together with the Director of Children's Services, the Section 151 officer and other neighbouring authorities on how services can be shared including the introduction of a Regional Adoption Agency. She added that there have been some real successes in terms of national lobbying through the LGA with the Adult Social Care precept that was introduced in the last financial year, and LGA are now shifting focus from adults onto children as this is a national pattern.

The Leader also wished to place on record her thanks to Adult Social Care team and Councillor Luke Stubbs on their work on managing the £0.5million transformation fund within the revenue budget.

**The Cabinet agreed that:**

**(i) The forecast outturn position for 2017/18 be noted:**

**(a) An underspend of £2,459,200 before further forecast transfers from/(to) Portfolio Specific Reserves & Ring Fenced Public Health Reserve**

**(b) An underspend of £1,035,500 after further forecast transfers from/(to) Portfolio Specific Reserves & Ring Fenced Public Health Reserve.**

**(ii) Members noted that any actual overspend at year end will in the first instance be deducted from any Portfolio Specific Reserve balance and once depleted then be deducted from the 2018/19 Cash Limit.**

**(iii) Directors, in consultation with the appropriate Cabinet Member, consider options that seek to minimise any forecast overspend presently being reported and prepare strategies outlining how any**

**consequent reduction to the 2018/19 Portfolio cash limit will be managed to avoid further overspending during 2018/19.**

**52. Portsmouth City Council Revenue Budget 2018/19 - Savings Proposals (AI 7)**

Chris Ward as Section 151 Officer introduced the report which would be considered at the Council meeting of 12 December.

Councillor Ryan Brent as Cabinet Member for Children and Families referred to the sections of the report relating to the overspend of the children social care portfolio and reiterated that there is a plan in place to reduce this overspend.

The Leader thanked Mr Ward and his team for all their hard work on preparing the budget and felt this was the best budget the Administration had put forward. The Leader also thanked all the cabinet members for their hard work in helping prepare the budget proposals.

**RECOMMENDED to Council**

- 1 That the following be approved:**
  - (a) That the Council's Budget for 2018/19 be prepared on the basis of a 1.99% Council Tax increase for general purposes**
  - (b) That the Council continues to take advantage of the opportunity to increase the level of Council Tax for an "Adult Social Care Precept" within the limits set by Central Government (i.e. a 3% increase phased over the financial years 2018/19 and 2019/20), and consequently that the additional funding is passported direct to Adult Social Care to provide for otherwise unfunded cost pressures.**
  - (c) That the Council's authorised limit for external debt in 2017/18 is increased by £45m to £653m**
  - (d) The savings proposals for each Portfolio amounting, in total, to £4m for 2018/19 and continuing into future years as set out in Appendix A to enable appropriate consultation and notice periods to be given to affected parties**
  - (e) That £500,000 is transferred from the MTRS Reserve to replenish the Voluntary Sector Capacity & Transition Fund**
- 2 That the following be noted:**
  - (a) The Budget Savings Requirement for 2018/19 of £4m approved by the City Council was based on a Council Tax increase of 1.99%; each 1% change (increase or decrease)**

**in the Council Tax results in a change to the savings requirement of £708,000**

- (b) The key themes arising from the budget consultation**
- (c) The indicative savings proposals set out in Appendix B which are provided for the purpose of demonstrating to the Council that the Portfolio savings as recommended in paragraph 1 (d) above are robust and deliverable**
- (d) The likely impact of savings as set out in Appendix B**
- (e) That the responsibility of the City Council is to approve the overall Budget and the associated cash limits of its Portfolios and Committees; it is not the responsibility of the City Council to approve any individual savings within those Portfolios / Committees**
- (f) That it is the responsibility of the individual Portfolio Holders (not full Council) to approve the individual savings proposals and the Portfolio Holder can therefore, in response to any consultation, alter, amend or substitute any of the indicative savings proposal(s) set out in Appendix B with alternative proposal(s) amounting to the same value within their Portfolio**
- (g) Managers will commence the implementation of the approved savings required and any necessary consultation process or notice process**
- (h) That there is no general provision for Budget Pressures and that it is the responsibility of the Portfolio Holder to manage any Budget Pressures which arise from the overall resources available to the Portfolio (which includes their Portfolio Reserve)**
- (i) In accordance with the approved financial framework, it is the responsibility of the Portfolio Holder, in consultation with the Director of Finance & Information Services (S151 Officer), to release funds from the Portfolio Reserve in accordance with the provisions set out in paragraph 10.19**
- (j) The MTRS Reserve held to fund the upfront costs associated with Spend to Save Schemes, Invest to Save Schemes and redundancies currently holds a very modest uncommitted balance of £2.0m and will only be replenished from an approval to the transfer of any non-Portfolio underspends at year end into this reserve.**

**53. Exclusion of Press and Public (AI 8)**

**DECISION** that, under the provisions of Section 100A of the Local Government Act, 1972 as amended by the Local Government (Access to Information) Act, 1985, the press and public be excluded for the consideration of the following item on the grounds that the report contains information defined as exempt in Part 1 of Schedule 12A to the Local Government Act, 1972 - Appendix 3 only of the report 'City Centre Road' - under paragraph 3 exemption.

**54. City Centre Road Update and 'In Principle' Compulsory Purchase Order Resolution (AI 9)**

The report was discussed in exempt session following the exclusion of the press and public, due to the need to refer to information contained within the confidential appendix 3 of the report.

Following the discussion held in exempt session, it was proposed and seconded that the meeting move back into open session.

The Leader explained that the council does not anticipate it will need to use a Compulsory Purchase Order (CPO) however the recommendation today of having an in principle CPO is important as this can alter way negotiations take place.

**The Cabinet:**

- 1. Approved the land assembly strategy for the City Centre Road project as attached at Appendix 1.**
- 2. Gave delegated authority to the Director of Regeneration on the advice of the City Solicitor in consultation with the Leader with Portfolio responsibility for Planning, Regeneration & Economic Development to negotiate and complete acquisitions of legal interests, on the basis of the statutory CPO Compensation Code, in land required for the delivery of the City Centre Road scheme.**
- 3. Gave delegated authority to the Director of Regeneration to procure and appoint specialist advisers for:**
  - Land referencing Agents**
  - Specialist compulsory purchase surveyors**
- 4. Approved the progress of all work necessary to establish a case for compulsory purchase of land required for the City Centre Road scheme.**

5. **Approved, in principle, the use of compulsory purchase powers for the acquisition of land to deliver the City Centre Road scheme (indicatively shown in red on the attached plan at Appendix 2) and note that the making of any compulsory purchase order will be subject to Members being satisfied in all respects that the criteria in paragraphs 3.19 have been met. Members are also asked to note that the redline area shown on the plan is currently widely drawn around the entire City Centre Road scheme application site area. It is not anticipated that all land/interests shown will need to be acquired to deliver the scheme however, a degree of flexibility prior to detailed technical approval of the scheme and its mitigation, is required at this stage. Officers will take all reasonable measures to minimise the need to acquire third party interests in accordance with CPO Guidance and the existing design approach to the scheme.**
  
6. **Noted that Officers will need to seek a future resolution to grant the Director of Regeneration and the City Solicitor authority, in accordance with section 122 of the Local Government Act 1972, to declare that any land acquired or held and required for the delivery of the City Centre Road scheme may, where they conclude that it is no longer needed for its present purpose, appropriate the land for such statutory purpose as necessary to deliver the City Centre Road scheme, and to authorise the overriding of such easements, rights, or other adverse matters burdening the land, where that is needed to deliver the scheme, in reliance on section 203 of the Housing and Planning Act 2016.**

The meeting concluded at 12.50 pm.

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Councillor Donna Jones  
Leader of the Council