

CABINET

RECORD OF DECISIONS of the meeting of the Cabinet held on Tuesday, 4 December 2018 at 10.00 am at the Guildhall, Portsmouth

Present

Councillor Gerald Vernon-Jackson CBE (in the Chair)

Councillors Steve Pitt
Dave Ashmore
Ben Dowling
Suzy Horton
Darren Sanders
Lynne Stagg
Matthew Winnington
Rob Wood

58. Apologies for Absence (AI 1)

Apologies for absence had been submitted by Councillor Jeanette Smith.

59. Declarations of Interests (AI 2)

Councillor Darren Sanders made a disclosable pecuniary interest (having received advice from the Deputy City Solicitor) regarding agenda item 6 (Licensing of Houses in Multiple Occupation) as he lives in a HMO which is in an additional licensing area. He would therefore withdraw from the room whilst this item was discussed.

60. Record of Previous Decision Meeting - 6 November 2018 (AI 3)

The record of the previous decisions taken by Cabinet of 6 November 2018 was agreed as a correct record to be signed by the Leader.

61. Portsmouth Safeguarding Children's Board Annual Report (AI 4)

Dr Richard John, independent Chair of the Portsmouth PSCB, presented their annual report. This reflected the professionalism of Children's Services which he had encountered, with staff working hard to keep children safe. The report set out the priorities and he explained the dip in safeguarding training with a move towards restorative practice training. Dr John reported on the good practices in partnership working on referrals and on the learning from the 7 case reviews as reported back to their board. There was a development of pan-Hampshire work but with Portsmouth keeping its own sovereignty.

Councillor Gerald Vernon-Jackson, as Leader, welcomed this report which had also been received by the Health & Wellbeing Board. He thanked Dr John and felt it important for all councillors to be aware of the contents and the support being given to vulnerable children in the city. The Leader

therefore would ask that this be taken to Council (this could only be as in information item).

Councillor Rob Wood, as Cabinet Member for Children and Families, welcomed the excellent report being shared wider with all members so that they were aware of measures being taken in the city and the potential issues that the public should be aware of.

Councillor Stagg was also aware of the high standard of work being carried out by the staff involved and Councillor Winnington had attended and valued the restorative practice training.

In response to the question on sufficient staff in social care Dr John referred to the recent Ofsted inspection result which had rated the service as good.

DECISIONS:

- (1) The Cabinet received the Portsmouth Safeguarding Children's Board Annual Report and noted areas of progress and challenges in the work delivered by services to safeguard children and promote their well-being.**
- (2) The Cabinet asked that this report be submitted for the information of full Council.**

62. Response report to the Housing and Social Care Scrutiny review - models of supported accommodation for people with learning disabilities (AI 5)

Councillor Luke Stubbs presented the Housing & Social Care Scrutiny Panel's report as its current chair (Councillor Sanders had previously chaired during the gathering of evidence) and commended the positive and useful findings to Cabinet. The report evidenced the good work taking place in providing supported housing in the city and there was further work to do to maximise opportunities for mental health provision in conjunction with the CCG. Councillor Stubbs was also satisfied with the response report and recommendations by the Director of Housing, Neighbourhoods and Building Services.

Councillor Sanders, as previous Chair of HSC Scrutiny Panel, gave some back ground to the review with 53 adults placed outside the city at a cost of approximately £4m for the authority. The report covered the good work taking place by the Adult Social Care team to provide better care at less cost. He referred to the success of independent living accommodation on the Eastern Road and he supported the conclusions and the Director of Housing's recommendations.

Cabinet members supported both reports and the way forward with cross party work to continue in looking at providing allocations for independent living in major developments.

Councillor Winnington, as Cabinet Member for Health, Wellbeing and Social Care, thanked Councillor Stubbs and Councillor Winnington, the panel and all involved for this report, valuing the provision of supported living accommodation, mentioning the potential of the St. James' development site.

DECISIONS:

(1) That the Housing and Social Care Scrutiny panel was thanked for its work in undertaking the review.

(2) That the Housing and Social Care Scrutiny panel's recommendations were noted.

(3) Cabinet noted the potential to provide alternative models of accommodation beyond the initial learning and disability group and the Director of Housing, Neighbourhood and Building Services is asked to work with the Director of Adult Social Care and other directors as appropriate with the respective Cabinet members to continue to develop the supported living model.

63. Licensing of Houses of Multiple Occupancy (AI 6)

(Councillor Sanders was not present for discussion of this item, in accordance with his earlier declaration of interest.)

The report was presented by James Hill, Director of Housing, Neighbourhoods and Building Services, Paul Fielding, Assistant Director for Housing and Clare Hardwick, Acting Head of Private Sector Housing. Paul Fielding explained the new requirements and Clare Hardwick reported on work taking place with landlords before going to enforcement or prosecution. The recommendations included refreshing the Local Consultation Panel with new terms of reference and membership.

Councillor Gerald Vernon-Jackson, as Leader, welcomed the measures being taken in carrying out the council's duties to protect vulnerable tenants (including students) from bad landlords, and thanked officers for their work.

Cabinet members spoke of their experiences of HMOs in their wards and gave suggestions on the membership of the panel to ensure the voice of tenants was heard, and they were also aware of the responsible landlords who they worked with. Whilst the HMOs were predominantly in the South of the city members were aware of properties which needed licensing in the North of the city, where sub-divisions had taken place without notification to the city council.

DECISIONS:

(1) The Cabinet noted the report on Review of Licensing of Houses in Multiple Occupation (Appendix 1) as summarised in the report.

(2) That Cabinet agreed to the refreshing of the Local Consultation Panel on HMO Licencing, recognising that decision making on policy surrounding licencing and HMOs remains with the city council.

(3) (Subject to approval of resolution 2) officers were instructed to work with the portfolio holder for Housing, and relevant internal and external stakeholders, to refresh and refocus the terms of reference, attendees and performance measures for the Local Consultation Panel on HMO Licencing.

(4) (Subject to resolutions 2 & 3), officers return to councillors before the end of the municipal year, with a report on Local Consultation Panel on HMO Licencing the including refreshed terms of reference.

64. Care Leavers' Offer (AI 7)

Kate Freeman, Head of Looked After Children Provider Services, presented the report of the Director for Children, Families and Education, stressing the corporate parent principles and the requirement to publish a Care Leavers' Offer (which had been co-produced with Portsmouth care leavers). There were approximately 150 care leavers (aged 18-25) who had previously been in the care of the authority. There was concern at the over-representation of care leavers in statistics for homelessness, prison and mental health institutions, and the report sought a whole council approach in tackling this and giving further support post-18.

Councillor Gerald Vernon-Jackson, on behalf of the Cabinet, endorsed this approach of continuing to give corporate parent support where natural parents cannot.

DECISIONS

The Cabinet:

(1) Noted the Corporate Parenting principles and considered how each Portfolio can contribute in order to promote the welfare and outcomes of our looked after children and care leavers.

(2) Agreed the content of the care leaver offer and consider if further improvements can be made in order to optimise opportunities and support for our looked after children and care leavers.

(3) Agreed that as Corporate Parents, it is appropriate that the Council contributes to the Care Leaver offer across its portfolios; and to agree, in particular, that the cost of the birthday/festivities allowance (c £15,000 per year) is met by a proportionate contribution from each Portfolio to be determined by the Section 151 Officer in consultation with the Leader of the Council.

65. Summer 2018 Seafront consultations review (AI 8)

Claire Upton-Brown, Assistant Director of City Development, presented the report on behalf of the Director of Regeneration. The report brought together

the 2 elements of consultation on the Southsea coastal defence scheme and the review of the Seafront Masterplan SPD. This joint approach had resulted in a very successful participation and consultation exercise.

Councillor Gerald Vernon-Jackson, as Leader, reiterated how useful it had been to get the public's views and to discuss with them the plans at the consultation events.

Councillor Dave Ashmore, as Cabinet Member for Environment & Community Safety, was also pleased by the high level of public engagement and to see the priority cycling and disabled access being highlighted through the process. Councillor Ashmore looked forward to seeing the next stage progress.

Councillor Ben Dowling, as Cabinet Member for Planning, Regeneration & Community Safety, stated that it was important to see the 2 elements develop side by side and to avoid silo working. Cabinet members congratulated all involved in the consultation process, including engagement with schools as well as residents from all parts of the city.

Councillor Pitt, as Deputy Leader and Cabinet Member for Culture, Leisure and Sport, also commented on the professionalism of staff and the inclusion of young people via social media. He also thanked members of the cross-party working group for their involvement.

DECISIONS - The Cabinet:

- 1. Noted the representations received during the consultation on the Seafront Masterplan SPD Review and the Southsea Coastal Scheme which will inform the development of both projects.**
- 2. Endorsed the further technical work to produce a draft revised Seafront Masterplan SPD for consultation.**
- 3. Agreed that public engagement is undertaken on the preferred option for the Southsea Coastal Scheme to inform the preparation of the planning application and the supporting Statement of Community Involvement.**

66. Budget Monitoring 2018/19 to end of September (Quarter 2) (AI 9)

Chris Ward, Director of Finance and Section 151 Officer, presented his report, reflecting on the position for the first half of the year, for which there was a forecast overspend of £4.5m. He explained that this comprised the cumulative overspend in the 2 largest areas of Children's and Adults Social Care of £8.6m, an overspend for MMD of £3m, offset by a release from contingencies of £3m and identified savings in Treasury Management of £2.9m. There was additional government funding being announced for both Children's and Adults services (£2.4m).

Councillor Gerald Vernon-Jackson, as Leader, was concerned by the losses at MDD (as a PCC owned company) and the shortfall in the government

funding for uncontrolled pressures on social care, requesting the help of Stephen Morgan MP (who was present in the public gallery) in lobbying ministers for adequate reparation of the costs of unaccompanied minors. Councillor Stephen Morgan MP confirmed he had already written to ministers on this subject, which was welcomed by cabinet members. Chris Ward confirmed that this issue was reflected within the budget estimates, with unaccompanied minors costing £1.3m and this impacted on the growth of looked after children (LAC) for the authority. He also commented that the primary reason for the overspend was the increase of 133 LAC over the past 5 years, which is an increase of 42%.

Councillor Dowling, as Cabinet Member for PRED (with responsibility for Portsmouth International Port) reported that he, Councillor Jones and Chris Ward were all non-executive directors of MMD and they were looking at all the options for the site, with a report due to come to Cabinet in early 2019. MMD were paying rent to PCC which contributes to the budget and offsets the overall loss.

Councillor Sanders, Cabinet Member for Housing, stressed the structural budget deficit set out in the report, and for the Housing portfolio the overspend area of homelessness was being tackled.

Councillor Winnington, Cabinet Member for Health, Wellbeing and Social Care, reported that the £890,000 winter pressures government payment did not cover the costs. He reported on having a robust plan in place to address the deficit position, although some pressures are uncontrollable, due to the complex needs of some adults being cared for. He thanked the financial staff and social care staff for their hard work.

Councillor Pitt, Deputy Leader, referred to the work of an external team to assist Children's Social Care with their budget.

DECISIONS:

(i) The forecast outturn position for 2018/19 was noted:

(a) An overspend of £5,721,200 before transfers from/(to) Portfolio Reserves

(b) An overspend of £4,465,200 after transfers from/(to) Portfolio Reserves

(ii) Members noted that any actual overspend at year end will in the first instance be deducted from any Portfolio Reserve balance and once depleted then be deducted from the 2019/20 Cash Limit.

(iii) Members noted that the overall financial forecast for Quarter 2 for the whole Council is a serious cause for concern with significant forecast overspends in the highest spending areas of Children's and Adult Social Care which in aggregate amount to £8,610,400.

(iv) Members noted that the underlying structural deficit which is forecast to continue into future years amounts to £5.5m. The extent to

which this cannot be remedied in the medium term will add to the Council's current forecast £4m per annum savings requirements for future years.

(v) Members noted that some additional funding from Government has recently been announced for Adults in 2018/19 and for both Adults and Children's Social Care in 2019/20 to help alleviate financial pressures nationally across the system amounting to £890,400 in 2018/19 and £2,411,500 in 2019/20, but it is not yet clear if this funding will continue beyond 2019/20 and therefore whether it can be used on an ongoing basis to part remedy the combined underlying budget deficits of £5.5m.

(vi) 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 2019/20 Portfolio cash limit will be managed to avoid further overspending during 2019/20.

67. Portsmouth City Council Revenue Budget 2019/20 - Savings Proposals (AI 10)

(This item was referred to Council without further debate or presentation)

RECOMMENDED TO COUNCIL

(1) that the following be approved:

(a) That the overall aim of the MTFs and its key strands as described in Section 8 of the report be adopted by the Council

(b) That the Council's Budget for 2019/20 be prepared on the basis of a 2.99% Council Tax increase for general purposes

(c) 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 1.5% increase for 2019/20), and consequently that the additional funding is passported direct to Adult Social Care to provide for otherwise unfunded cost pressures

(d) The savings proposals for each Portfolio amounting, in total, to £4m for 2019/20 and continuing into future years as set out in Appendix A to enable appropriate consultation and notice periods to be given to affected parties

(2) That the following be noted:

(a) The Budget Savings Requirement for 2019/20 of £4m approved by the City Council is predicated on a total Council Tax increase of 4.49%; each 1% change (increase or decrease) in the Council Tax results in a change to the savings requirement of £747,000¹

(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

¹ Tax increases will be subject to Council Tax referendum thresholds which are at this stage unknown

Portfolio savings as recommended in recommendation 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 Technology (S151 Officer), to release funds from the Portfolio Reserve in accordance with the provisions set out in paragraph 10.16 of the report

(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 modest uncommitted balance of £4.0m and will only be replenished from an approval to the transfer of any non-Portfolio underspends at year end into this reserve.

The meeting concluded at 11.08 am.

Councillor Gerald Vernon-Jackson CBE
Leader of the Council