

# City of Portsmouth MEMBERS' INFORMATION SERVICE

**NO 50**

**DATE: FRIDAY 13 DECEMBER 2013**

The Members' Information Service produced in the Customer, Community & Democratic Services Unit has been prepared in three parts:

Part 1 - Decisions by the Cabinet and individual Cabinet Members, subject to Councillors' right to have the matter called in for scrutiny.

Part 2 - Proposals from Managers which they would like to implement subject to Councillors' right to have the matter referred to the relevant Cabinet Member or Regulatory Committee; and

Part 3 - Items of general information and news.

## **Part 1 - Decisions by the Cabinet**

**The following decisions have been taken by the Cabinet (or individual Cabinet Members), and will be implemented unless the call-in procedure is activated. Rule 15 of the Policy and Review Panels Procedure Rules requires a call-in notice to be signed by any 5 members of the Council. The call-in request must be made to [democratic@portsmouthcc.gov.uk](mailto:democratic@portsmouthcc.gov.uk) and must be received by not later than 5 pm on the date shown in the item.**

If you want to know more about a proposal, please contact the officer indicated. You can also see the report on the Council's web site at [www.portsmouth.gov.uk](http://www.portsmouth.gov.uk)

THERE ARE NO PART ONE ITEMS THIS WEEK

## **Part 2 - Proposals from Managers for Implementation**

The following proposals have been brought forward. The Managers indicated will exercise their powers to approve the proposal unless a Councillor requests the item be referred for decision to the relevant Cabinet Member or Regulatory Committee. **Your request must be made to [democratic@portsmouthcc.gov.uk](mailto:democratic@portsmouthcc.gov.uk) and must be received by not later than 5pm on Friday 20 December 2013.**

**An email or handwritten letter will suffice.**

If you want to know more about a proposal, please contact the officer indicated.

### **PORTFOLIO: TRAFFIC & TRANSPORTATION**

**FRIDAY 13 DECEMBER 2013**

	<b>WARD</b>	<b>SUBJECT AND PROPOSAL</b>	<b>OFFICER CONTACT</b>				
<b>1</b>	<b>St Thomas</b>	<p><b>The Portsmouth City Council (LA North Southsea Residents' Parking Scheme) (Additional Permit Entitlement) (No.50) Order 2013</b></p> <p>Formal public consultation is to take place on a new Traffic Regulation Order (as above) to enable residents of newly-built properties to apply for permits in the LA North Southsea residents' parking scheme.</p> <p><u>Council's reasons for the Order</u></p> <p>To give residents of the new properties built on the former Wellington Street car park site eligibility to apply for permits with the LA North Southsea residents' parking scheme. The properties are located on the south side of Winston Churchill Avenue, with Wellington Street on their south side and St James's Road on their west side. The properties are Ark Royal House and Invincible Terrace.</p> <p>Public consultation to enable the proposal to be formally considered is anticipated to take place between 2 - 23 January 2014.</p> <table><tr><td><u>Ward</u></td><td><u>Road</u></td></tr><tr><td>St Thomas</td><td>Winston Churchill Avenue</td></tr></table>	<u>Ward</u>	<u>Road</u>	St Thomas	Winston Churchill Avenue	<p><b>Nikki Musson</b> <b>Transport &amp; Environment</b> <b>Tel: 9283 4461</b></p>
<u>Ward</u>	<u>Road</u>						
St Thomas	Winston Churchill Avenue						

	WARD	SUBJECT AND PROPOSAL	OFFICER CONTACT				
2	Baffins	<p><b>The Portsmouth City Council (HB Coniston Avenue Residents' Parking Scheme) (Amendment) (No.49) Order 2013</b></p> <p>Formal public consultation is to take place on a new Traffic Regulation Order (as above) to amend the HB Coniston Avenue residents' parking scheme to remove the 2-hour free parking period.</p> <p><u>Council's reasons for the Order</u></p> <p>A letter and petition, signed by residents of 12 of the 13 properties in Coniston Avenue, has been received to request the 2-hour free parking period is removed, making the scheme "Permit Holders Only".</p> <p>There are approximately 14 parking spaces in Coniston Avenue, which are used throughout the day by staff and patrons of the adjacent church hall (dance club etc), public house, doctors' surgery, car sales and garage repair business. Targeted enforcement has had some effect, but is not possible every day at all times required, which motorists take advantage of. There is no alternative parking available nearby, and residents would like priority over the parking in the road in which they live.</p> <p>Therefore, proposals are to be put forward for public consultation to enable these changes to be formally considered, potentially in January 2014.</p> <table border="0" data-bbox="398 1050 1030 1157"> <tr> <td><u>Ward</u></td> <td><u>Roads</u></td> </tr> <tr> <td>Baffins</td> <td>Coniston Avenue</td> </tr> </table>	<u>Ward</u>	<u>Roads</u>	Baffins	Coniston Avenue	<p><b>Nikki Musson Transport &amp; Environment Tel: 9283 4461</b></p>
<u>Ward</u>	<u>Roads</u>						
Baffins	Coniston Avenue						

	WARD	SUBJECT AND PROPOSAL	OFFICER CONTACT
3		<p><b>Cemeteries Fees and Charges</b></p> <p>Following the decision taken by Full Council on 11 December 2012 the budget for the Cemeteries Service is to become cost neutral over a two year period. To make this possible additional income and savings for the two year period are required. At the Environment and Community Safety Decision Meeting on 27 February 2013 it was agreed to increase fees and charges over the two year period.</p> <p>To enable the budget to be cost neutral in 2014/15 it is proposed to increase the period of Rights of Ownership on a newly purchased grave from the existing 25 years to 50 years and likewise the existing 75 years to 99 years in keeping with city cemeteries nationally. Renewal on existing rights will remain at 25 years.</p> <p>The existing fee for 25 years is £345 which equates to £13.80 per annum. The proposal is to retain this annual equivalent fee for 50 years with a new 50 year fee at £690 which places us as one of the lowest costing Authorities when compared nationally with authorities offering similar terms. An increase to 50 year ownership is also appropriate at this point in time in relation to the remaining capacity of our cemeteries.</p> <p>The existing fee for the 75 year option is £794. It is also proposed to set the fee for 99 years at £1,048, this equates to £10.50 per annum and again the annual pro rata fee will not be increasing.</p> <p>The estimated additional income generated should enable the department to reach its target for the 2014/2015 financial year which is the second and final phase towards becoming cost neutral as approved.</p>	<p><b>Gerry O'Brien</b>  <b>Cemeteries Manager</b>  <b>Tel: 9273 2559</b></p>

	WARD	SUBJECT AND PROPOSAL	OFFICER CONTACT
4	Paulsgrove	<p><b>Almondsbury Road - Fire Door Replacement</b></p> <p>A capital contribution of £148,860.05 for the installation of composite fire doors to 7no. blocks of flats along Almondsbury Road, Paulsgrove will be made.</p> <p>Fire Risk Assessments have been undertaken to each of the blocks and one of the recommendations arising from it is to replace existing timber property entrance doors that are not fire rated with new composite fire rated doors.</p> <p>Tenders have been received, evaluated and a preferred bidder identified. We now wish to proceed with the contract award.</p> <p>The £148,860.05 funding will come from the Council House Maintenance &amp; Improvements, Capital Programme – 2013/14, as approved by Full Council on 12 February 2013.</p>	<p><b>Adam Hardwick Housing &amp; Property Services 07852 167897</b></p>

## MEMBERS' INFORMATION SERVICE

### TRAFFIC REGULATION ORDER DECISION TO BE DETERMINED BY THE HEAD OF TRANSPORT & ENVIRONMENT

The Head of Transport & Environment will exercise his powers to proceed with the following Traffic Regulation Order in accordance with the proposed action unless a Councillor requests the proposal to be referred to Committee for decision.

Your request should be made to the **Head of Transport & Environment** by telephoning **Nikki Musson** (☎ 9283 4461) or **Anna Balogh** (☎ 9283 4922) and must be received by not later than 12 noon on **Friday 20 December 2013**. You can also make contact by letter, or by email to [engineers@portsmouthcc.gov.uk](mailto:engineers@portsmouthcc.gov.uk). If you wish to know more about a particular application, please contact the Case Officer indicated.

#### PORTFOLIO: TRAFFIC & TRANSPORTATION

**FRIDAY 13 DECEMBER 2013**

Item No	Ward	Traffic Regulation Order	Case Officer & Tel No	Head of Transport & Environment's Comments	Proposed Action
5	All	THE PORTSMOUTH CITY COUNCIL (VARIOUS ROADS) (DISABLED PERSONS' PARKING PLACES AND AMENDMENTS) (NO. 47) ORDER 2013	Amanda Clayton 9268 8304	<p>Formal consultation on the proposals took place between 6 - 27 November 2013. No objections were received to any of the proposed disabled bays. A general objection concerning enforceable disabled bays installed by Portsmouth City Council was received; similar comments by this objector have previously been considered and responded to. One new point was raised suggesting that charging by PCC for the bays and associated permits may be illegal. Legal Services have confirmed the charging is an accepted situation and local authorities can ask individuals to contribute towards the cost of introducing the bay.</p> <p><b>REASON FOR THE ORDER</b> To install disabled bays for qualifying residents, to be enforced by the city council's Civil Enforcement Officers. The aim is to allow these parking bays to be used by the intended residents and reduce the potential for their misuse by non-authorized drivers. The Order also deletes bays that are no longer required.</p>	That the Order is made as advertised and comes into operation as soon as legal procedures are complete (28 <sup>th</sup> January 2014)

## PLANNING APPLICATIONS TO BE DETERMINED BY HEAD OF PLANNING SERVICES

The City Development Manager will exercise her powers to determine the following applications in accordance with the proposed decision for each application unless a Councillor requests the application be referred for decision to Committee.

Your request should be made to the **City Development Manager** by telephoning **Julie Watson** (☎023 9283 4826 or 023 9283 4339 answerphone) and must be received by not later than **5 pm on Friday 20 December 2013**. You can also make contact by letter or by e-mail to - [planningreps@portsmouthcc.gov.uk](mailto:planningreps@portsmouthcc.gov.uk) - If you wish to know more about a particular application, please contact the Case Officer indicated.

Item No	Application No Ward	Location Description of Development	Planning Officer's Comments	Case Officer Proposed Decision
6	13/01137/FUL  Hilsea	<b>351-353 Copnor Road Portsmouth</b>  Change of use to shop (Class A1); external alterations to include new shopfront and installation of roller shutters to front and side elevations	<p>Two objections to this application have been received. These are based on the grounds that; a) the proposed opening times would result in an increase in noise and disturbance in the area due to the increased traffic and footfall associated with such a use; b) there is insufficient parking to serve the proposed use; c) there are already 2 convenience stores in the area (Co Op and Premier); and d) there is no additional refuse storage proposed.</p> <p>Three letters of support have also been received. These are based on the grounds that; a) the proposed use would create jobs in the local area; b) the proposed convenience store would serve local residents; and c) the proposed use would be a valuable addition to the local area.</p> <p>This property is currently in use as a motorcycle sales/repairs garage. The proposed use as a convenience store (Class A1) would be appropriate within this location which is predominantly residential in character. Whilst the application site is outside of the Copnor Road (north) Local Centre, it is below the 280 square metre threshold that applies to town centre uses outside of designated centres. As such, this proposal is considered acceptable in principle. The proposed use as a convenience store would not give rise to any significant increase in traffic in this location and the proposed opening times are considered to be appropriate for this type of use. As such, the proposal is not considered likely to give rise to any significant impact on the amenities of nearby residential occupiers.</p> <p>Furthermore, the proposed perforated metal lathe roller shutters would be acceptable in design terms in accordance with policy PCS23 of the Portsmouth Plan.</p>	<p>Laura Grimason</p> <p>Tel: 023 9284 1470</p> <p><b>Conditional Permission</b></p>

Item No	Application No Ward	Location Description of Development	Planning Officer's Comments	Case Officer Proposed Decision
7	13/01134/FUL  St Thomas	<b>19 Brougham Road Southsea</b>  Change of use from house in multiple occupation (Class C4) to a house in multiple occupation (sui generis)	<p>Two objections on the grounds of insufficient refuse provision, with one of the objections stating concerns over the adverse impact of additional waste on the streetscene.</p> <p>The lawful use of the property is as a House in Multiple Occupation within Class C4. It is considered that the use of the property by an additional occupier (over the six that could occupy the property as a Class C4 HMO) would be unlikely to generate any significant increase in waste.</p> <p>As the property benefits from a lawful use as a HMO the proposal would not alter the balance of residential uses in the area.</p>	<p>Owen Devine</p> <p>Tel: 023 9283 4876</p> <p><b>Permission</b></p>
8	13/01199/FUL  Milton	<b>35 Locksway Road Southsea</b>  Change of use from dwelling house (Class C3) to purposes falling within Class C4 (house in multiple occupation) or Class C3 (dwelling house)	<p>Two letters of representation have been received objecting to this application. The grounds for objection are summarised as follows; a) The percentage of HMOs in this area exceeds the 10% threshold as outlined in the HMO SPD; b) The proposed change of use would give rise to an increase in noise and disturbance for neighbouring residents; c) The proposed use would exacerbate parking issues in the area; and d) The proposed use would lead to an increase in traffic congestion and pollution in the area.</p> <p>There are currently 2 HMOs within a 50m radius of the application site. As a result of this application, this would increase to 3 or 5.2%. This is below the 10% threshold set out in the Houses in Multiple Occupation SPD and it is therefore considered that this application would not have a detrimental impact on the balance of uses within the local community.</p> <p>It is considered that the level of occupation generally associated with the use of any given property as a HMO (C4) is not materially different to the use of a property as a Class C3 dwellinghouse occupied by either a single family or other groups living as a single household. On that basis and given that there is not a significant concentration of HMOs within the surrounding area, it is considered that an objection on, increased noise and disturbance, increased rubbish or parking could not be sustained.</p>	<p>Laura Grimason</p> <p>Tel: 023 9284 1470</p> <p><b>Conditional Permission</b></p>






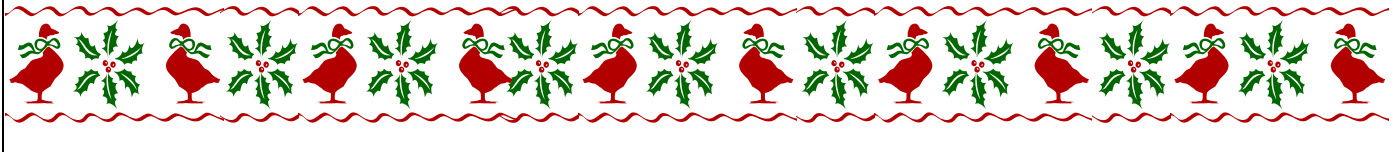
Item No	Application No Ward	Location Description of Development	Planning Officer's Comments	Case Officer Proposed Decision
9	13/01246/FUL  Hilsea	<b>5 Oldgate Gardens Portsmouth</b>  Change of use from a dwelling house (Class C3) to purposes falling within Class C4 (house in multiple occupation) or dwelling house (Class C3)	<p>Letters of representation have been received from five local residents. Their objections can be summarised as follows: (a) Increased noise and disturbance; (b) Impact on family character of the surrounding area; (c) Parking; (d) Anti-social behaviour; (e) Personal circumstances of future occupants and safety of children within the surrounding area; (f) Increase in rubbish; and (g) Fire and health and safety risks.</p> <p>The applicant seeks a planning permission that will enable the use of the property to interchange between a Class C3 dwellinghouse and a Class 4 HMO. The lawful use of the property is currently Class C3 (dwellinghouse). Having regard to the aims and objectives of policy PCS20 and the Houses in Multiple Occupation (HMOs) SPD that seek to support mixed and balanced communities, the use of the property as a HMO would not result in an imbalance of such uses, falling well below the 10% threshold (1.7% if permission was granted). In addition it is considered that the proposal would not adversely affect the living conditions of the occupiers of the adjoining and nearby properties or detract from the prevailing family character of the surrounding area.</p> <p>It is considered that the level of occupation generally associated with the use of any given property as a HMO (C4) is not materially different to the use of a property as a Class C3 dwellinghouse occupied by either a single family or other groups living as a single household. On that basis and given that there is not a significant concentration of HMOs within the surrounding area, it is considered that an objection on, increased noise and disturbance, increased rubbish or parking could not be sustained.</p> <p>Whilst the concerns of local residents in respect of the personal circumstances/background of current and future occupants is noted, the application is considering the acceptability of the use at the site and not individual users. Other legislation beyond the planning system is available to address concerns relating to anti-social behaviour and activity.</p>	<p>Gary Christie</p> <p>Tel: 023 92688592</p> <p><b>Conditional Permission</b></p>

## Part 3 - Information and News Items

FRIDAY 13 DECEMBER 2013

	WARD		OFFICER CONTACT
10		<p><b>Governance and Audit and Standards (Assessment) sub-committee – Tuesday 17 December 2013 at 2pm in the Executive Meeting Room, Floor 3, The Guildhall, Portsmouth</b></p> <p>An (Assessment) sub-committee of the Governance and Audit and Standards Committee will meet and is expected to consider in exempt session:</p> <ul style="list-style-type: none"> <li>• A complaint against Member A</li> <li>• A complaint against Member B</li> <li>• A complaint against Member C</li> </ul>	<p><b>Vicki Plytas Senior Local Democracy Officer Tel: 9283 4058</b></p>
11		<p><b>Cabinet Member for Traffic &amp; Transportation's Decision Meeting - Thursday 19 December at 1pm in the Executive Meeting Room, 3<sup>rd</sup> Floor, Guildhall</b></p> <p>Councillor Jason Fazackarley as Cabinet Member for Traffic &amp; Transportation will consider the following reports:</p> <ul style="list-style-type: none"> <li>• New Pay &amp; Display Locations: Public Consultation via Traffic Regulation Orders</li> <li>• Enforcement for Park and Ride Bus Lanes</li> <li>• Doyle Avenue Traffic Calming - Results of Public Consultation</li> <li>• School Crossing Patrol Recruitment Update (Information Item)</li> <li>• Transport for South Hampshire - Constitution</li> </ul>	<p><b>Lucy Wingham Local Democracy Officer Tel: 9283 4662</b></p>
12		<p><b>Licensing Sub Committee - 11 December.</b></p> <p>The committee made the following decisions:</p> <ul style="list-style-type: none"> <li>• Following the exclusion of the press and public; Local Government (Miscellaneous Provisions) Act 1976 and Town Police Clauses Act 1847 - Consideration of Hackney Carriage Driver's Licence - Mr H. The committee agreed to revoke Hackney Carriage Driver's Licence previously granted to Mr H pursuant to section 61 of the Act.</li> <li>• Local Government (Miscellaneous Provisions) Act 1976 - Application for the grant of a Private Hire Driver's Licence - Mr M. The committee agreed to grant a Private Hire Driver's Licence to Mr M.</li> <li>• Back in open session, Licensing Act 2003 - Application for the variation of a premises licence - Milton Road Service Station, 144-160 Milton Road, Portsmouth, PO4 8PH. The committee agreed to grant the variation as applied for so as to permit the supply of alcohol from 0600 hours to midnight daily for consumption off of the premises. The second part of the application was also agreed which was to include the following conditions on the licence: 1. There shall be no sale of single cans of beer, lager or cider from the premises and no single bottles of beer, lager or cider in vessels of less than 500ml and 2. No super-strength beer, lager or ciders of 6.5% ABV (alcohol by volume) or above shall be sold at the premises.</li> </ul>	<p><b>Lucy Wingham Local Democracy Officer Tel: 9283 4662</b></p>

	WARD		OFFICER CONTACT
13	All	<p><b>Declaration on Tobacco Control</b></p> <p>Portsmouth City Council has signed a Declaration to ensure that tobacco control remains at the forefront of the public health agenda at the council.</p> <p>The Local Government Declaration on Tobacco Control, passed by Newcastle City Council, has been signed by 22 other councils so far. Portsmouth is the first in the south to sign the Declaration, signed by the Leader of the Council, Chief Executive and Director of Public Health.</p> <p>The Declaration includes a number of commitments for the councils taking part, including reducing smoking prevalence and health inequalities caused by smoking in the city.</p> <p>By signing the Declaration it demonstrates the council's commitment to tackle the issues relating to tobacco control and to reduce smoking prevalence to benefit the health of our residents and the local economy.</p> <p>Portsmouth already works effectively with local partners aiming to reduce the smoking prevalence in Portsmouth, alongside supporting national campaigns like Stoptober to engage with local residents. This work will continue to be a priority for Portsmouth.</p> <p>This Declaration shows Portsmouth's commitment to help residents to quit smoking. Each year 80,000 people a year die from smoking related illness in England, which makes smoking the biggest cause of premature death. By signing the Declaration we are saying we are committed to protecting our local community from the harm caused by smoking. We are already part of the Smoke Free Action Coalition which further shows our commitment to tobacco control.</p> <p>The Declaration was launched at the House of Commons on Wednesday 11 December.</p>	<p><b>Barbara Skinner and Matt Smith</b>  <b>Health, Safety and Licensing</b>  <b>Tel: 9284 1934 / 9284 1960</b></p>
14		 <p>Councillor Terry Hall wishes everyone a happy and peaceful Christmas. Instead of sending Christmas cards Terry will be making a donation to the Lord Mayor's Appeal.</p> 	

	WARD		OFFICER CONTACT
15	St Jude	<p><b>3 Boulton Road Southsea PO5 1NS</b></p> <p><b>Appeal Ref: 13/00411/FUL</b>  <b>Appeal Decision: Allowed</b>  <b>Decision Date: 9 December 2013</b></p> <p>An appeal was lodged against the refusal of planning permission for Change of use from dwelling house (Class C3) to purposes falling within Class C4 (house in multiple occupation) or Class C3 (dwelling house).</p> <p>This application was dealt with by the written representation procedure and the Inspector decided to allow the appeal.</p>	<p><b>Laura Grimason</b>  <b>Planning Services</b>  <b>Tel: 9284 1470</b></p>
16		 <p><b>Christmas Greetings</b></p> <p>Jim and Joy Patey send very best wishes to members and staff for Christmas and the New Year. They are sending this message in lieu of cards and will be making a donation to the Lord Mayor's Appeal.</p> 	

## LICENSING ACT 2003 – APPLICATIONS RECEIVED BY THE LICENSING AUTHORITY

The Licensing Authority has received the following applications in accordance with the Licensing Act 2003. The table below outlines the premises location, a brief description of the application and the closing date by which responsible authorities or other persons may make representations.

Members should be aware that representations may only be made on the grounds of one or more of the licensing objectives. These are: “the prevention of crime and disorder”, “the prevention of public nuisance”, “public safety” and “the protection of children from harm”. Any representation must be in writing and should, where possible, include evidence to support the licensing objectives. Representations should not be frivolous or vexatious.

If you have any queries relating to any of the applications outlined below, please contact the Licensing Section,  
Telephone number: 023 9283 4607 or email: [Licensing@portsmouthcc.gov.uk](mailto:Licensing@portsmouthcc.gov.uk).

<b>Item No</b>	<b>Ward</b>	<b>Licence No:</b>	<b>Premises Name and Address</b>	<b>Brief description of application:</b>	<b>Closing date for representations:</b>
<b>17</b>	St Thomas	13/04891/ LAPREM	Tiger Tiger R06 South Promenade Building Gunwharf Quays Portsmouth PO1 3TP	<b>Variation of a Premises Licences</b>  Extension of hours on a Thursday night for Sale of Alcohol and Late Night Refreshment	02/01/2014