

MINUTES OF A MEETING OF THE COUNCIL held at the Guildhall  
Portsmouth on Tuesday, 15 October 2019 at 2.00 pm

### **Council Members Present**

The Right Worshipful The Deputy Lord Mayor  
Councillor Ben Dowling (in the Chair for items 1 to 10)

#### Councillors

Dave Ashmore	Lee Mason
Matthew Atkins	Terry Norton
Chris Attwell	Stephen Morgan
Simon Bosher	Gemma New
Tom Coles	Robert New
Cal Corkery	Steve Pitt
Jason Fazackarley	Will Purvis
George Fielding	Jeanette Smith
John Ferrett	Lynne Stagg
David Fuller	Judith Smyth
Scott Payter-Harris	Luke Stubbs
Graham Heaney	Benedict Swann
Hannah Hockaday	Linda Symes
Jo Hooper	Claire Udy
Suzy Horton	Gerald Vernon-Jackson CBE
Lee Hunt	Steve Wemyss
Frank Jonas BEM	Matthew Winnington
Donna Jones	Rob Wood
Leo Madden	Tom Wood
Hugh Mason	Neill Young

#### **63. Declarations of Interests under Standing Order 13(2)(b)**

Councillor Will Purvis declared a personal, non-pecuniary interest in agenda item 17(d).

Councillor Rob Wood declared a non-pecuniary interest in agenda item 17(i).

The following members each declared a pecuniary interest in agenda item 17(i) and would leave the chamber for this item.

Councillors	D Ashmore	G New
	C Attwell	R New
	T Coles	S Pitt
	B Dowling	J Smyth
	J Fazackerley	L Stubbs
	D Fuller	L Symes
	H Hockaday	C Udy
	D Jones	G Vernon-Jackson
	L Mason	M Winnington

**64. Minutes of the Council meeting held on 16 July 2019**

It was

Proposed by Councillor Gerald Vernon-Jackson

Seconded by Councillor Luke Stubbs

That the minutes of the council meeting held on 16 July 2019 be confirmed and signed as a correct record.

**RESOLVED that the minutes of the council meeting held on 16 July 2019 be confirmed and signed as a correct record.**

**65. Communications and apologies for absence**

Apologies for absence were received on behalf of Councillor Darren Sanders.

Councillors Steve Pitt and Jo Hooper sent apologies as they would be arriving to the meeting late.

Councillor Will Purvis apologised that he would have to leave the meeting early.

The Leader of the Council, Councillor Gerald Vernon-Jackson suggested changing the order of business in order to allow Councillor Purvis' notice of motion to be held first.

It was

Proposed by Councillor Gerald Vernon-Jackson

Seconded by Councillor Rob Wood

That standing order 40 ( c ) be moved to allow this variation in the order of business. Upon being put to the vote this was CARRIED.

The Deputy Lord Mayor gave detailed information concerning filming in the chamber and reiterated the council's rules. He advised that in order to assist online viewers a webcast camera will take an overview of members in the chamber when any voting takes place.

The Deputy Lord Mayor then gave details of the evacuation procedure.

Council congratulated Councillor Will Purvis and his wife Celine on the birth of their baby daughter.

The Deputy Lord Mayor advised members of the establishment of a new group on the council - the Progressive Portsmouth People group with Councillor Claire Udy as the group leader.

The Deputy Lord Mayor welcomed to the council Natasha Edmunds, PCC's newly-appointed Director of Corporate Services.

**66. Deputations from the Public under Standing Order No 24**

The City Solicitor advised that four deputations had been received for this meeting.

A combined deputation on agenda item 17(a) - HMRC Portsmouth and 17(e) HMRC Presence in Portsmouth was made by Patrick Smyth.

The next deputation was made on agenda item 17(i) by Ms Charlotte Gerada.

The last deputation was made on agenda item 17(i) by Mr Alwin Oliver.

**67. Questions from the Public under Standing Order 25**

There were no questions from the public.

**68. Appointments**

These were dealt with under agenda item 16.

**69. Urgent Business - To receive and consider any urgent and important business from Members of the Cabinet in accordance with Standing Order No 26**

There was no urgent business.

**70. Recommendations from the Cabinet Meeting held on 9 September 2019**

**Minute 97 - Portsmouth Economic Development and Regeneration Strategy 2019-36**

This was questioned to allow for debate.

It was

Proposed by Councillor Gerald Vernon-Jackson  
Seconded by Councillor Hugh Mason

That the recommendations from Cabinet be adopted.

Following debate upon the recommendations from Cabinet being put to the vote, these were CARRIED.

**RESOLVED that council adopts the Portsmouth Economic Development and Regeneration Strategy 2019-36.**

**Minute 96 - Treasury Management Outturn Report 2018/19**

This was approved unopposed.

**71. Recommendations from the Cabinet Meeting held on 8 October 2019**

**Minute 105 - Agenda Item 10 - Southsea Coastal Flood Defences - Amendment to Capital Programme**

This was opposed to allow for debate.

It was

Proposed by Councillor Gerald Vernon-Jackson

Seconded by Councillor Hugh Mason

That the recommendations from Cabinet be adopted.

Following debate upon the recommendations from Cabinet being put to the vote, these were CARRIED.

**RESOLVED that**

- (1) in order to close the existing funding gap, the Council approve an amendment to the Capital Programme and increase the total Southsea Coastal Flood Defence budget to £131m to be funded by additional Environment Agency Grant of £24m and, if required, Corporate Capital Resources of £17m.**
- (2) That delegated responsibility be given to the Director of Regeneration and the S.151 Officer to investigate alternative funding sources between now and when this additional funding in paragraph (1) is actually required in order to mitigate the potential reduction in the Corporate Capital Resources available for future Capital Investment elsewhere across the City should the £17m be required and to amend the Capital Programme as necessary.**

Council adjourned at 3.20 pm to allow for a change to the chair for the meeting.

Council resumed at 3.25 pm when the Lord Mayor, Councillor David Fuller took the chair.

**72. Forward Plan Omission**

The council noted the Forward Plan omission in respect of agenda item 12 and that notice of the omission had been published.

**73. Recommendations from the Leader's Portfolio Meeting on 11 October 2019**

**Minute 5 - Crane Purchase**

This was approved unopposed.

**74. Recommendations from the Governance & Audit and Standards Committee held on 20 September 2019**

**Minute 49 - Contract Price Increases and Approval Process**

This was approved unopposed.

**Minute 52 - Scrutiny Call-in Arrangements**

This was approved unopposed.

**Minute 47 - Review of Polling Districts and Polling Places**

This was approved unopposed.

**75. Review of Political Proportionality on Committees and Panels**

It was

Proposed by Councillor Gerald Vernon-Jackson  
Seconded by Councillor Lynne Stagg

1. To adopt the overall political balance and allocation of seats as set out in the chief executive's report, and agree the following changes on the basis -
  - a. In accordance with Councillor Ferrett's wishes, his additional seat be on the Licensing Committee
  - b. That the Liberal Democrat Group relinquish one of their seats on the Licensing Committee (the seat currently held by Councillor Tom Wood) to be given to the Progressive People Group (Councillor Udy) to enable Councillor Udy to remain on and chair that Committee.
  - c. That the Progressive Portsmouth People Group consequently fill seats as follows -

Councillor Udy - Planning Committee and Licensing Committee

Councillor Smith - Economic Development, Culture and Leisure Scrutiny Panel and Education, Children and Young People Scrutiny Panel

- d. That the additional Liberal Democrat Group seat be filled as follows -

Housing and Social Care Scrutiny Panel

Councillor Hugh Mason to replace Councillor Udy.

2. that unrelated to the above changes -

- a. Councillor Madden to be the Liberal Democrat Group's Standing deputy on the Traffic, Environment and Community Safety Scrutiny Panel
- b. Councillor Vernon-Jackson replace Councillor Horton as a full member on the Planning Committee with Councillor Horton becoming a standing deputy on that Committee

Upon being put to the vote this was CARRIED.

**RESOLVED that the proposal set out above be adopted.**

## **76. Notices of Motion**

The proposal to move Standing Order 40(c) to vary the order of the agenda had been agreed earlier in the meeting. The notices of motion have been kept in their original place in the minutes for ease of reference. There were nine notices of motion before council.

### **76.a HMRC Portsmouth**

It was

Proposed by Councillor Jason Fazackarley  
Seconded by Councillor Leo Madden

That this matter be debated today.

Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Jason Fazackarley  
Seconded by Councillor Leo Madden

That notice of motion (a) as set out on the agenda be adopted.

As an amendment it was

Proposed by Councillor Tom Coles  
Seconded by Councillor Stephen Morgan

To remove final paragraph and replace with

"This Council asks all Group Leaders to write to the Interim HMRC Chief Executive and the HMRC Board, as well as the Treasury, imploring them to retain a working presence in Portsmouth and end their plans to withdraw city"

Following debate upon being put to the vote the amendment standing in the name of Councillor Tom Coles was LOST.

Upon being put to the vote notice of motion (a) as set out on the agenda was adopted.

**RESOLVED that the following notice of motion be adopted:**

**"In November 2015, HMRC made a national announcement proposing a massive transformation of its estate, to reduce the current network of 170 offices to 13 Regional Centres and 4 Specialist Centres. The vast majority of these offices will close by 2020/21 and all by 2025/26.**

**In Portsmouth, the effect will be to remove all HMRC work from the city, with the likely loss of over 1200 jobs. This will be another terrible blow to long-term employment prospects following on from the loss of BAE jobs.**

**Portsmouth, along with every other south coast city, will have no operational HMRC presence at all and redeployment of staff would be unlikely, as the nearest proposed regional centres will be in Bristol, Croydon and Stratford.**

**This Council deplores the decision of HMRC to withdraw from Portsmouth and believes that the job losses incurred will have a significant effect on the local economy.**

**This Council supports the HMRC staff in Portsmouth and the efforts of their PCS Union Reps to retain an HMRC presence in Portsmouth. The Council calls upon the HMRC Chief Executive and the other Senior HMRC Management to reconsider their plans and retain good quality HMRC jobs in Portsmouth.**

**The Council agrees to write to the HMRC Chief Executive and the HMRC Board, as well as the Financial Secretary to the Treasury, imploring them to retain a working HMRC presence in Portsmouth and end their plans to withdraw from the city."**

#### **76.b Supporting LGBT+ education**

It was

Proposed by Councillor Suzy Horton  
Seconded by Councillor Lee Hunt

That this matter be debated today.

Upon being put to the vote this was agreed.

It was

Proposed by Councillor Suzy Horton  
Seconded by Councillor Lee Hunt

That notice of motion (b) as set out on the agenda be adopted.

Following debate, upon being put to the vote, notice of motion (b) as set out on the agenda was adopted.

**RESOLVED that the following notice of motion be adopted.**

**Council notes:**

1. That, under the Equalities Act 2010, Portsmouth City Council has a legal duty to combat discrimination and promote equality;
2. That the Council's Equality and Diversity Strategy 2019-22 states: 'The vision of Portsmouth City Council is to achieve equality, celebrate diversity and advance inclusion in Portsmouth';
3. That the Council's Equality and Diversity Strategy 2019-22 also has, as a key objective, the need to 'create Member equality champions';
4. That there were 94 hate crimes motivated by sexual orientation recorded in Portsmouth reported by Hampshire Police in the 12 months to April 2019;
5. That the 2017 report by Stonewall: *LGBT in Britain: Hate Crime and Discrimination* noted that their results were "*particularly alarming*" for trans people and that "*Black, Asian and minority ethnic LGBT people are also disproportionately affected, with a third having experienced a hate crime or incident in the last year compared to one in five white LGBT people*".<sup>1</sup>
6. That the Department for Education's draft guidance on Relationships Education, Relationships and Sex Education (RSE) and Health Education, which are expected to take effect in September 2020, states that "*we expect all pupils to have been taught LGBT content at a timely point as part of this area of the curriculum*". It says schools should "*ensure that this context is fully integrated into their programme of study for this area of the curriculum rather than delivered as a stand-alone unit or lesson*" and that their teaching should be "*sensitive and age appropriate*";
7. That the attempts to teach an LGBT+ inclusive curriculum at a number of Birmingham schools have been met with protests. The headteacher of one of the affected schools said they had led to

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<sup>1</sup> <https://www.hampshire-pcc.gov.uk/wp-content/uploads/2019/04/HC-Public-Data-FY-201819.pdf>

- “distress and harassment” and warned that “we cannot be a primary school if staff and children are afraid to come to school”;***<sup>2</sup>
8. That 45% of LGBT+ young people report being bullied at school because of their sexual orientation;<sup>3</sup>
  9. That 9% of trans pupils report receiving death threats at school;<sup>4</sup>
  10. That only 40% of LGBT+ young people report having someone at home they can talk to about their sexuality;<sup>5</sup>
  11. That Dr Mary Bousted, the joint general secretary of the National Education Union has stated that ***“education professionals want PSHE and RSE to become compulsory in all schools so they can help young people to become resilient, well-rounded and confident adults. Teaching young people about sex and relationships helps them to make well-informed choices. Parents support this, education professionals support this and, most importantly, young people want this. The Education Select Committee also recommends it is taught in schools.”***<sup>6</sup>
  12. That, of 810 young people aged 16-25 surveyed by the Terrence Higgins Trust, 787 (97%) wanted Sex and Relationship lessons to be LGBT+ inclusive;<sup>7</sup>
  13. That, despite this, politicians from major parties continue to argue that it is right for children not to learn about LGBT+ relationships. For example, the Rt Hon Esther McVey (Cons, Tatton; Housing and Planning Minister) has said ***“it is down to parents”*** whether their children should participate in these lessons and the Hon Roger Godsiff (Lab, Birmingham Hall Green) has stated he has ***“concerns about the age appropriateness of children of four and five being introduced to these ideas”***.<sup>8</sup>

#### **Council believes:**

1. In the equality of all people, regardless of their sexual orientation or gender identity;

<sup>2</sup> [https://www.huffingtonpost.co.uk/entry/birmingham-lgbt-protests\\_uk\\_5cfe920ce4b0aab91c09c9a4?guccounter=1&guce\\_referrer=aHR0cHM6Ly93d3cuZ29vZ2xllmNvLnVrLw&guce\\_referrer\\_sig=AQAAAGaWQaYuOuDX87kNePfvxUV5ZVJU7HLRopvGjFHBRd1kE56XzBilRsdruBtkewKcfwlySYCQZf4Td6bsLdJdEzHD2EQjG1\\_sJ5CCmvaJlhBhTxuh7n6XUi0pgu9dRZEYeBmtAROkx8d2pdc3IT9fuzMNCB2yD\\_vsXr2RG7k8Gn6](https://www.huffingtonpost.co.uk/entry/birmingham-lgbt-protests_uk_5cfe920ce4b0aab91c09c9a4?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xllmNvLnVrLw&guce_referrer_sig=AQAAAGaWQaYuOuDX87kNePfvxUV5ZVJU7HLRopvGjFHBRd1kE56XzBilRsdruBtkewKcfwlySYCQZf4Td6bsLdJdEzHD2EQjG1_sJ5CCmvaJlhBhTxuh7n6XUi0pgu9dRZEYeBmtAROkx8d2pdc3IT9fuzMNCB2yD_vsXr2RG7k8Gn6)

<https://news.sky.com/story/lgbt-lesson-row-school-staff-have-counselling-over-homophobic-protests-in-birmingham-11737134>

<sup>3</sup> [https://www.stonewall.org.uk/system/files/the\\_school\\_report\\_2017.pdf](https://www.stonewall.org.uk/system/files/the_school_report_2017.pdf)

<sup>4</sup> [https://www.stonewall.org.uk/system/files/the\\_school\\_report\\_2017.pdf](https://www.stonewall.org.uk/system/files/the_school_report_2017.pdf)

<sup>5</sup> [https://www.stonewall.org.uk/system/files/the\\_school\\_report\\_2017.pdf](https://www.stonewall.org.uk/system/files/the_school_report_2017.pdf)

<sup>6</sup> <https://www.tht.org.uk/sites/default/files/2018-07/Shh%20No%20talking%20LGBT%20inclusive%20SRE%20in%20the%20UK.pdf>

p.17

<sup>7</sup> <https://www.tht.org.uk/sites/default/files/2018-07/Shh%20No%20talking%20LGBT%20inclusive%20SRE%20in%20the%20UK.pdf>

p.30

<sup>8</sup> <https://www.birminghammail.co.uk/news/showbiz-tv/moment-esther-mcvey-doubles-down-16371454>

[https://en.wikipedia.org/wiki/Roger\\_Godsiff](https://en.wikipedia.org/wiki/Roger_Godsiff)

2. That prejudice against LGBT+ people frequently interacts with and worsens other forms of prejudice, including that aimed at people on the basis of their gender, ethnicity, religion and socio-economic status. Therefore, countering anti-LGBT+ prejudice will help reduce other forms of hatred and discrimination;
3. That relationship education should be a compulsory part of the curriculum at all schools and for every child;
4. That the age appropriateness of sex and relationship education is not affected by recognising the existence of differing sexual orientations and gender identities;
5. It is not realistic nor desirable for any parent to expect their child's school to keep them in ignorance of LGBT+ relationships;
6. That most of the arguments offered against LGBT+ inclusive education fail to distinguish between sex and relationship education and/or do not recognise that schools are required to ensure lessons on these topics are age appropriate;
7. That teaching an LGBT+ inclusive curriculum in schools will foster attitudes among citizens that promote an inclusive and cohesive society in which homophobic hate crimes are rarer.

**Council, therefore, welcomes:**

1. The inclusion of LGBT+ content in the DfE draft guidance on Relationships Education, Relationships and Sex Education (RSE) and Health Education.

**Council resolves:**

1. To ask the Cabinet Member for Education to work with the PHSE Framework Development Officer and the Diversity in Education Network to offer every school support with delivering an LGBT+ inclusive curriculum;
2. That, in the event any schools in Portsmouth are subject to demonstrations as a result of teaching an LGBT+ inclusive curriculum, the Council will not tolerate the disruption of children's education nor the intimidation of pupils, staff or parents;
3. To ask Cabinet to appoint an elected Member LGBT+ children and young people's champion.

**NOTE -**

***Portsmouth City Council, in providing the links to external websites, is not endorsing the content or security. You should carefully check the privacy settings of each to ensure your personal data will not be used for unexpected or unwanted purposes, either by the website owners or its associates.***

**76.c Stop the Service Charge**

It was

Proposed by Councillor Matthew Winnington  
 Seconded by Councillor Gerald Vernon-Jackson

That this matter be debated today.

Upon being put to the vote this was agreed.

It was

Proposed by Councillor Matthew Winnington  
 Seconded by Councillor Gerald Vernon-Jackson

That notice of motion (c) as set out on the agenda be adopted.

Following debate upon notice of motion (c) being put to the vote this was  
 CARRIED.

**RESOLVED that the following notice of motion be adopted.**

**"Portsmouth City Council supports the Stop the Service Charge campaign led by the Royal British Legion to end the charging of fees on Indefinite Leave to Remain visas for Commonwealth former service personnel who have served for at least four years, which is the point when former service personnel are eligible to apply for Indefinite Leave to Remain.**

**Portsmouth, as home of the Royal Navy, has many Commonwealth and other foreign naval veterans living in the city who have had to pay nearly £2,500 per visa application which has often put them and their families into debt. There are also many Commonwealth and other foreign servicemen and women living in Portsmouth who will be faced with this bill when they leave the services for themselves and their family members.**

**The Council recognises the Early Day Motion (EDM) first presented to the House of Commons in March 2019 that addresses this issue and has support from MPs from all parties that take their seats in the Commons and therefore encourages the two Portsmouth MPs to support this EDM as well.**

**To show support for the Royal British Legion campaign and also the plight of non-Commonwealth foreign former service personnel a letter will be prepared from all Portsmouth City Council members who wish to sign it to send to the Government asking for the visa fees to be dropped for former service personnel and their families who have served in the armed forces for at least four years."**

**76.d EU Citizens**

It was

Proposed by Councillor Will Purvis  
Seconded by Councillor Ben Dowling

That notice of motion (d) be debated today.

Upon being put to the vote this was agreed.

It was

Proposed by Councillor Will Purvis  
Seconded by Councillor Ben Dowling

That notice of motion (d) as set out on the agenda be adopted.

Following debate, upon being put to the vote, this was CARRIED.

**RESOLVED that the following notice of motion be adopted.**

**"Council notes that EU nationals are part of our shared communities. They are our partners, parents, friends and colleagues. They are an integral part of a vibrant and thriving Portsmouth.**

**Since 2016 EU nationals (including those in Portsmouth) have been promised again and again that "there will be no change for EU citizens already lawfully resident in the UK and ... will be treated no less favourably as they are at present".**

**After three years of Portsmouth residents living in limbo, their homes and livelihoods are yet again being threatened by the further uncertainty brought about by the prospect of an even more chaotic no-deal Brexit.**

**According to the Home Office's June statistics, only a third of EU nationals have applied for the Settled Status and 42% of them have been granted the inferior Pre-Settled status leading them to reapply for the Settled status later on. There is no possibility to know how many EU nationals need to apply, leaving vulnerable and unaware EU nationals at risk of becoming unlawful residents at the mercy of the Home Office's hostile environment. Lack of clarity regarding differentiating between EU citizens arriving before and after the UK's exit from the EU will likely lead to discrimination in the labour market and will prevent many from accessing the services that they are entitled to in Portsmouth.**

**Another Windrush-like scandal is unfolding right before the eyes of this Council and we mustn't be passive observers to it.**

**Therefore, the Council asks that:**

**1. Officers, through the Cabinet, undertake an urgent review of how a disorderly exit from the EU is likely to affect EU nationals accessing services provided or managed by the Council (licensing, benefits etc).**

**2. Officers, through the Cabinet, report on how the Council, at local level, can mitigate adverse impacts on the rights of EU nationals (including but not limited to advising on what the Council can do to help landlords and employers to be trained on immigration status and therefore avoid potential discrimination against EU nationals).**

**3. The Leader of the Council writes to the Home Secretary to ask that the current European Settlement Scheme is clarified by:**

- **Providing a clear deadline for application to the EUSS in case of no-deal exit from the EU.**
- **Providing physical proof of Settled status to those Portsmouth residents that have obtained the status which can be used to access services.**
- **Confirming that there will be no changes to the rights of settled EU citizens that they currently have by ratifying the Immigration Bill as primary legislation before the exit day.**
- **Replacing the current European Settlement scheme with a registration scheme without a deadline where EU citizens are considered lawful by default and can request a proof of immigration status only when they are asked to demonstrate it."**

#### **76.e HMRC Presence in Portsmouth**

As motion (a) above had already been considered at the council meeting, notice of motion (e) could not subsequently be put and considered as it was caught by the council's standing orders in respect of the six month rule.

Council adjourned at 6.35 pm.

Council resumed at 7.15 pm.

#### **76.f Stanhope House**

It was

Proposed by Councillor Luke Stubbs  
Seconded by Councillor Donna Jones

That this matter be debated today.

Upon being put to the vote, this was agreed.

It was

Proposed by Councillor Luke Stubbs  
Seconded by Councillor Donna Jones

That notice of motion (f) as set out on the agenda be ADOPTED.

As an amendment it was

Proposed by Councillor Graham Heaney

Seconded by Councillor Judith Smyth

**Add**

**"This situation highlights a gap in current regulation and accountability. We therefore call upon the Leader of the Council and the Chief executive to work with the local MP's, the Vice Chancellor of the University of Portsmouth, and to liaise with the Local Government Association to:**

- 1. Press the government to bring private developers, providing student accommodation within the current regulatory framework for student accommodation as is required for university provided accommodation.**
- 2. Assist the Cabinet in developing a local planning policy for inclusion within the Local Plan which requires developers to design and develop plans which demonstrate that student accommodation could easily be changed into decent standard homes for other age groups and households if necessary."**

The mover of the original motion agreed to subsume into it the amendment.

Following debate, upon the substantive notice of motion including the amendment being put to the vote, this was CARRIED.

**RESOLVED that the following notice of motion be adopted.**

**"The failure of Prime Student Living and its contractor to complete the development of Stanhope House on time has caused the many students who should have been living there from the start of term distress and financial loss.**

**Council is disappointed by the cavalier attitude of the company to deal with this issue properly. The losses to students go far beyond financial, as many missed out on the important induction events including Freshers' Week. Many members of this council have been contacted by concerned students and parents expressing their serious concerns about this situation.**

**Council calls upon the Chief Executive to write to Prime Student Living to express its concern and to add its voice to those seeking appropriate and comprehensive recompense for those who have suffered losses.**

**This situation highlights a gap in current regulation and accountability. We therefore call upon the Leader of the Council and the Chief executive to work with the local MPs, the Vice Chancellor of the University of Portsmouth, and to liaise with the Local Government Association to:**

- 1. Press the government to bring private developers, providing student accommodation within the current regulatory framework for student accommodation as is required for university provided accommodation.**
- 2. Assist the Cabinet in developing a local planning policy for inclusion within the Local Plan which requires developers to design and develop plans which demonstrate that student accommodation could easily be changed into decent standard homes for other age groups and households if necessary. "**

#### **76.g Nitrates**

It was

Proposed by Councillor Terry Norton  
Seconded by Councillor Donna Jones

That this matter be debated today.

Upon being put to the vote this was agreed.

It was

Proposed by Councillor Terry Norton  
Seconded by Councillor Donna Jones

That notice of motion (g) as set out on the agenda be adopted.

As an amendment it was

Proposed by Councillor Steve Pitt  
Seconded by Councillor Hugh Mason

**"In the first para, first sentence, replace the word "failure" with "inability" and**

**Add after 1st May 2019 ", which would add additional bedrooms. This was as the result of a decision taken by Natural England who are a statutory consultee on all planning applications."**

**In the second sentence, add after "new housing" the words ", which is set by Government."**

**In the third sentence replace "lack of" with "time which needed to be taken to" and**

**Replace "adopted" with "adopt a" and delete "or long term" and After the words "mitigation strategy" replace "is" with ", for the next three years was"**

**In the fourth sentence replace "This is a" with "This has been a".**

**In the second para, Replace  
"requests" with "notes that" and  
"writes to" with "has written to" and  
Delete "and long term"**

**Delete all words after "mitigation" and replace with "is being put in place."**

**Add at the end**

**"The Council further notes that the backlog of applications caused by Natural England's position should be cleared within the next three months."**

The mover of the original motion agreed to subsume into it the amendment.

Following debate, upon the substantive notice of motion including the amendment being put to the vote, this was CARRIED.

**RESOLVED that the following notice of motion be adopted.**

**"Unacceptably high levels of Nitrates across the Solent has resulted in the inability of Portsmouth City Council to issue a single residential planning consent since 1st May 2019, which would add additional bedrooms. This was as the result of a decision taken by Natural England who are a statutory consultee on all planning applications.**

**This is seriously undermining the council's ability to meet the Delivery Test on new housing, which is set by Government.**

**As well as failing to meet critical housing targets, the time which needed to be taken to adopt a short term mitigation strategy, for the next three years was threatening the livelihoods of thousands of people across the city. This has been a serious issue and as such local people and businesses deserve a full explanation of the current position of the council.**

**Full council therefore notes that the Cabinet Member for Culture & City Development has written to all members of the city council providing a detailed explanation of what short term mitigation is being put in place.**

**The Council further notes that the backlog of applications caused by Natural England's position should be cleared within the next three months."**

#### **76.h Water Refill Stations**

It was

Proposed by Councillor Luke Stubbs  
Seconded by Councillor Linda Symes

That this matter be debated today.

Upon being put to the vote this was agreed.

It was

Proposed by Councillor Luke Stubbs  
Seconded by Councillor Linda Symes

That notice of motion (h) as set out on the agenda be adopted.

Following debate upon being put to the vote this was LOST.

Council adjourned at 8.53 pm in order to allow for a change in the chair and for those members who had declared interests in this item to leave the Chamber.

Council resumed at 8.55 pm.

The Local Democracy Manager, Stewart Agland, advised that in the absence of the Lord Mayor and the Deputy Lord Mayor, a Chair would have to be elected for the next item.

It was proposed by Councillor Payter-Harris  
Seconded by Councillor Hugh Mason

That Councillor Frank Jonas be elected as Chair for the next item, notice of motion 76i.

Upon being put to the vote this was CARRIED.  
Councillor Frank Jonas then took the Chair.

#### **76.i Improving Private Rented Sector Standards Through Landlord Licensing**

It was

Proposed by Councillor Cal Corkery  
Seconded by Councillor George Fielding

That this matter be debated today.

Upon being put to the vote this was agreed.

It was

Proposed by Councillor Cal Corkery  
Seconded by Councillor George Fielding

That notice of motion (i) as set out on the agenda be adopted.

As an amendment it was

Proposed by Councillor Lee Hunt  
Seconded by Councillor Lynne Stagg

"

1. In para 2, line 1, 22.1% becomes 22.3%
2. Delete the final sentence of para 2
3. In para 4, line 1, insert word 'some' after In
4. Replace sentence two in para five with: "Licensing of all HMOs in areas of significant concern with more than three unrelated people was introduced in 2013, but lapsed due to Government rules saying that continuing with it required the scheme to have failed, for which at that time there was no evidence."
5. In para 6, line 1, replace 'is' with 'can be'
6. In para 6, line 3, insert 'some' after 'have'
7. In para 6, please add at the end. "However, this type of licensing cannot deal with rent arrears - a common cause of private tenancies in Portsmouth ending - nor can poor property conditions be included on the licence.
8. Split the two sentences in Para 7, keeping both as stand-alone and insert in between these sentences two new Paras 8 and 9.

As a result, the Cabinet has, among other things, been tackling the problem by:

- Buying homes to house our homeless
- Using private rented properties to enable people to move into more sustainable accommodation
- Building 23 flats at the long-vacant Southsea Community Centre site
- Working with VIVID Homes to deliver 183 new homes at Kingston Prison at rent levels Portsmouth people can really afford
- Buying back empty council properties.

However, more must be done. That is why the Cabinet will:

- Expand the rent deposit scheme
- Make the Council a guarantor for people wanting to rent privately
- Buy more homes, including empty private properties
- Work with organisations such as Hope Into Action so they can provide homes for our homeless too.

9. Replace final para with:

"Council recognises the need to make the private sector easier and safer. It also agrees with the 2019 MHCLG report into selective licensing that states that, should it happen, it needs to be included alongside other community-based measures.

"On that basis, Council notes a report on ways to make renting privately easier and safer is coming to the Housing Decision meeting on 21

**October. This will lead to a strategy in early 2020 and, before then, an informal consultation with stakeholders on topics such as:**

- **Selective and additional licensing**
- **Proactive inspections of bad properties**
- **Compulsory registration**
- **More education about tenants' rights and responsibilities**

**"Council agrees that any future policy it produces on making renting privately easier and safer must include ways to tackle rent arrears and poor property conditions. "**

As an amendment it was

Proposed by Councillor Scott Payter-Harris

Seconded by Councillor Simon Boshier

**To add the following**

**"Full Council recognises that while the additional costs of a licensing scheme would fall on the landlord, in practice this will fall onto the tenant through higher rents and therefore there is a trade off on whether to introduce a scheme.**

**Council also notes that issues with tenants' rights are not contained within the Private Sector only, and a number of issues arise each year through properties owned by Registered Social Housing providers. "**

Following debate, a vote was taken on the amendment proposed by Councillor Hunt which was CARRIED.

A vote was then taken on the amendment proposed by Councillor Payter-Harris which was CARRIED.

Upon the substantive notice of motion including both amendments being put to the vote, this was CARRIED.

**RESOLVED that the following notice of motion be adopted.**

**"The causes of the housing crisis are complex and varied but it is without doubt that a key contributory factor has been the deregulation of housing standards and weakening of local authority enforcement powers.**

**In Portsmouth 22.3% of households rent their properties from private landlords, compared with 16.3% across the whole of the South East. In a number of Portsmouth council wards that figure is over 40%.**

**Around the country councils are addressing these issues by implementing selective licensing schemes whereby all private landlords in particular areas are required to be licensed by the local authority. This**

**differs from mandatory licensing which applies only to Houses in Multiple Occupancy (HMOs).**

**In some areas where such schemes have been implemented there have been improved standards in the private rented sector, reduced anti-social behaviour and a decline in the poor management of properties by rogue landlords. In Newham, selective licensing has been used to address poor standards across the private rented sector, to protect tenants and to tackle criminal landlords, resulting in 1,306 prosecutions since the scheme was introduced.**

**In Portsmouth large HMOs, consisting of 5 or more unrelated persons, are currently licensed in a similar way. Licensing of all HMOs in areas of significant concern with more than three unrelated people was introduced in 2013, but lapsed due to Government rules saying that continuing with it required the scheme to have failed, for which at that time there was no evidence."**

**Landlord licensing can be self-financing with income generated through licence application costs which can then be spent on the administration of the scheme. Authorities have some discretion to set the precise conditions of the licence. These can include conditions relating to the use and occupation of the house, and measures to deal with anti-social behaviour of the tenants or those visiting the property. However, this type of licensing cannot deal with rent arrears - a common cause of private tenancies in Portsmouth ending - nor can poor property conditions be a condition of the licence.**

**Our council's own statistics show the single highest cause of homelessness to be the ending of a private sector tenancy.**

**As a result, the Cabinet has, among other things, been tackling the problem by:**

- **Buying homes to house our homeless**
- **Using private rented properties to enable people to move into more sustainable accommodation**
- **Building 23 flats at the long-vacant Southsea Community Centre site**
- **Working with VIVID Homes to deliver 183 new homes at Kingston Prison at rent levels Portsmouth people can really afford**
- **Buying back empty council properties.**

**However, more must be done. That is why the Cabinet will:**

- **Expand the rent deposit scheme**
- **Make the Council a guarantor for people wanting to rent privately**
- **Buy more homes, including empty private properties**
- **Work with organisations such as Hope Into Action so they can provide homes for our homeless too.**

**Landlord licensing schemes can help to reduce evictions and homelessness approaches by forcing irresponsible landlords out of the sector and giving tenants greater protections.**

**Landlords who consistently meet their legal and ethical obligations to tenants should have nothing to fear from landlord licensing. It is their less scrupulous peers who will become subject to greater scrutiny and enforcement action.**

**Full Council therefore recognises the need to make the private rented sector easier and safer. It also agrees with the 2019 MHCLG report into selective licensing that states that, should it happen, it needs to be included alongside other community-based measures.**

**On that basis, Council notes a report on making renting privately easier and safer is coming to the Housing Decision meeting on 21 October. This will lead to a strategy in early 2020 and, before then, an informal consultation with stakeholders on topics such as:**

- **Selective and additional licensing**
- **Proactive inspections of bad properties**
- **Compulsory registration**
- **More education about tenants' rights and responsibilities**

**Council agrees that any future policy it produces on making renting privately easier and safer must include ways to tackle rent arrears and poor property conditions.**

**Full Council recognises that while the additional costs of a licensing scheme would fall on the landlord, in practice this will fall onto the tenant through higher rents and therefore there is a trade off on whether to introduce a scheme.**

**Council also notes that issues with tenants' rights are not contained within the Private Sector only, and a number of issues arise each year through properties owned by Registered Social Housing providers."**

Council adjourned at 10.00 pm to allow for the Lord Mayor, Councillor David Fuller to resume the chair.

Council resumed at 10.03 pm.

## **77. Questions from Members under Standing Order No 17**

There were 13 questions before council.

### **Question 1 was from Councillor Terry Norton**

"Is the Cabinet Member seeking bids for sponsorship of the Spinnaker Tower beyond next year?"

This and supplementary questions were answered by Councillor Steve Pitt

**Question 2 was from Councillor Simon Boshier**

"Why is the local plan 18 months late?"

This and supplementary questions were answered by Councillor Steve Pitt.

**Question 3 was from Councillor Luke Stubbs**

"Why has the council's bids for the Future High Streets fund not been published?"

This and supplementary questions were answered by Councillor Steve Pitt.

**Question 4 was from Councillor Matthew Atkins**

"The King George V playing fields are some of the largest and best sports facilities owned by this Council. Given how important it is to encourage healthy living and community sport in the city, can you please explain the horrendous delay in starting repairs to the changing facilities?"

This and supplementary questions were answered by Councillor Steve Pitt.

**Question 5 was from Councillor Linda Symes**

"Would you agree that Councillors can have confidential meetings with Senior officers?"

This and supplementary questions were answered by Councillor Steve Pitt.

**Question 6 was from Councillor Scott Payter-Harris**

"Can you give an update to the council regarding potential policy changes with the taxi trade regarding implementation of a CAZ in Portsmouth?"

This and supplementary questions were answered by Councillor Claire Udy, Chair of Licensing.

The 45 minutes allowed for questions expired before the remaining 7 questions could be put and so in accordance with Standing Order 17(h) written replies would be circulated to members.

The meeting concluded at 10.50 pm.

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Lord Mayor