

City of Portsmouth MEMBERS' INFORMATION SERVICE

NO 4

DATE: FRIDAY 24 JANUARY 2014

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 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

	WARD	DECISION	OFFICER CONTACT
1		<p>The Cabinet Member for Culture Leisure & Sport decision meeting was held at 1pm on 17 January 2014 in the Executive Meeting Room, The Guildhall, Portsmouth.</p> <p>Councillor Lee Hunt made decisions on the following item:</p> <p>Victorious Music & Cultural Festival</p> <p>DECISIONS:</p> <p>(1) That authority is given to enter into a 5 year agreement with a potential extension of a further 2 years with Victorious Festival to hold an annual 2 day event over the August Bank Holiday weekend of commencing in August 2014.</p> <p>(2) To support the organisers to hold the event within a fenced in area as defined for 2014 in the attached map (Appendix A) and to ensure that the organisers apply for a Premises Licence to comply with the Licensing Act 2003 for the provision of all licensable activities which apply to this event. In addition, the organisers must ensure that they work in partnership with the usual authorities towards a successful application for a premises licence satisfactorily promotes the licensing objectives.</p> <p>(3) That the directly provided PCC facilities of the D Day museum and Southsea Castle within this area to be offered free of charge during this event.</p> <p>(4) That a financial model is agreed with the organisers to comply with PCC's 'fees and charges' for the hire of Parks and Open Spaces and to have further negotiations with the Victorious Festival organisers to seek potential storage solutions for the infrastructure equipment with PCC then having usage of the equipment.</p> <p>(5) That officers be instructed to bring a full evaluation report of the 2014 event to the Cabinet Member for Culture, Leisure and Sport decision meeting in autumn 2014.</p> <p>NB Call in date: Monday 27 January 2014</p>	<p>Lisa Gallacher, Customer, Community & Democratic Services Tel: 9283 4056</p>

	WARD	DECISION	OFFICER CONTACT
2		<p>Cabinet Decision Meeting - 21 January</p> <p>The Cabinet made the following decisions:</p> <p>Palmerston Road</p> <p>DECISIONS:</p> <p>(1) Members noted the extensive consultation that has been undertaken regarding the Southsea Retail area, and the analysis of the current operation of the Palmerston Road scheme;</p> <p>(2) Members noted the action required to facilitate full pedestrianisation of Palmerston Road with a physical barrier across the road at 11am each morning;</p> <p>(3) That a taskforce is created to address the concerns of anti-social behaviour in Palmerston Road to be led by Councillor Vernon Jackson, and include representation from the following areas: Police, Legal, Licensing, Ward Councillors, PubWatch, the City Centre Manager, Environmental Health, Chair of Southsea Traders, Street Pastors, and a representative from each of the following residential blocks: Villiers Court, Palm Court, Queens Keep and Hamilton House; and the Chair of the Southsea restaurateurs;</p> <p>(4) Members noted the advice from the City Centre Manager that pedestrianisation will enable the full benefits to be realised, improving the economy within Southsea. It is also noted that the pedestrianised area will enable the increased frequency of daytime, family-orientated outdoor markets (for a range of purposes).</p> <p>(5) Members instructed officers responsible for environmental health, licensing and community safety to be more proactive in dealing with issues of noise and antisocial behaviour;</p> <p>(6) Following representations from both the public and retailers, planters in Palmerston Road are retained as per the majority of the responses received, and there will be further dialogue regarding improvement before any installation of planters in Osborne Road;</p>	<p>Joanne Wildsmith Customer, Community & Democratic Services Tel: 9283 4057</p> <p>Pam Turton Transport and Environment Tel: 9283 4614</p>

	WARD	DECISION	OFFICER CONTACT
	Contd/...	<p>(7) Relevant officers ensure that re-planting is carried out as a priority with suitable foliage;</p> <p>(8) The Cabinet recognised that the licensing laws relating to the sale of alcohol, regulated entertainment and late night refreshment are deemed to be a non-executive function and therefore no decision making powers are available to it. However, the Cabinet strongly recommends to the Licensing Committee that in those cases where a premises licence allowing late night drinking is subject to review under the provisions of the Licensing Act 2003, serious consideration should be given to the modification of the licence so as to include a requirement that those individual premises should install a suitable system for monitoring persons entering the premises (e.g., ScanNet).</p> <p>(9) The Cabinet acknowledged that in making this recommendation the Licensing Authority will continue to consider such applications on individual merit and will only exercise such powers where appropriate to do so.</p> <p>(10) The Cabinet also recognised and is pleased to note that the majority of late night premises who primarily sell alcohol and provide regulated entertainment in Palmerston Road support the use of such systems as ScanNet and in particular it notes that following discussions with the Police the Slug and Lettuce, Lord Palmerston and Drift Bar are already using these systems and are commended for doing so;</p> <p>(11) That consultation is undertaken to improve and increase short-term parking provision in the vicinity of the southern end of Palmerston Road to support local traders.</p> <p>MB Zone (residents parking - Orchard Road)</p> <p>DECISIONS:</p> <p>Following the 4 November 2013 cabinet minute 82(1) which decided to extend the MB parking zone, this extension will now be a new zone (MC) operating as "permit holders only" for a 2 hour period each day.</p> <p>NB: Call in date: Thursday 30 January 2014</p>	

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 and must be received by not later than 5pm on Friday 31 January 2014.**

An email or handwritten letter will suffice.

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

PORTFOLIO: PLANNING, REGENERATION & ECONOMIC DEVELOPMENT

FRIDAY 24 JANUARY 2014

	WARD	SUBJECT AND PROPOSAL	OFFICER CONTACT
3	Hilsea	<p>Proposed Disposal of Freehold Site H21 Limberline Road Hilsea</p> <p>Proposal that the freehold interest of Site H21 Limberline Road be sold to the long leaseholder for a price of £48,000.</p> <p>The property is leased to James Crean Holdings (UK) Limited who have transferred the interest to a self-invested pension plan. The ground lease is for 99 years from 1 January 1967 and has an unexpired term remaining of 52 years. The premises are occupied by an associated company of the leaseholder called Factor O Limited who trade as a supplier of fibre glass products used in the boat building / repair industries. The income from the property is £275 per annum and is fixed until lease expiry. A plan showing the location of the property is attached. There is considerable marriage value contained within the respective property interests at the site. The long leaseholder has indicated a desire to acquire the freehold interest and this provides an opportunity for the council to realise £48,000 from the sale of their interest.</p> <p><u>Reasons for recommendations:</u></p> <p>The proposal allows the council to realise £48,000 of capital from an asset which is currently producing a low income of £275 per annum.</p> <p>In addition the purchaser will pay £500 towards the council's legal fees.</p>	<p>Gary Streets Corporate Assets 023 9283 4265</p>

	WARD	SUBJECT AND PROPOSAL	OFFICER CONTACT
4	Charles Dickens	<p>Dugald Drummond House and Former Greetham Street Car Park</p> <p>Proposals that:</p> <ul style="list-style-type: none"> • The appropriation of the property shown edged red on the plan (copies are in members' rooms) to be held for Planning Purposes under the Town and Country Planning Acts be approved. • Subject to no objections being received, the disposal of the property pursuant to Section 233, Town and Country Planning Act 1990 be confirmed. • Officers be authorised to include provisions in the sale contract that the purchaser shall indemnify the Council for any costs incurred and any liability for compensation arising on a statutory or other basis from or in connection with reliance on Section 237 to override the covenants referred to in this item. <p>Background</p> <p>Cabinet at its meeting 17 September 2012 resolved to approve the disposal of this property because it was surplus to requirements. It was marketed in 2013 and a decision has been made to proceed with the top offer. The prospective purchaser and developer has come forward with proposals to develop Dugald Drummond House and the Greetham Street Car Park for a student housing scheme together with market traders' stores which are to be relocated to accommodate the Northern Quarter proposals. Implementing such a proposal will secure construction of a building needed for the proper planning of the area in that, in addition to the student accommodation proposed by the proposed developer, it will allow relocation of the storage for market traders, thereby facilitating progress of the Northern Quarter proposals in accordance with the development plan .In order to proceed on this basis the site would firstly need to be appropriated to use for planning purposes.</p> <p>The council title on the Former Greetham Street Car Site is subject to covenants in favour of Network Rail which amongst other things provide that:</p> <ul style="list-style-type: none"> • The council shall not carry out any excavations or do any other thing which, in the opinion of the Chief Engineer ,would cause damage or injury to Network Rail and • All buildings erected on the Council's land shall be in accordance with plans, sections and specifications previously submitted to and approved by Network Rail 	<p>David Ball Corporate Assets Business and Standards Tel: 9283 4261</p>

	WARD	SUBJECT AND PROPOSAL	OFFICER CONTACT
	<p>Contd/...</p>	<p>Two distinct permissions are required from Network Rail to permit development of the site. Firstly the proposal must be signed off by their Asset Protection Team who need to be satisfied that the proposed development, its construction and subsequent use will not have any impact on the operational activities of the Railway. Secondly the consent required under the covenant mentioned above. At a practical level the approval of plans by the Asset Protection Team should lead to the approval necessary under the covenant.</p> <p>However the consent provisions under the covenant are not qualified and the prospective purchaser is concerned this may cause a concern to their funders which might delay implementation of their proposals. Whilst this is considered a minimal risk officers have approached Network Rail with the prospective purchaser to seek some re assurance over the approval process. The issue is one of timing as the plans will not be sufficiently developed to enable the consents to be available before exchange of contracts.</p> <p>There are also unspecified covenants in respect of rights of way and drainage which the purchaser's funders may also raise.</p> <p>Statutory powers have been given to local authorities in respect of land appropriated for planning purposes to override these covenants subject to the development or use of the land being in accordance any planning permission being granted. The statutory provisions are subject to compensation being payable to Network Rail and others for loss of the benefit of the covenants. The council should proceed with the disposal only if the developer who will benefit from the covenants being overridden indemnifies the council for all costs, expenses and compensation payments to which the council becomes liable (In the event of default on the indemnity, the council would remain liable).</p> <p>In order to proceed with an initiative which would support delivery of the Northern Quarter Development and accord with the development plan¹, the land should first be appropriated.</p> <p>Following the appropriation, the disposal of such land is authorised by further statutory provisions in the Town and Country Planning Act, in a case where it is considered by the Council that the disposal is expedient to secure the best use of that or other land, or will secure works needed for the proper planning of the area.</p>	

PORTFOLIO: CABINET

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	WARD	SUBJECT AND PROPOSAL	OFFICER CONTACT
	Contd/...	<p>Officers are of the opinion that following the appropriation, the council may dispose of the land to the prospective developer (subject to the indemnity being given) having regard to the expediency of relocating the market traders' storage, and supporting development of the Northern Quarter, and that the development will secure an appropriate use of the land, and allow for the best use to be made of the substituted land in the Northern Quarter.</p> <p>¹ Policy PCS4 of the Portsmouth Plan (adopted in January 2012) and the City Centre Masterplan - Supplementary Planning Document (adopted in January 2013).</p>	

PORTFOLIO: PLANNING, REGENERATION & ECONOMIC DEVELOPMENT.

FRIDAY 24 JANUARY 2014

	WARD	SUBJECT AND PROPOSAL	OFFICER CONTACT
5	Milton	<p>Proposed Disposal of Freehold Site 10a and Part Site 11 Rodney Road Fratton</p> <p>Proposal that the sale of the freehold interest of Site 10a and Part Site 11 Rodney Road to the existing long leaseholder Gullville Limited for a price of £85,000 be approved.</p> <p>The property is leased to Gullville Limited on two ground leases dated 20th September 1948 and 30th January 1956. The lease agreements have unexpired terms of 34 and 41 years respectively. The combined rental income is £164.40 per annum. The premises are occupied by Speedyhire plc as a plant hire depot. Copies of the plan showing the location of the property is in members' group rooms.</p> <p>There is considerable marriage value locked within the respective property interests at the premises. The long leaseholder has indicated a desire to acquire the freehold interests and this provides an opportunity for the council to realise £85,000 from the sale of its interest.</p> <p><u>Reasons for recommendations</u></p> <p>The proposal allows the council to realise a capital receipt of £85,000 from an asset which is currently only producing a nominal income of £164.40 per annum.</p>	<p>Gary Streets Corporate Assets 023 9283 4265</p>

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 **5pm on Friday 31 January 2014**. You can also make contact by letter or by e-mail to - 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	13/01453/PLAREG Milton	241-243 Milton Road Southsea Retrospective application for change of use to boxing gym (Class D2) & construction of single storey rear extension	<p>Three letters of representation have been received, two in objection and one in support of the proposal. The objections can be summarised as follows: (a) Increased parking implications; (b) Noise and disturbance; (c) Use of roller shutters late at night; (d) Use commenced without benefit of planning permission; (e) Sale of Fireworks; (f) Bonfires within the rear yard; and (g) Impact on property value.</p> <p>Retrospective permission is sought for the change of use of the site to a boxing gym and the construction of a single storey rear extension. The site was previously in lawful use as a tool hire shop. Whilst the proposed use is considered to be acceptable in principle, the concerns of local residents in respect of noise and disturbance and parking are noted. To address concerns in respect of noise and disturbance resulting from the use and open nature of the large roller shutter doors to the rear of the building, the applicant has proposed that the doors be permanently sealed shut and insulated internally. This could be controlled through a suitably worded planning condition and in combination with the rear extension would help minimise the impact of the use on neighbouring residents.</p> <p>It is accepted that the requirements for parking would differ from that experienced when the unit was in use as a tool hire shop. However, given the scale of the unit, and the provision of bicycle storage facilities, the City Council's Highways Engineer raises no significant concerns in respect of parking within the surrounding area.</p> <p>The building incorporates small sales and refreshment areas to the front of the building. These are considered to be ancillary to the principle use of the building as a boxing gym and would typically provide facilities for users of the gym. Other regulations/legislation beyond the planning system is available to control the storage and sale of fireworks, and the burning of materials within the rear yard. Impact on property value is not a material planning consideration.</p>	<p style="text-align: center;">Gary Christie</p> <p style="text-align: center;">Tel: 023 92688592</p> <p style="text-align: center;">Conditional Permission</p>

Part 3 - Information and News Items

FRIDAY 24 JANUARY 2014

	WARD		OFFICER CONTACT
7		<p>Cabinet Member for Housing's Decision Meeting - Tuesday 28 January at 4pm in the Executive Meeting Room, Floor 3 of the Guildhall</p> <p>Councillor Darren Sanders, Cabinet Member for Housing, will consider the following report:</p> <ul style="list-style-type: none"> • Council Housing Budget 2014/15 - setting of the Housing Revenue Account budget, rents and service charges. 	<p>Joanne Wildsmith Customer, Community & Democratic Services Tel: 9283 4057</p>
8		<p>Planning Committee - Wednesday 29 January at 2pm in the Council Chamber, Guildhall</p> <p>The committee will consider a report on the planning appeal decision relating to 12 St John's Road, as well as the following planning applications:</p> <ul style="list-style-type: none"> • 13/01506/PLAREG- Abbeville 26 Nettlecombe Avenue - Retention of existing garage/home office to include reduction of barn hip to half hip to west roofslope (amended scheme to application 13/00093/PLAREG). • 13/01507/PLAREG - Abbeville 26 Nettlecombe Avenue Southsea - Retention of existing garage/home office to include reduction of barn hip to full hip to west roofslope and removal of south facing dormer (amended scheme to application 13/00093/PLAREG). • 13/01478/HOU - 5 Marmion Avenue Southsea - Construction of dormer windows to front and rear roof slopes. • 13/01510/HOU - 44A Craneswater Park Southsea - Construction of dormer windows to front and rear roofslopes and single storey extension to front/side elevation to garage (Resubmission of 13/01202/HOU). • 13/01220/FUL - Crescent Snooker Club 136-138 Kingston Road Portsmouth - Construction of part single, part two storey extension to form 7 flats above retained ground floor following demolition of existing first floor and alterations to ground floor to provide cycle & refuse stores. • 13/01450/VOC - Petrol Station 144-160 Milton Road Portsmouth - Application to remove condition 1 of planning permission 13/00604/VOC to allow premises to remain open 24hrs daily 	<p>Joanne Wildsmith Customer, Community & Democratic Services Tel: 9283 4057</p> <p>Or</p> <p>Lucy Wingham Customer, Community & Democratic Services Tel: 9283 4662</p>

	WARD		OFFICER CONTACT
9		<p>Governance and Audit and Standards Committee - 30 January 2014 at 3pm</p> <p>A meeting of Governance and Audit and Standards Committee will be held on Thursday 30 January at 3pm in Conference Room A, Second Floor, Civic Offices, Portsmouth when the following items will be considered:</p> <ul style="list-style-type: none"> • External Audit Progress Reports • Update on the Council's compliance with its Equality Duty and Equality Impact Assessment Process • Treasury Management Monitoring Report for the Third Quarter of 2013/14 • Performance Management Update - Quarter 2 - 2013-14 • Progress on Actions to Address the significant governance issues and review of the internal corporate governance controls • Agenda item re Standing Order 17 - Questions by Councillors • Consideration of the political balance rules in relation to the constitution of Sub-committees considering complaints against Members • Probate Applications • Audit Performance Status Report to 30 January 2014 for Audit Plan 2013/14 and proposed Audit Strategy • Anti-Fraud and investigations update • Procurement Management Information • Data Security Breach Reporting • Member Complaints Report 	<p>Vicki Plytas Customer, Community & Democratic Services Tel: 9283 4058</p>
10		<p>Economic Development, Culture & Leisure Scrutiny Panel - Thursday 30 January at 6pm in Conference Room A</p> <p>The panel will receive an update on the work of the Community Ownership Unit Portsmouth (COUP) and hear about the next COUP networking session on 14 February (guest speaker Baroness D'Souza, Lord Speaker).</p> <p>The panel will also receive further evidence for its current review of Pathways into Work for Young People.</p>	<p>Joanne Wildsmith Customer, Community & Democratic Services Tel: 9283 4057</p>

	WARD		OFFICER CONTACT
11		<p>Housing and Social Care Scrutiny Panel Meeting - Monday 3 February 2014 at 10am in the Executive Meeting Room, floor 3 of The Guildhall, Portsmouth</p> <p>The panel will continue its review into Hospital Discharge Arrangements and is due to hear from the Managing Director of Medicine for the Clinical Services Centre at QA Hospital.</p>	<p>Lucy Wingham Customer, Community & Democratic Services Tel: 9283 4662</p>
12		<p>Cabinet - Monday 3 February 2014 at 12 noon in the Executive Meeting Room, Floor 3, Guildhall</p> <p>The Cabinet will consider the following items:</p> <ul style="list-style-type: none"> • Freehold Disposal and Removal of Restrictive Covenant in respect of land at Anson Road Fratton (report with exempt appendices) • Setting the date and time of a Special Cabinet meeting on February 10 Monday for the budget report (which will be submitted to Council on 11 February) 	<p>Joanne Wildsmith Customer, Community & Democratic Services Tel: 9283 4057</p>
13		<p>Licensing Sub Committee - 22 January 2014</p> <p>The committee made the following decision:</p> <p>Licensing Act 2003 - Application for the grant of a premises licence - Nisa Convenience Store, 351-353 Copnor Road, Portsmouth, PO3 5EQ. The committee granted the licence as applied for , subject to the conditions as agreed with the Police, so as to permit the following licensable activities:</p> <ul style="list-style-type: none"> • Supply of alcohol from 0600 until 2300 hours daily, for consumption off of the premises. The premises to be open to the public daily from 0600 until 2300 hours. <p>The committee felt it appropriate to impose the following conditions, which had been agreed by the applicant with the Police (appendix D of the committee report); relating to CCTV, staff training, Challenge 25 to be operated, a logbook to be kept, no beers, ciders or lager over 6.5% ABV shall be sold at the premises, spirits are to be secured behind the counter and appropriate signage to be displayed relating to alcohol sales.</p>	<p>Lucy Wingham Customer, Community & Democratic Services Tel: 9283 4662</p>

	WARD		OFFICER CONTACT
14		<p>Who's in the House? Community Ownership Unit for Portsmouth Networking Session - 14 February</p> <p>This session will take place on Friday 14 February from 3pm to 4.30pm in the Freda Swain Business Lounge, Portsmouth Guildhall. Our special guest will be Baroness D'Souza, Lord Speaker who will give a short talk about her role, House of Lords expertise in both private and social enterprise, local government and the voluntary sector.</p> <p>There will also be an opportunity for a questions & answers session.</p> <p>COUP networking sessions are delivered by the Community Ownership Unit for Portsmouth which comprises officers from across the council with experience and expertise of community engagement, planning and development, asset management and legal services.</p> <p>You MUST register to attend this event either at: https://www.eventbrite.co.uk/e/whos-in-the-house-tickets-10146336967?ref=ecount</p>	<p>James Sandy Customer, Community & Democratic Services Tel:9268 8559</p>
15	Cosham	<p>12 St Johns Road, Cosham, Portsmouth, PO6 2DR Ref No: 13/00860/PLAREG Date of Decision: 15th January 2014 Decision: Allowed</p> <p>An appeal was lodged against the refusal of planning permission for the retention of log cabin to rear garden.</p> <p>This appeal was dealt with by the written representation procedure and the Inspector decided to allow the appeal.</p>	<p>Peter George Planning Services Tel: 9283 4326</p>

	WARD		OFFICER CONTACT
16	St Jude	<p>19 Lennox Road South, Southsea, PO5 2HS Ref No:13/00228/FUL Date Of Decision:17th January 2014 Decision: Allowed</p> <p>An appeal was lodged against the refusal of planning permission for the conversion from dwellinghouse to form 3 maisonettes; including external alterations and associated bin/cycle stores and parking to rear (resubmission of 12/00345/FUL)</p> <p>This appeal was dealt with by the written representation procedure and the Inspector decided to allow the appeal.</p>	<p>Ian Parkinson Planning Services Tel: 9283 4301</p>
17	St Jude	<p>Ground Floor Flat, 5 Albert Grove, Southsea, PO5 1NG Ref No: 13/00031/REF Date Of Decision: 22nd January 2014 Decision: Dismissed</p> <p>An appeal was lodged against the refusal of planning permission for the conversion of ground floor flat to form three studio flats and alterations to windows and doors to side and rear elevations.</p> <p>This appeal was dealt with by the written representation procedure and the Inspector decided to dismiss the appeal. The appeal for costs was also dismissed.</p>	<p>Simon Barnett Planning Services Tel: 9284 1281</p>