

MINUTES OF A MEETING OF THE COUNCIL held at the Guildhall
Portsmouth on Tuesday, 11 February 2014 at 2.00 pm

Council Members Present

The Right Worshipful The Lord Mayor
Councillor Lynne Stagg (in the Chair)

Councillors

Councillor Margaret Adair	Councillor Lee Mason
Councillor Michael Andrewes	Councillor Robert New
Councillor Simon Boshier	Councillor Mike Park
Councillor Peter Eddis	Councillor Jim Patey
Councillor Ken Ellcome	Councillor Will Purvis
Councillor Jason Fazackarley	Councillor Darren Sanders
Councillor John Ferrett	Councillor Caroline Scott
Councillor Ken Ferrett	Councillor Eleanor Scott
Councillor Margaret Foster	Councillor Phil Smith
Councillor David Fuller	Councillor Les Stevens
Councillor Aiden Gray	Councillor Sandra Stockdale
Councillor Terry Hall	Councillor Luke Stubbs
Councillor Jacqui Hancock	Councillor Gerald Vernon-Jackson
Councillor David Horne	Councillor Steve Wemyss
Councillor Lee Hunt	Councillor Matthew Winnington
Councillor Frank Jonas	Councillor Rob Wood
Councillor Donna Jones	Councillor Steven Wylie
Councillor Leo Madden	Councillor Neill Young
Councillor Hugh Mason	

11. Members' Interests

Councillor Jim Patey declared an interest in agenda item 5 - the Patey Day Centre and said he would leave the chamber once the debate started for this item.

Councillor Luke Stubbs declared an interest in agenda item 13, question 5 - Southsea Pier in that he lives very near to it.

Councillor Steve Wemyss declared an interest in agenda item 7 relating to school crossing patrols as he is the local authority appointed governor at Court Lane School. Councillor Wemyss also declared an interest in agenda item 11 in that he is a fully paid up member of Unison.

Councillor Jacqui Hancock (through Councillor Gerald Vernon-Jackson) declared an interest in agenda item 12(b) and would withdraw for this item.

12. Minutes of the Council Meeting held on 21 January 2014

It was

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Proposed by Councillor Gerald Vernon-Jackson
Seconded by Councillor Donna Jones

That the minutes of the meeting held on 21 January 2014 be approved as a correct record and this was agreed.

RESOLVED that the minutes of the meeting held on 21 January 2014 be confirmed and signed as a correct record.

13. Communications and Apologies

Apologies for absence were received from Councillor Darron Phillips, Councillor Mike Hancock, Councillor April Windebank and Councillor Alistair Thompson.

The Lord Mayor advised that the Cabinet Member for Culture, Leisure & Sport had received thanks to the city from Ian Dickens for the Charles Dickens statue which was unveiled in Guildhall Square on 7 February. It was agreed that a formal letter would be sent to Ian Dickens, the Dickens Fellowship, Martin Jennings, fundraisers and Professor Tony Pointon and our team of officers for all their efforts.

14. Deputations from the Public under Standing Order No 24(b)(vi) for all items unrelated to the petitions before council

Two deputations were made on agenda item 11 - Council Tax Setting 2014/15 and Medium Term Budget Forecast 2014/15 to 2017/18. The first deputation was made by Mrs Muriel Deacon, BEM from the Portsmouth Pensioners' Association. The second deputation was made by Mr Jon Woods of Unison.

15. Petition - Patey Centre, Cosham

The lead petitioner, Mrs Ellie Savidge, presented the petition. Three deputations were made in favour of the petition. The first deputation was made by Cyril Saunders, Portsmouth Pensioners' Association. The second deputation was made by Mr Michael Levesque, on behalf of the Patey Day Centre. The third deputation was made by Carol Elliott, on behalf of the carers, who contacted Healthwatch.

In addition a written deputation from Penny Mordaunt MP in favour of the petition had been previously circulated.

It was

Proposed by Councillor Leo Madden
Seconded by Councillor Gerald Vernon-Jackson

That the administration's petition response as circulated in the chamber and detailed below be approved.

"The City Council wishes to thank the petitioners for coming to speak on this issue today.

The Patey Centre is housed within Edinburgh House, which will be demolished next year. The proceeds from the sale of the site will be put into the finance for the new nursing home being built by the city council in Drayton for local people suffering from dementia.

The current service is for 34 people a week and serves on average 10 -12 people per day. The full year cost to tax payers is £160,000 a year (plus the costs of the building such as electricity, water etc) to the provider company.

We understand that there is enough capacity at the Royal Albert Day Centre to provide a similar service for the people receiving a service at the Patey Centre.

The City Council would like to see the development of long term additional day centre services (to be named the Patey Centre if possible) in the north of the city for people with dementia. Therefore if substantial progress has been made in creating this service before the closure of the current Patey Day Centre, the Cabinet Member for Health and Social Care will explore the possibility of keeping the current Patey Day Centre open for longer, using PCC staff, if there is a gap before the new service is up and running. "

As an amendment it was

Proposed by Councillor Donna Jones
Seconded by Councillor Mike Park

That the following wording be adopted as the petition response:

"The City Council wishes to thank the petitioners for coming to speak on this issue today.

The Patey Centre is housed within Edinburgh House, which will be demolished next year. The proceeds from the sale of the site will be put into the finance for the new nursing home being built by the city council in Drayton for local people suffering from dementia.

The current service is for 34 people a week and serves on average 10 - 12 people per day. The full year cost to tax payers is £160,000 a year to the provider company.

We acknowledge that there is capacity at the Royal Albert Day Centre to provide a similar but not like for like service for the people receiving care at the Patey Centre.

The City Council instructs officers to seek an alternative location for the Patey Centre in the north of the city to coincide with the vacation of Edinburgh House and that the Patey Centre remains at Edinburgh House until such time as an alternative location is found.

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The Council also instructs officers to work with alternative service provider such as the third sector to try and establish a provider for the dementia care in the north of the city."

As an amendment it was

Proposed by Councillor John Ferrett
Seconded by Councillor Aiden Gray

That the following paragraph be added to the end of the administration's response:

"In order to secure the necessary funding to reprieve the Patey Centre for a further year, the council agrees, in addition to the cut in allowances for opposition leaders to be implemented in April 2014 that the remaining members' allowances are also reduced by 20%. This will release £120,000 for 2014/15 and the same amount for subsequent years. This saving on allowances is to be used to keep the Patey Centre open for a further year and then as an ongoing contribution to providing dementia care in the north of the city."

Following debate the mover of the motion agreed to accept the amendment standing in the name of Councillor Jones. He said that the service was not being stopped but savings needed to be made.

Upon being put to the vote, the amendment standing in the name of Councillor John Ferrett was LOST.

Upon the substantive response being put to the vote this was CARRIED.

RESOLVED that the substantive response from the Administration incorporating the Conservative amendment be agreed.

16. Petition - Public Conveniences in Lower Drayton Lane

The lead petitioner, Mr Patrick Whittle, presented the petition as it appears on the meeting agenda.

It was

Proposed by Councillor Gerald Vernon-Jackson
Seconded by Councillor Leo Madden

That the administration's petition response headed "Public Conveniences in Lower Drayton Lane" as circulated in the chamber be adopted.

As an amendment it was

Proposed by Councillor Simon Boshier
Seconded by Councillor Ken Ellcome

That the wording set out below be adopted as the petition response:

"This council notes the closure of the public conveniences in Lower Drayton Lane now leaving a local shopping centre without any public accessible facilities.

This council requests that the Cabinet Member for Environment & Community Safety reconsider the decision and requests that an impact assessment on the closure, including all viable alternative options explored both prior to and since the original closure decision be produced, including full costings with a view to maintaining the public conveniences in Drayton."

Following debate upon being put to the vote the amendment to the response standing in the name of Councillor Simon Bosher was LOST.

Upon being put to the vote the petition response standing in the name of Councillor Gerald Vernon-Jackson was CARRIED.

RESOLVED that the City Council wishes to thank the petitioners for coming to speak on this issue today.

The City Council recognises the desire from local residents to keep the toilets in Drayton Lane open.

The City Council has in the past and now repeats its offer to transfer these toilets to any local community group that wishes to keep them open.

The City Council has made a decision that 15% of all Community Infrastructure Levy funds should be spent in the ward, and the Cabinet Member for Planning, Regeneration and Economic Development has indicated that she would look positively on an application from local councillors in Drayton and Farlington to spend local CIL monies on maintaining this toilet if it became a Community Toilet.

17. Petition - School Crossing Patrollers - Lonsdale Road-Court Lane Junction, Cosham and Hilary Avenue/Court Lane Junction, Cosham

The lead petitioner, Mrs Eileen Peaston, presented the petition as it appears on the meeting agenda.

It was

Proposed by Councillor Jason Fazackarley
Seconded by Councillor Terry Hall

That the administration's petition response headed School Crossing Patrollers, Cosham as circulated in the chamber with two minor typographical amendments, be approved.

Upon being put to the vote the petition response as set out below was CARRIED.

RESOLVED that there are 3 designated School Crossing Patrol Officers (SCPO) for the Court Lane & Lonsdale Road sites.

In September as a result of resignations over the summer holidays the Council's School Crossing Patrol Officer Co-ordinator (SCPOC) moved the SCPO at Court Lane / Lonsdale Avenue to cover the vacancy at Solent Road, leaving one SCPO on that site. This was an operational decision based upon the SCPOC's professional assessment of the need to ensure the most effective child safety coverage.

She also moved one of the 2 SCPO's at Court Lane at this time, further to a direct request from that individual SCPO. The remaining SCPO resigned at Christmas leaving the site vacant.

Interviews for the School Crossing Patrollers at Court Lane / Hilary Avenue and Court Lane / Lonsdale Avenue were held on the 18th December as a result of which conditional offers of employment were made to 2 individuals - subject to satisfactory DBS and reference checks. These interviews were discussed at the T&T meeting on the 19th December where an information paper on SCPO recruitment was presented.

On 19 December the school was informed that these offers had been made with the intention of getting these two vacancies covered as soon as possible.

A call, from the lady who had arranged the petition, was also made on the 19th December, to the School Crossing Patrol Co-ordinator, she wished to make a complaint about the lack of SCPO's at Court Lane. She was informed of the conditional offers that had been made on the previous day, she stated that she would still be presenting her petition at the Council Meeting in January.

Recruitment completed the DBS forms and reference requests and sent them off before Christmas, although one of the 2 has only resided in the UK since 2013 and therefore the DBS check only covers that period. This means that in addition we require a Certificate of Good Conduct from the relevant Embassy to ensure that we have the relevant checks in place, additionally we are waiting for satisfactory references from both candidates, and HR Recruitment continues to chase these.

As I explained to members only two meetings ago the vacancy situation for SCPO's continues to be actively pursued by PCC. Unfortunately, like many other local authorities, we simply do not get sufficient suitable applicants as many people choose not to apply because of the nature of the role, i.e. working in all weathers, shift times, lack of hours and impact on benefits, locations available etc.

Ideally PCC would like to ensure coverage at all of its recognised sites but the problems with recruitment and retention of staff effectively prevents such. At present there are around 30 vacancies for SCPO's and

the budget for their recruitment and retention remains. The Traffic & Transportation Service remains committed to filling these vacancies as quickly as it can, as has been previously explained to the School and to the petitioner.

Council adjourned at 5.28 pm.

Council resumed at 5.43 pm.

18. Review of Political Proportionality on Committees and Panels

The report from the Chief Executive had been previously circulated to members.

It was

Proposed by Councillor Gerald Vernon-Jackson

Seconded by Councillor Hugh Mason

That council adopt the overall political balance and allocation of seats schedule previously circulated under cover of letter dated 5 February, subject to and reflecting the inclusion of the following changes.

That the Liberal democrat seat on the Licensing Committee held by Councillor E Scott be replaced by the Conservative member Councillor R New.

That the Conservative seat on the Traffic, Environment and Community Safety Scrutiny Panel held by Councillor R New be replaced by Councillor E Scott.

That the Labour seat on the Economic Development, Culture and Leisure Scrutiny Panel held by Councillor J Ferrett be replaced by Councillor M Hancock.

Upon being put to the vote this was CARRIED.

RESOLVED that the proposals set out above be adopted.

19. Appointments

A schedule showing details of the proposed appointments had been previously circulated.

It was

Proposed by Councillor Gerald Vernon-Jackson

Seconded by Councillor Hugh Mason

That the appointments as set out on the previously circulated sheet be agreed and this was CARRIED.

RESOLVED that the appointments set out on the schedule attached to the end of these minutes be agreed.

(Appendix 1)

20. 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.

21. Cabinet Recommendations - To receive and consider the recommendations of the Special Cabinet meeting held on 11 February

Minute 26 Council Tax Setting 2014/15 and Medium Term Budget Forecast 2014/15 to 2017/18

This was opposed.

It was

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

that the Cabinet Recommendations at Minute 26 be approved and in doing so, the proposer referred to an amendment from the administration which he said he would be accepting.

As an amendment to the recommendations in Cabinet minute 26, it was

Proposed by Councillor Leo Madden
Seconded by Councillor Rob Wood

That the recommendations set out in Appendix 2 to these minutes (administration amendment) be approved.

Councillor Gerald Vernon-Jackson agreed to accept the administration amendment standing in the name of Councillor Leo Madden.

Councillor Donna Jones responded to the recommendations contained in Cabinet minute 26 including the amendment.

Councillor John Ferrett then spoke to Cabinet minute 26 as amended.

A recorded vote on the substantive proposal was requested by eight members standing. Upon being put to the vote, the substantive proposal as set out in Appendix 3 to these minutes was CARRIED. The following members were in favour of the substantive proposal:

Margaret Adair
Michael Andrewes
Simon Boshier
Peter Eddis

Donna Jones
Leo Madden
Hugh Mason
Lee Mason

Phil Smith
Les Stevens
Sandra Stockdale
Luke Stubbs

Ken Ellcome
Jason Fazackarley
Margaret Foster
David Fuller
Terry Hall
Lee Hunt
Frank Jonas

Robert New
Mike Park
Will Purvis
Darren Sanders
Caroline Scott
Eleanor Scott

Gerald Vernon-Jackson
Steve Wemyss
Matthew Winnington
Rob Wood
Steve Wylie
Neill Young

The following members abstained on the substantive proposal:

Councillors John Ferrett
Ken Ferrett
Aiden Gray
David Horne

RESOLVED that the substantive proposal as set out in Appendix 3 attached to these minutes be adopted.

22. Notices of Motion

Notice of Motion (a) - Campaign against Sexual and Domestic Violence

It was

Proposed by Councillor John Ferrett
Seconded by Councillor Donna Jones

That this motion be debated today.

Upon being put to the vote this was CARRIED.

As an amendment to the notice of motion it was

Proposed by Councillor Sandra Stockdale
Seconded by Councillor Darren Sanders

To replace the third word in the first line of the first paragraph "notes" with "welcomes and supports". To replace the fourth word in the first line of the fifth paragraph "notes" with "welcomes and supports". Councillor Ferrett agreed to accept the amendment. Upon the substantive notice of motion being put to the vote this was CARRIED.

RESOLVED that the notice of motion set out below be adopted by council.

This Council welcomes and supports the motion passed at the Liberal Democrats National Conference in 2013 on the issue of preventing and tackling sexual and domestic violence moved by Elizabeth Adams of Stratford Lib Dems. The key points of the motion were as follows:

1) better focus on prevention through the education and healthcare systems including compulsory relationship and consent education and integration of abuse awareness across subjects.

2) government campaign to business and employers highlighting how they can work to support employees and reduce economic cost of abuse to businesses.

3) Further progress in the justice system including holding PCCs accountable for improving police response to and prevention of domestic violence

The Council also welcomes and supports the role of Portsmouth Young Liberal Democrats in supporting the campaign against sexual and domestic violence. The Council further notes the campaign slogan 'spot abuse, stop abuse'.

This Council resolves to support any measures that will reduce the incidence of sexual and domestic abuse and believe that victims of abuse must be heard and not ignored when they raise a complaint with statutory authorities.

Notice of Motion (b) - Minister for Portsmouth

It was

Proposed by Councillor Donna Jones
Seconded by Councillor John Ferrett

That the notice of motion set out at agenda item 12(b) - Minister for Portsmouth be debated today and this was agreed.

It was

Proposed by Councillor Donna Jones
Seconded by Councillor John Ferrett

That the notice of motion set out at agenda item 12(b) be adopted.

As an amendment it was

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

That the wording after the first paragraph be deleted.

On being put to the vote, the amendment was CARRIED. Upon the substantive notice of motion being put to the vote this was unanimously CARRIED.

RESOLVED that the Council welcomes the New Minister for Portsmouth, Michael Fallon MP and pledges to support the Minister in any way it can.

Notice of Motion (c)

It was

Proposed by Councillor Donna Jones
Seconded by Councillor John Ferrett

That the notice of motion set out at agenda item 12(c) be debated today.

It was

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

That this notice of motion be not debated today but instead be referred to the Governance & Audit & Standards Committee without debate.

Upon being put to the vote this was unanimously CARRIED.

RESOLVED that Notice of Motion (c) as set out below, be referred to the Governance & Audit & Standards Committee.

The Councils arrangements for the determination and consideration of complaints approved by Council on the 17 July 2012, provide that when the Monitoring Officer produces a report into an alleged breach of a Code of Conduct, that a copy of that report is provided to the Councillor who is the Subject of the Complaint.

The Governance and Audit and Standards Committee are asked to consider a review to these arrangements to require that when a Consideration Sub-Committee accept an independent investigators report into a member complaint on behalf of the GA&S committee, that the report should be published, complying with the data protection act, and that a copy of the report should be provided to the Complainant also.

Notice of Motion (d) - Response from Healthwatch

It was

Proposed by Councillor Steve Wemyss
Seconded by Councillor Simon Boshier

That notice of motion (d) be debated today.

Upon being put to the vote this was agreed.

It was

Proposed by Councillor Steve Wemyss
Seconded by Councillor Simon Boshier

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

As an amendment it was

Proposed by Councillor Peter Eddis
Seconded by Councillor Hugh Mason

To replace the second sentence of the motion to read as follows:-

Council therefore welcomes the fact that the Health Overview & Scrutiny Panel will be considering this matter at its informal meeting with the Portsmouth Hospitals' Trust on 12 March and requests HOSP to inform members of the council of arrangements and protocols which are being, or will be, put into place to address the concerns raised in the motion of 9 July 2013.

Upon being put to the vote the amendment was CARRIED. Upon the substantive motion being put to the vote this was unanimously CARRIED.

RESOLVED that

This council believes the response received from Healthwatch in respect of the notice of motion submitted by Cllr. Wemyss on 9 July last year is inadequate. Council therefore welcomes the fact that the Health Overview and Scrutiny Panel will be considering this matter at its informal meeting with the Portsmouth Hospitals' Trust on 12 of March and requests HOSP to inform Members of the Council of arrangements and protocols which are being, or will be, put into place to address the concerns raised in the motion of 9 July 2013.

23. Questions from Members under Standing Order No 17

There were six questions before council, but two were from Councillor Thompson and a written response would be circulated to all members in respect of those two questions as Councillor Thompson was not in the chamber.

Question No 1 was from Councillor David Horne to the Cabinet Member for Traffic & Transportation, Councillor Jason Fazackarley

"What will or is the financial impact on the Council's budget by having all the speed cameras switched off in the City."

This and supplementary questions were answered by the Cabinet Member for Traffic & Transportation, Councillor Jason Fazackarley.

Question No 2 was from Councillor Mike Park to the Leader of the Council, Councillor Gerald Vernon-Jackson

"In politics, what does the Leader think is most important, integrity or expediency?"

This and supplementary questions were answered by the Leader of the Council, Councillor Gerald Vernon-Jackson.

Question No 3 from Councillor Alistair Thompson would receive a written response.

Question No 4 was from Councillor Luke Stubbs to the Cabinet Member for Traffic & Transportation asking

"In 2011, a complaint was made by a member of the public that the gradient of some of the pavements around bus stops in Edinburgh Road exceeded the DfT guideline of 1:12. Some remedial work was carried out, but the gradients in the vicinity of one of the stops remains in dispute.

Council officers have previously written to the complainant explaining that the gradients around all of the stops would be reduced to less than the DfT maximum. However an independent measurement recently ordered by the council shows that the gradients by one of the stops are 1:11.

What steps will the Portfolio Holder take to rectify this and will he and the Chief Executive agree to meet the complainant to discuss it?"

This and supplementary questions were answered by the Cabinet Member for Traffic & Transportation, Councillor Jason Fazackarley.

Question No 5 was from Councillor Steve Wemyss to the Leader of the Council, Councillor Gerald Vernon-Jackson asking

"What steps if any are being taken to stop the damage the weather is causing to South Parade Pier? Does the council intend to issue of a repair notice?"

This and supplementary questions were answered by the Leader of the Council, Councillor Gerald Vernon-Jackson.

Question No 6 from Councillor Alistair Thompson to the Leader of the Council, Councillor Gerald Vernon-Jackson would receive a written answer.

The meeting concluded at 9.40 pm.

Lord Mayor