

CABINET

RECORD OF DECISIONS of the meeting of the Cabinet held on Monday, 3 March 2014 at 12.00 pm at the Guildhall, Portsmouth

Present

Councillor Gerald Vernon-Jackson (in the Chair)

Councillors Hugh Mason
Jason Fazackarley
Lee Hunt
Leo Madden
Rob Wood
Darren Sanders
Terry Hall
Sandra Stockdale

27. Apologies for Absence (AI 1)

All the Cabinet Members were present but the Chief Executive had sent his apologies for absence.

28. Declarations of Interests (AI 2)

With regard to residents parking (MC Zone) Councillor Hall reported that with regard to the extra amendment relating to areas outside of the initial residents parking area and in relation to the associated map, she, her husband and sons own and live in properties in zones 2, 3 & 5. This was also reported to affect Councillor Hugh Mason who lives in close proximity to the zone and declared this was non-prejudicial and also Councillor Lee Hunt who lived near the zones so none of these three members would take part in the voting on this amendment.

29. Record of Previous Decision Meetings - 21 January and 3 & 11 February 2014 (AI 3)

DECISION: That the records of the decision meetings held on 21st January (Special), 3rd February and 11th February (Special) 2014 be agreed as a correct record and signed by the Chair accordingly.

The Chairman varied the order of business so that the residents parking item could be discussed as the next item due to the number of members of the public present wishing to take part in this discussion.

30. TRO 1/2014 : Traffic Regulation Order 1/2014: The Portsmouth City Council (MC Zone and MB Zone Permit Amendments) (Residents' Parking Places and Waiting Restrictions) (No.1) Order 2014 (AI)

The Leader of the Council announced that the recommendations of the officers would be amended so that the permit holders' scheme would relate to

the hours of 5-7pm (not 6-8pm as outlined in the Head of Transport and Environment's report). This would achieve the aim of moving cars left by commuters in the area during the day and should also help businesses in the area who had felt that the later time restrictions would be problematic to them. Due to the number of speakers it was asked that everyone try to limit themselves to a maximum of 3 minutes each. Deputations were made and their points are summarised:

- i. Mr M Smart of Jessie Road - he wished to object as he believed that Jessie Road should be a permanent part of the MB zone, which would help reduce the displacement of cars.
- ii. Mr Wareham of Percy Road - he spoke against all parking charges and the selection of particular roads when there were spaces elsewhere and felt that it was wrong for the hours between the roads to vary.
- iii. Barbara Jones - was concerned that the MB zone area had not been reviewed within 12 months of implementation but welcomed the introduction of the idea for a two hour slot as she felt that non-car owners suffered discrimination when they had to pay more for visitors and would wish for each household to have a permit.
- iv. Mr Mottershead, Inglis Road - wished for there to be an integrated transport plan looking at investigating the demand and supply of parking in the MC zone area and the displacement parking that will be created in the adjacent areas (he questioned whether the DVLA information could be made available) and suggested that the park and ride potential to alleviate problems could be considered and that the University of Portsmouth be included in discussions regarding student parking.
- v. Mr M Silman - he spoke as a parking champion and commented that the current 24 hour residential parking zones were expensive to enforce so a two hour period would be less expensive and that the 5-7pm slot would be most beneficial time for this.
- vi. Mr C Milne - supported the three recommendations which should make a difference to residents in Central Southsea; he felt it reflected the wishes of 80% of people wishing for a scheme to be introduced in the area.
- vii. Ms Jean Urry - outlined the problems of residents in Talbot Road questioned the inclusion of the Jessie Road permits for the MB zone. There is a lot of long term commuter and student parking so she felt that a two hour restriction may be beneficial although she was worried that people would move their cars after this two hour period. She reiterated that safety for residents walking back to their homes in the evenings was an important consideration.

- viii. Ms C Goodwin, Bramble Road - felt that the two hours would make a difference and the 5-7pm slot was a better suggestion. She felt that this should apply to both MC and MB zones.
- ix. Mr J Glass - Campbell Road - spoke of the problems in Campbell Road with the creep of parking zones and the increased student parking further increasingly difficult to find parking spaces in the evenings. He felt that it may be necessary for there to be a whole city zone where contributions towards permits be requested.
- x. Mr P Smith, Francis Avenue - questioned the policing of restrictions by the enforcement officers/wardens. He had experience as a taxi driver of delivering students back to the area where they had left their cars at night. There were also untaxed cars in the area that needed to be dealt with.
- xi. Mr R Neal of Northcote Road - asked whether the necessary support by local residents was there for the implementation of the zones as the MC area was being rushed through. There were also the financial implications of introducing the zone when there was not enough evidence of support from residents. The 5-7pm slot had not been identified in the consultation and he was worried this would create more problems.
- xii. Mr M Williams, represented the Kings Theatre, the Wedgewood Rooms and the Cultural Partnership outlined their concerns (and Mr Pitt had written to the Cabinet regarding his perceived problems with the scheme for the Kings Theatre) and asked that there be further consultation with businesses regarding the 5-7pm slot and was worried that this would discourage the night-time economy on the Albert Road.

Representation was then made by local councillors. Councillor Luke Stubbs felt that the report did not deal with the original problem within the MB zone of empty spaces being left during the day in Orchard Road and that the problems would be pushed further out. He felt that those in Albert Road and to the south should also get permits. He was also concerned regarding the problems this could cause to the Kings Theatre.

Councillor Peter Eddis then spoke and felt that the two hour period should be during the day to prevent long term parking of vehicles by commuters and students and felt that 4-6pm would be more acceptable. He also suggested that permits be used flexibly between the MB and MC zones. There were also concerns for local traders and the Kings Theatre so he suggested that a decision be deferred.

(At this point of the meeting the Leader of the Council needed to vacate the chair to address a conference in the Guildhall and Councillor Hugh Mason as Deputy Leader took the chair.)

Councillor Ken Ellcome then spoke as the Traffic and Transportation spokesperson expressing concern at how this proposal had been dealt with.

He felt the results of the informal MB survey and consultation had not been conclusive and by implementing a new MC zone the unused spaces in the MB zone remained. He queried whether it was legal to change the times from the 4-6pm advertised slot to 5-7pm?

Councillor Michael Andrewes then spoke regarding the difficulties with implementing the residential zones for which a solution was being sought for the area and he hoped that the proposed two hour scheme would work well and felt that it should be tried and there should be consultation of areas outside the zone.

Five written deputations had been circulated and read by the cabinet members from Mr Hall of Esselmont Road, Ms J Hamment, Harold Road, Mr Hutt, Francis Avenue, Mr Rossi and Mr Chatband of Inglis Road.

Pam Turton representing the Head of Transport and Environment confirmed that legal advice had been given that they were able to change to a different two hour slot in the day but that should members wish to increase the time slot this would need additional consultation of 14 days. She also reported on the reasons for urgency: the Leader had agreed to add this item to the agenda to prevent further delays in considering the scheme following the consultation exercise. Michael Lawther as the City Solicitor confirmed that he was content that the proposal before the cabinet was lawful and that he would be writing to Ms Jones regarding the equalities issues. Ms Turton confirmed that statutory consultation had been undertaken with notices in the streets and the paper.

During discussion the cabinet members questioned the status of parking for Jessie Road; it was reported that the residents there wish to retain their MB parking permits. It was also reported that the effect on visitors were that with a two hour restricted zone there would be 24 hours of unrestricted parking so residents would be paying less on visitor permits and this should be more efficient than the 12 hour visitor permits. It was also confirmed that the city council's enforcement officers had the capacity to enforce the two hour zone, and consideration would be given to the suggestion that the DVLA information be sought regarding the discreet use of global information from on the number of residents' cars in an area. It was also confirmed that the RinGo system could be used to make payments for virtual permits. It was further confirmed that there would need to be a review of the current MB zone.

The Leader of the council returned to the meeting at this point and as he had missed some of the discussion and information that had been given he would not take part in the vote but continued to chair this part of the meeting. Cabinet members stressed that they were looking for a compromise to help with the residents parking in Central Southsea. A fourth recommendation was put forward to consult the adjacent areas regarding displacement parking. It was reiterated that the city council do not charge residents for their first permit.

DECISIONS:

1. To introduce a parking scheme that restricts parking to "MC Permit Holders Only" between 5pm-7pm.
2. That the proposal to include Jessie Road and the section of Francis Avenue between Jessie Road and Orchard Road in the MC zone, including the requirement to exchange existing MB permits, is deleted. The current parking arrangements to remain as they are.
3. To reduce the proposed double yellow lines on the junctions of Bramble Road / Shanklin Road and Bramble Road / Ventnor Road to 1 metre east and west of each junction.
4. That immediately the MC zone is implemented a consultation should begin in areas 1, 2, 3, 4 and 5 of the associated map (to include both sides of St. Ronan's Road and Waverley Road) to ascertain the effect of any displaced parking into these areas and whether residents in these areas would be in favour of parking zones.

31. Team Portsmouth - City of Service (AI 4)

(TAKE IN REPORT BY THE DIRECTOR OF PUBLIC HEALTH)

DECISIONS: The Cabinet noted Portsmouth's successful application to be a 'City of Service' and agree that this will be a valuable opportunity to demonstrate the impact volunteers can have in meeting some of the city's most pressing challenges.

32. Local Transport Plan 3 - Implementation Plan 2014/15 (AI 5)

(TAKE IN REPORT BY HEAD OF TRANSPORT & ENVIRONMENT)

The Leader of the Council asked that the recommendation (2) refer to any amendments and not "minor amendments".

RECOMMENDED to Council

- 1) that approval be given to the attached Implementation Plan;
- 2) That authority be delegated to the Head of Transport and Environment in consultation with the Cabinet Member for Traffic and Transportation, the Strategic Director for Regeneration and the Section 151 Officer to agree any amendments to the Implementation Plan that may be required to take account of future funding changes and policy announcements.

33. Treasury Management Policy for 2014/15 (AI 6)

(TAKE IN REPORT BY THE HEAD OF FINANCIAL SERVICES AND SECTION 151 OFFICER)

RECOMMENDED to Council that:

- 1a** the Head of Financial Services and Section 151 Officer and officers nominated by him is given authority to lend surplus funds as necessary in accordance with the Treasury Management Policy;
- 1b** the Head of Financial Services and Section 151 Officer is given delegated authority to either replace maturing debt or repay it depending on the outlook for long term interest rates that exists at the time
- 1c** the upper limits for fixed interest exposures are set as follows:
- | | |
|---------|-------|
| 2013/14 | £362m |
| 2014/15 | £332m |
| 2015/16 | £343m |
| 2016/17 | £391m |
- 1d** the upper limits for variable interest exposure are set as follows:
- | | |
|---------|-----------------------------------|
| 2013/14 | (£189m) – Investments up to £189m |
| 2014/15 | (£196m) – Investments up to £196m |
| 2015/16 | (£202m) – Investments up to £202m |
| 2016/17 | (£223m) – Investments up to £223m |
- 1e** the following limits be placed on principal sums invested for periods longer than 364 days:
- | | |
|-----------|-------|
| 31/3/2014 | £179m |
| 31/3/2015 | £170m |
| 31/3/2016 | £158m |
| 31/3/2017 | £124m |
- 1f** the City Council set upper and lower limits for the maturity structure of its borrowings as follows:

Amount of projected borrowing that is fixed rate maturing in each period as a percentage of total projected borrowing that is fixed rate.

	Upper Limit	Lower Limit
Under 12 Months	20%	0%
12 months & within 24 months	20%	0%
24 months & within 5	30%	0%

years		
5 years & within 10 years	30%	0%
10 years & within 20 years	40%	0%
20 years & within 30 years	40%	0%
30 years & within 40 years	60%	0%
40 years & within 50 years	70%	0%

- 1g** authority to reschedule debt during the year is delegated to the Head of Financial Services and Section 151 Officer subject to conditions being beneficial to the City Council;
- 1h** no restriction be placed on the amount that can be borrowed in sterling from an individual lender provided it is from a reputable source and within the authorised limit for external debt approved by the City Council;
- 1i** the principals upon which the apportionment of borrowing costs to the Housing Revenue Account (HRA) should be based are as follows:
- The apportionment is broadly equitable between the HRA and the General Fund, and is detrimental to neither;
 - The loans portfolio is managed in the best interests of the whole authority;
 - The costs and benefits of over and under borrowing above or below the capital financing requirement (CFR) are equitably shared between the General Fund and the HRA;
- 1j** the regulatory method of calculating Minimum Revenue Provision (MRP) be applied to pre 1 April 2008 debt and new government supported debt other than finance leases and service concessions (including Private Finance Initiative schemes);
- 1k** the asset life (equal instalment) method of calculating MRP is applied to post 1 April 2008 self financed borrowing other than finance leases, service concessions (including Private Finance Initiative schemes) and borrowing to fund long term debtors (including finance leases);
- 1l** MRP on finance leases and service concessions including Private Finance Initiative (PFI) arrangements equals the charge that goes to write down the balance sheet liability;
- 1m** the principal element of the income receivable from long term debtors be set aside to repay debt if the asset was financed through self-financed borrowing in order that the repayment of the debt is financed from the capital receipt;

- 1n** the principal element of the rent receivable from finance leases be set aside to repay debt if the asset was financed through self-financed borrowing in order that the repayment of the debt is financed from the capital receipt;
- 1o** the Housing Revenue Account (HRA) provide for the repayment of the Self Financing Payment over 30 years;
- 1p** that specified investments should only be placed with institutions that have a long term credit rating of at least A- from at least two credit rating agencies except registered social landlords for which a single credit rating will be required;
- 1q** investments should only be placed with institutions based in either the United Kingdom or states with a AA+ credit rating;
- 1r** the bodies meeting the criteria of categories 1 to 9 in paragraph 16.11 be approved as repositories of specified investments of the City Council's surplus funds;
- 1s** credit ratings be reviewed monthly and that any institution whose credit rating falls below the minimum level stated in paragraph 16.11 of the Treasury Management Policy be removed from the list of specified investments;
- 1t** institutions that are placed on negative watch or negative outlook by the credit rating agencies be reassigned to a lower category;
- 1u** non-specified investments are limited to the following:

	£
Building societies with a BBB credit rating and unrated building societies	81m
Investments in MMD (Shipping Services) Ltd including funds lodged to guarantee the company's banking limits. MMD is a wholly owned subsidiary of the City Council.	2m
Long term investments	170m
Investments denominated in foreign currencies to hedge against contracts priced or indexed against foreign currencies	5m
Community investment companies without a credit rating	£5m
Total	263m

- 1v** the total amount that can be directly invested with any organisation at any time should be limited as follows (see paragraph 16.11):

	Maximum Investment in Single Organisation
Category 1	Unlimited for up to 5 years
Category 2	£26m for up to 5 years
Category 3	£26m for up to 5 years or 10 years if secured
Category 4	£26m for up to 5 years
Category 5	£20m for up to 5 years or 10 years if secured
Category 6	£19m for up to 5 years for banks & building societies. £19m for up to 4 years for corporate bonds
Category 7	£13m for up to 5 years for banks & building societies. £13m for up to 4 years for corporate bonds
Category 8	£10m for up to 5 years for banks & building societies. £10m for up to 4 years for corporate bonds
Category 9	£6m for up to 4 years
Category 10	£10m for up to 364 days
Category 11	£6m for up to 364 days
Category 12	£5m for an unlimited period
MMD (Shipping Services) Ltd including sums lodged to guarantee the company's banking limits	£2m for up to 364 days

1w the Head of Financial Services and Section 151 Officer in consultation with the Leader of the Council be given delegated authority to revise the total amount that can be directly invested with any organisation at any time

1x that the following investment limits be applied to sectors:

Money market funds	£80m
Building societies	£107m
Registered social landlords	£80m

1y that the following investment limits be applied to regions outside the United Kingdom:

Asia & Australia	£40m
Americas	£40m

Continental Europe	£40m
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2 the Head of Financial Services and Section 151 Officer submits the following:

- (i) an annual report on the Treasury Management outturn to the Cabinet by 30 September of the succeeding financial year;**
- (ii) a Mid Year Review Report to the Cabinet;**
- (iii) the Annual Strategy Report to the Cabinet in March 2015;**
- (iv) quarterly Treasury Management monitoring reports to the Governance and Audit and Standards Committee.**

34. Budget & Performance Monitoring 2013/14 (3rd Quarter) to end December 2013 (AI 7)

(TAKE IN REPORT BY THE HEAD OF FINANCIAL SERVICES AND SECTION 151 OFFICER)

RECOMMENDED to Council that:

- (i) The contents of this report be noted, in particular (after further forecast transfers to Portfolio Specific Reserves of £449,600) the overall forecast overspend of £316,600 representing a variance of 0.16% against the City Council Revised Budget of £192,781,200. Before further forecast transfers to Portfolio Specific Reserves, there is a forecast underspend of £133,000 representing a variance of 0.07%.**
- (ii) Members note that any actual overspend at year end will in the first instance be deducted from any Portfolio Reserve balance and once depleted then be deducted from the 2014/15 Cash Limit.**
- (iii) A report in respect of the Children and Education Portfolio be prepared for the Cabinet in April 2014 setting out the options for significantly reducing or eliminating in future financial years the adverse budget position presently being forecast by the Portfolio, including the associated impact of doing so.**
- (iv) Heads of Service, in consultation with the appropriate Cabinet Member, consider options that seek to minimise any forecast overspend presently being reported and prepare strategies outlining how any consequent reduction to the 2014/15 Portfolio cash limit will be managed to avoid further overspending during 2014/15.**

35. Business Rates Discretionary Relief Policy (AI 8)

(TAKE IN REPORT BY HEAD OF REVENUES AND BENEFITS)

The Head of Revenues and Benefits had informed the Cabinet Members that this relief is the temporary emergency measure so the Government is not changing the legislation around the reliefs available to properties. Instead the Government will reimburse the local authorities that use their discretionary relief powers (under Section 47 of the Local Government Finance Act 1988 (as amended by the Localism Act)) to grant relief in line with the eligibility criteria. It will be for individual local billing authorities to adopt a local scheme and decide in each individual case when to grant relief under Section 47. Central government will fully reimburse local authorities for the local share of the discretionary relief (using a grant under Section 31 of the Local Government Act 2003). Therefore, a third recommendation was added.

DECISIONS The Cabinet:

- (1) Approved the amended policy document (attached to the report): "Policy for the granting of Discretionary Non-Domestic Rate Relief"**
- (2) Granted delegated authority to the Head of Revenues & Benefits to update Section 9 of the policy titled "Discretionary Relief - Re-occupation Relief" as soon as central Government issues guidance on this relief**
- (3) Granted delegated authority to the Head of Revenues & Benefits to update the policy to include a section titled: Discretionary Relief - Business Rates Flooding Relief", according to central Government guidance on this relief**

36. Flooding Update (Information Report) (AI 9)

(TAKE IN REPORT BY THE HEAD OF TRANSPORT AND ENVIRONMENT)

Martin Lavers introduced the information report which set out the city council's strategic approach to flooding resilience and outlined the requests for government funding to protect those areas in most need of protection (including Anchorage Park and Southsea) where emergency repairs were taking place. The Cabinet Members asked that officers be thanked for the work they had undertaken which had been successful in attracting significant external funding to protect properties against flooding in Portsmouth.

37. Home to School Transport - supporting children and young people to attend school/college through the provision of transport assistance (AI 10)

(TAKE IN REPORT BY THE DIRECTOR OF CHILDREN'S AND ADULT SERVICES)

Julian Wooster introduced the report which would be presented to parents and he was grateful for officers for their work on this consultation exercise with parents.

DECISIONS the Cabinet:

- (1) Noted the consultation process that has been undertaken (set out in Sections 6 to 9 of the report);**
- (2) Acknowledged the consultation feedback (summarised in Sections 10/11 of the report);**
- (3) Approved the recommendations 2.1 (a) - (f), as detailed in Sections 12/13 of the report, which covered:**
 - Options to create a fairer and more consistent system**
 - Options to ensure vulnerable families are protected and supported**
 - Options to bring about reductions in expenditure**
 - Options to bring the new arrangements into effect alongside the SEND reform programme starting in September 2014**
 - A phase approach**
 - Capacity to implement the proposed changes.**

38. Date of a Cabinet Meeting in April (AI 11)

It was agreed that an extra Cabinet meeting be held on Monday 7th April 2014 at 12 noon.

A report on the Children and Education portfolio budget position (as referred to in agenda item 7 recommendation (iii) on Budget Performance Monitoring was due to be taken to this meeting.

39. Appointment to Outside Bodies (supplementary item) (AI 12)

The Leader had agreed to the inclusion of this supplementary item to allow the Liberal Democrat Group to make changes to their representatives on some of the outside bodies to reflect the changes to the cabinet membership.

DECISIONS:

The following appointments were made of Liberal Democrat appointments:

Project Integra Strategic Board - Cllr S Stockdale as Cabinet member for Environment and Community Safety (ECS)

Safer Portsmouth Partnership - Cllr S Stockdale as Cabinet Member for ECS

Trading Standards South East Ltd - Cllr S Stockdale as Cabinet Member for ECS

Port Advisory Board - Cllr T Hall as Cabinet Member for Planning, Regeneration and Economic Development

Portsmouth Naval Base Property Trust Ltd - Ms D Moody

40. Appointments to Outside Bodies (AI)

The meeting concluded at 12.03 pm.

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Councillor Gerald Vernon-Jackson
Leader of the Council