

RECORD OF DECISIONS of the meeting of the Cabinet held on Tuesday, 3 October 2023 at 2 pm at the Guildhall, Portsmouth

**Present**

Councillor Steve Pitt (in the Chair)

Kimberly Barrett  
Ian Holder  
Lee Hunt  
Hugh Mason  
Darren Sanders  
Matthew Winnington

**72. Apologies for Absence (AI 1)**

Apologies for absence were received from Councillors Suzy Horton, Dave Ashmore and Gerald Vernon-Jackson.

**73. Declarations of Interests (AI 2)**

There were no declarations of interest.

**74. Record of previous decision meeting - 5 September 2023 (AI 3)**

The record of decisions from the meeting held on 5 September 2023 was approved as a correct record.

**75. Sea Change (Shore Power and ZEV update) (AI 4)**

Eleanor Toyer, Environmental and Sustainability Co-ordinator, introduced the report and highlighted the key points of the Sea Change project, funded by a grant of £19.8m. Out of the £80m from government there was one other project of similar value to Portsmouth's. Brittany Ferries hybrid ships coming from France or Spain could switch to battery propulsion and recharge in the Port without running their engines, thereby improving air quality. The Port was believed to be the first one in the UK that was able to secure the volume of power that could offer simultaneous charging of vessels with different voltages and connection requirements. During a three-year demonstration period there would be updates to the Department of Transport and the wider maritime industry.

Councillor Pitt said £3m had been allocated to Sea Change as part of the capital programme in February 2023 to get power to the gate. He asked all those present to join in a round of applause for the groundbreaking project. Members were thrilled progress had happened so quickly and noted it was an example of the council completing actions it had said it would do. It was also an example of partnership working, in this case with the University of Portsmouth and Brittany Ferries. The Port was very important for the city and employment, particularly as the council owned it and was responsible for it. It was vital for Portsmouth to keep moving forwards, set standards and do as much as possible for residents and the economy. It was very exciting to have an innovative UK "first" which went so far beyond accepted technology. Members thanked Port officers for attending and all those involved in Sea Change.

Mike Sellers, Port Director, said 1,400 people had already registered for the Port's Open Day on 7 October. There were activities for all the family and opportunities to see sustainable features in the new carbon neutral cruise terminal such as sea water harvesting for heating and cooling the building, solar panels and battery storage.

## **DECISIONS**

### **The Cabinet**

- 1. Noted and recommended that Full Council note the importance of investing in shore power at Portsmouth International Port (PIP).**
- 2. Noted and recommended that Full Council note the existing funding for shore power in the capital programme, and the revised funding requirement for shore power.**
- 3. Subject to a satisfactory financial appraisal approved by the Director of Finance and Resources & S.151 Officer, recommended that Full Council approves investing in shore power at a capital cost of £26.1m to be funded as follows:**
  - Grant: £18,474,158**
  - Prudential Borrowing: £4,625,842**
  - Corporate resource: £3,000,000**

#### **76. Portsmouth Greening Strategy and Delivery Plan (AI 5)**

Daniel Williams, Public Health Principal (Wider Determinants), introduced the report. The Strategy needed to focus on outcomes rather than activity, be strategic in space and time and take a long-term approach in order to have a resilient green environment. Although some areas of the city had been identified as high priority it did not preclude greening activity in others. There was a workshop for internal stakeholders on 17 October.

A deputation from Trish Bell, Tree Warden Co-ordinator, was read out, requesting Tree Wardens to be included in the Delivery Plan. Deputations are not minuted but can be viewed on the council's website

[Agenda for Cabinet on Tuesday, 3rd October, 2023, 2.00 pm Portsmouth City Council](#)

Councillor Barrett, Cabinet Member for Climate Change and Greening the City, said cross-Directorate research had informed the strategy, which identified the areas where most work was needed. Feedback was welcome, including from community groups, and could add to and modify the Strategy. She thanked officers for the maps and visuals, for example, of tree canopy cover. Felicity Harris, Green & Healthy City Co-ordinator, was making a big impact on greening work.

Members noted the links to the Carbon Action Plans and how the Strategy linked to others such as the Health & Wellbeing Strategy through the role of the Green & Healthy City Co-ordinator. The Health & Wellbeing Strategy focused on the "causes of the causes" and how they were linked. For example, the maps showed tree cover was worst in more deprived areas, often because of designs from 40 to 60 years ago. Changing environments

made better outcomes for residents. Members thanked officers as they realised how much work was involved and looked forward to future work.

## **DECISIONS**

**The Cabinet approved the Greening Strategy and Delivery Plan, recognising that the greening agenda is broad, with significant activities being undertaken across Council directorates and in collaboration with partner organisations.**

### **77. Portsmouth City Council's Carbon Action Plans (AI 6)**

Kristina Downey, Principal Strategy Adviser, Carbon Management, introduced the report.

Councillor Barrett noted the huge amount of collaboration on the Plans and thanked Ms Downey. A 55% decrease in carbon emissions has saved 11,500 tonnes of CO<sub>2</sub>. The council had a duty of care to residents and biodiversity but now the initial work had been done it could proceed faster. The council was doing what it could to meet the 2030 target of net zero but government U-turns put local authorities, especially those who had declared a climate emergency, in a difficult position. The U-turns also caused difficulties for residents and businesses. Net zero should not be played against the cost of living. For example, the U-turn on requiring rental properties to have an energy performance certificate of C or above would put residents in a harder situation. In addition, the LAD (Local Authority Delivery) funding to improve fuel efficiency and decrease carbon in over 2,000 properties in the city had been withdrawn.

Members hoped the good work would continue and were keen to meet the net zero target despite the U-turns. Portsmouth was on the frontline because of rising sea levels and was now fighting against the sea that had previously protected it. They wanted Portsmouth to be as liveable as possible for children and grandchildren. Older houses had been built when green issues were less prominent but the government had scrapped the energy efficiency task force. Focusing on motorists in a city like Portsmouth would harm residents' health and the economy would grind to a halt as no-one could move. Members were sad rather than angry with the government's approach.

## **DECISIONS**

**The Cabinet approved the Carbon Action Plans for publication.**

### **78. Portsmouth Youth Justice Strategic Plan 2023-2025 (AI 7)**

Keely Mitchell, Head of Adolescents & Young Adults, introduced the report, noting the Good grading from the HMI Probation inspection. The team's name had changed to Youth Justice from Youth Offending to remove stigma and labelling.

Councillor Pitt said the Plan was an important piece of work as early intervention was essential to turn around young people's futures. The Plan was proactive as it was better to invest funding where it mattered and in positive outcomes rather than in acute services further down the line. Portsmouth protected youth services such as the adventure playgrounds

through the Housing Revenue Account and other work through the Youth Investment Fund.

Councillor Winnington, Cabinet Member for Community Wellbeing, Health & Care, thanked officers for the report and said it linked with Portsmouth's partnership approach. Measuring negative outcomes, or something that did not happen, was a real issue with central government. Portsmouth's approach permeated to areas connected with youth justice such as education and health so it needed to be considered holistically. Investing in preventative measures achieved better outcomes and positive feedback from young people who had not gone down the same road as friends and relatives. If the government's approach did not change then more would be spent on acute services such as incarceration and health issues. He supported the council in anything they said to the current or next government that would back preventative measures.

Members reiterated Councillor Winnington's views and mentioned what was happening as opposed to what government data said was happening. For example, according to the government anti-social behaviour was declining but residents saw it was increasing. The council delivered activities for young people such as a new swimming pool in Bransbury Park and tennis courts at Priory School and in Southsea. £500,000 from BAE Systems had been given to a new play park in Stamshaw. The University had a new sports complex and sports science created jobs. Issues such as youth justice, greening and fairness all led to creating a healthy city.

## **DECISIONS**

### **The Cabinet**

- 1. Approved the Plan and the priorities set out within it.**
- 2. Recommended for Full Council to give final approval of the Plan in line with local governance processes.**

#### **79. Memorial for Her Majesty Queen Elizabeth II (AI 8)**

James Daly, Cultural Development and Projects Officer, introduced the report.

Councillor Pitt acknowledged that very limited progress could be made until the national Queen Elizabeth Memorial Committee had begun work on a legacy programme. However, it was important to give an update on the Notion of Motion raised at Full Council in October 2022.

## **DECISIONS**

**The Cabinet noted the report.**

#### **80. Draft Equality, Diversity and Inclusion Strategy (AI 9)**

Lee Todd, Head of Marketing Communications & Engagement, introduced the report.

Members agreed it was a very important piece of work and there were many communities in the city to reach out to. The world was a very different place, for example, in that LGBT people did not have to be secretive and diversity was more celebrated. On the other hand, transgender people seemed to be

under attack so the work needed to proceed so that everyone could live their lives as they chose. As well as recognising its statutory duty, it was important for the council to consult with stakeholders. Progress was threatened when people stayed silent when hatred was raised and so it needed to champion against such behaviours. They noted about 22% residents were other than White British and people were proud of where they came from, for example, as shown by the recent Nigerian National Day.

## **DECISIONS**

**The Cabinet approved the draft Equality, Diversity and Inclusion strategy be consulted on before a final version of the strategy is brought to a future meeting for adoption.**

Members agreed to consider items 10 and 11 together.

### **81. Tipner West and Horsea Island East Regeneration (Principles) (AI 10)**

Tom Southall, Assistant Director, Property & Investment, introduced the reports for items 10 and 11. He was accompanied by two consultants - Emma Davies (Atkins Realis) and Gavin Hall (Savills Planning). Since October 2022 the principles had been strengthened and clarified. The Regeneration team planned to give a presentation prior to and at the next Full Council on the project.

Members thanked officers for the detailed reports which highlighted areas where there had been dissent. The effect on people's lives and employment must not be overlooked. The area was about the only location in the UK that could provide such a large amount of marine industrial space. They realised the project was complex but sea defences were necessary to protect homes in the area. They hoped the project could now proceed.

In response to questions from Councillor Pitt, Mr Southall confirmed that at a cross-party working group meeting there was no dissent from other groups and the minutes had been sent to all members. Two comments in support were received and none against. The report was going to Full Council as the Full Council resolution in October 2022 had set the principles so it was appropriate for Full Council to make the decision to amend and update them.

Since October 2022 there was now an overarching principle for Full Council to approve relating to the Habitats Regulation Assessment (HRA). Mr Hall explained the principle was necessary because the final option needed to be tested through the HRA; this was a statutory requirement when there could be a significant impact on a Special Protection Area (SPA) or a European designated site. As part of the process alternative solutions to the proposal had to be tested to see which was the least damaging. Any alternative had to meet the same objective so unless there was an overarching objective specifying what was trying to be achieved then alternative solutions could not be worked out. The purpose of the overarching objective was to set the scheme's aim. The principles were guidance for the scheme's delivery.

Ms Davies said that as part of the sifting process the team were currently looking at base options and variants. The variants sought to improve where

the options were not faring well, for example, how to lessen impact on the interterrestrial area or how to increase density in compliance with the Local Plan and ensuring adequate open space. The chosen way forward might be a variant of an option so putting figures forward now would be premature. The team would assess and grade the options to understand the direction of travel and then formulate one that included the best aspects, was financially viable and had the least harm to the environment.

With regard to the timeline, Mr Southall said the process was iterative. Appendix D of the Principles report gave the best guess as to how the project would proceed and how it intertwined with the Local Plan, with which it needed to synchronise. Failure to meet the timeline would incur additional costs for the local authority so the team had to ensure work already done such as surveys was still meaningful with regard to the relevant time limits.

Councillor Pitt said some aspects were part of the Local Plan and some were required by the City Deal so it was important to tease out the pathway accurately. The council was being open and transparent as everyone was sighted on the process. The final decision for the master plan would not be taken at Full Council as it may not need to as currently it was not known what it would look like. Mr Southall confirmed the master plan could still go to Full Council for endorsement if there was support. The proposed presentation to party groups was likely to reduce the number of options.

Members noted options 6 and 13, which proposed the most land reclamation, had the least support. The key issue was maritime employment space. The idea of a bridge from Horsea Island was longstanding and illustrated the principle of opening up the employment space and linking it to buses and active travel networks, including perhaps to Portchester, Paulsgrove and Fareham. Councillor Pitt reminded members there were other options for Horsea such as a replacement SPA or employment use. Although there were two options which the cross-party working group had given a clear steer were not supported, everyone's views needed to be heard, including the Planning Committee. Therefore, members could give an indicative view but could not pre-determine the outcome of discussions.

## **DECISIONS**

**The Cabinet recommended that Full Council:**

- 1. Note the content of this report.**
- 2. Consider and endorse the revised principles advanced by the cross-party steering group set out in Appendix A as a strategic brief to bring forward a scheme for development on Tipner West and Horsea Island East.**
- 3. Note the single overarching project objective in Appendix B that provides a high-level vision of what the Council is seeking to achieve.**
- 4. Note the masterplan options sifting process and regulatory engagement that is underway to create a shortlist of viable development options.**
- 5. Note the thumbnail options in Appendix C, which are to be worked up and sifted leading to a preferred masterplan option for the area**

known as Tipner West and Horsea Island East to be subsequently developed.

6. Note the proposed programme for progressing the project in Appendix D.

**82. Tipner West and Horsea Island East Regeneration (Preparatory Steps) (AI 11)**

Item 11 was discussed together with item 10.

**DECISIONS**

**The Cabinet**

1. Noted the update on the progress in respect of the Project of:
  - i. work being undertaken by the Council (as promoter of the Project) for the purposes of obtaining the necessary planning permission(s) and other consents likely to be required, and
  - ii. land assembly and land referencing;
2. On the basis of the Cabinet and Full Council resolutions contained within the contemporaneous report to the Cabinet and the Full Council titled "Tipner West & Horsea Island East Regeneration" for meetings on 08/10/2023 and 17/10/2023 respectively (the Contemporaneous Report), approved the taking by the Council (as promoter of the Project) of all steps required to progress each aspect of the consenting strategy for the Project. This strategy is likely to require the Council (as promoter of the Project): (1) to make and thereafter promote an application for an order to be made under the Transport and Works Act 1992 (the TWAO application), which would include seeking inclusion in the TWA Order of compulsory acquisition powers where necessary, (2) to make and thereafter promote an application(s) for a Marine Licence(s), and (3) to make and thereafter promote an application(s) for a planning permission(s) under the Town and Country Planning Act 1990 (the TCPA application). This includes:
  - (a) the preparation of all relevant documentation for the above applications and the service of all necessary pre-application statutory notices; and
  - (b) seeking and obtaining information in respect of all relevant land and interests in land in relation to the applications referred to in this paragraph 2.2. The intention is to seek and obtain this information by making voluntary 'requests for information' and then, where appropriate, by issuing statutory requisitions for information in connection with interests in land under section 16 of the Local Government (Miscellaneous Provisions) Act 1976;
3. Delegated authority to undertake all steps and actions referred to in paragraph 2 above to the Director of Regeneration;
4. Delegated authority to the Director of Regeneration to negotiate and complete agreements for the acquisition of relevant land and interests in land for the delivery of the Project. These negotiations will be in accordance with the Compensation Code and advice will be sought from the City Solicitor, in consultation with the Leader;
5. Delegated authority to the Director of Regeneration to confirm the instruction of / instruct land referencing agents to identify all the

third-party land and land interests required to deliver the Project and inform discussions with landowners as a precursor to negotiations to acquire land / interests based on voluntary agreements;

6. Noted that Officers may need to seek a future resolution in respect of the Council seeking compulsory purchase powers in relation to the development to be authorised by the TCPA application (as the TWAO application will separately seek authorisation, where required, for compulsory purchase powers in relation to development it relates to) by the Council making a compulsory purchase order under section 226 of the Town and Country Planning Act 1990 (as well as, where necessary, under section 17 of the Housing Act 1985 and sections 239 and 240 of the Highways Act 1980) should the land referencing exercise identify third party land or rights that the Council is unable to purchase by agreement;
  7. Noted that Officers may need to seek a future resolution to grant the Director of Regeneration and the City Solicitor authority, in accordance with section 122 of the Local Government Act 1972, to declare that any land acquired or held and required for the delivery of the Project scheme is, where they conclude that it is no longer needed for its present purpose, appropriated for such statutory purpose as necessary to deliver the Project, and to authorise the overriding of such easements, rights, or other adverse matters burdening the land, where that is needed to deliver the scheme, in reliance on section 203 of the Housing and Planning Act 2016; and
  8. Noted that prior to and after the making of the TWAO application, resolutions of the Full Council under s.239 of the Local Government Act 1972 will be required, following publication of the requisite public notices.
  9. Recommended that Full Council note the content of the report.
83. **Revenue Budget Monitoring 2023/24 (First Quarter) to end June 2023 (AI 12)**

Richard Webb, Deputy Director, Finance, introduced the report.

Councillor Hunt, Cabinet Member for Resources, said reviews to reduce the overspend in the portfolio would in due course benefit the council's overall budget.

Members noted the council was fortunate to be in its current position due to good financial management over the last 40 years and thanked officers, especially finance colleagues, for their level-headed views and keeping finances on an even keel. The council was not facing the swingeing cuts in health and social care that some others were. Members would like to see a proper financial settlement for local authorities from the next government. It was unsustainable for some local authorities to manage but not others as any could find themselves facing the same situation. If the council had proceeded with the VSEL energy company it could have been facing serious financial problems. Members suggested that being in no overall control enabled a more collegiate approach and yearly elections led to vigilance which was beneficial for taxpayers. At the recent LGA Conference some councils wondered why Portsmouth did not have the financial problems that others had. It was



because over the years it had taken difficult decisions such as not promising to fund the Stroke Recovery Service for five years. It gave one year of funding and then entered into discussions with the Integrated Care Board for it to commission services. The council did not make pronouncements about finding money “down the back of the sofa” or breach its own fiscal rules. Other councils that used general reserves or put off making tough decisions were now in trouble.

#### **DECISIONS**

- 1. Noted the General Fund Forecast Outturn for 2023/24 (as at 30<sup>th</sup> June 2023).**
- 2. Noted that in accordance with approved policy as described in Section 6 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 2024/25 Cash Limit.**
- 3. Agreed that Directors, in consultation with the appropriate Cabinet Member, consider options that seek to minimise any forecast overspending presently being reported and prepare strategies outlining how any consequent reduction to the 2024/25 Portfolio cash limit will be managed to avoid further overspending during 2024/25.**

#### **84. Treasury Management Outturn report 2022/2023**

Richard Webb, Deputy Director, Finance, introduced the report. In response to questions, he explained that investment returns were slightly higher as they were higher in the market. As the market changed investments would fluctuate and officers would monitor the situation very carefully. When there was surplus cash it would be invested carefully and when newer investments came up for renewal they had higher returns because of the current higher interest rates.

#### **DECISIONS**

- 4. Noted the actual prudential and treasury management indicators based on the unaudited accounts, as shown in Appendix B (an explanation of the prudential and treasury management indicators is contained in Appendix C).**
- 5. Noted that the report go to Full Council for noting.**

The meeting concluded at 3.40 pm.

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Councillor Steve Pitt  
Leader of the Council