

MINUTES OF A MEETING OF THE COUNCIL held at the Guildhall
Portsmouth on Tuesday, 7 July 2015 at 2.00 pm

Council Members Present

The Right Worshipful The Lord Mayor
Councillor Frank Jonas (in the Chair)

Councillors

Dave Ashmore	Lee Hunt
Simon Boshier	Donna Jones
Jennie Brent	Ian Lyon
Ryan Brent	Hugh Mason
Yahiya Chowdhury	Gemma New
Alicia Denny	Robert New
Ben Dowling	Stuart Potter
Ken Ellcome	Will Purvis
John Ferrett	Darren Sanders
Ken Ferrett	Lynn Stagg
Margaret Foster	Sandra Stockdale
David Fuller	Luke Stubbs
Colin Galloway	Julie Swan
Paul Godier	Linda Symes
Aiden Gray	David Tompkins
Scott Harris	Gerald Vernon-Jackson
Stephen Hastings	Steve Wemyss
Hannah Hockaday	Matthew Winnington
Suzy Horton	Neill Young

57. Declaration of Interests under Standing Order 13(2)(b)

Councillor Will Purvis declared a pecuniary interest in notice of motion (g) and also in question 3 in that he is employed by a developer and would leave the chamber for those items.

Councillor Luke Stubbs declared a pecuniary interest in question 3 in that he lives in an adjacent property and would leave the chamber for that item.

58. Minutes of the Annual Meeting and the Adjourned Meeting of the Council held on 19 May 2015

It was

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

That the minutes of the annual meeting and the adjourned meeting of the council held on 19 May 2015 be confirmed and signed as a correct record.

RESOLVED that the minutes of the annual meeting and the adjourned meeting of the council held on 19 May 2015 be confirmed and signed as a correct record.

59. Communications

Apologies for absence had been received on behalf of Councillor Phil Smith, Councillor Lee Mason and Councillor Rob Wood.

The Lord Mayor advised that today's meeting is being filmed. He said that this followed recent changes to allow the public to film and record council meetings and is also a demonstration of the council's strong desire for openness. He advised that a fixed location camera had been placed in the chamber for this council meeting initially on a pilot basis with the intention of filming the proceedings and web streaming the recording. The camera has been positioned so as not to visually record any members of the public who may be in attendance at the meeting.

The Lord Mayor advised of a change in group membership. He said that the Chief Executive had received formal notification that Councillor Stockdale has joined the Conservative Group. The circulated seating plan has been changed to reflect this.

The Lord Mayor then invited the Leader of the Council, Councillor Donna Jones to make a statement.

The Leader first welcomed Councillor Stockdale to the Conservative Group. The Leader then made a statement about scrutiny saying that although it had been identified as a saving during the budget process, the Administration recognised that scrutiny formed an important part in policy development and holding the executive to account. She said that in the interests of openness and transparency she wished to retain scrutiny but enhance its focus. To that end she advised she would have regular meetings with the chair of the Scrutiny Management Panel, Councillor Steve Hastings with a view to ensuring they were effective and gave value for money. She understood that Councillor Hastings would be meeting with all the panel chairs to emphasise the policy and development role of scrutiny. In response to a question she further advised that savings had been made available by giving one cabinet member, Councillor Luke Stubbs, two portfolios for which he receives a single responsibility allowance.

60. Deputations from the Public under Standing Order No 24

The City Solicitor advised council that five deputation requests had been received.

Mr Michael Andrewes made deputations in respect of agenda item 12 - Animal Welfare - Notice of Motion Referral, agenda item 13 - Developing Proposals for Devolved Powers and Responsibilities, agenda item 16(e) - Budget - and agenda item 16(h) - Fracking.

Mr Jon Woods made a deputation in respect of agenda item 16(a) - The Commitments of the Ethical Care Charter.

The City Solicitor thanked members of the public for their deputations.

61. Questions from the Public under Standing Order 25

There were no questions from the public.

62. Appointments

The Lord Mayor advised that he had been notified of the appointment of Councillor Aiden Gray as an additional standing deputy for the Labour Group on the Governance & Audit & Standards Committee.

RESOLVED that Councillor Aiden Gray be appointed as standing deputy for the Labour Group on the Governance & Audit & Standards Committee.

63. Urgent Business under Standing Order No 26

There was no urgent business.

64. Cabinet Recommendations from its meetings on 11 June 2015 and 3 July 2015

The following minutes were approved unopposed:

Minute 32 - Isle of Wight Ferry Terminal re Notice of Motion Referral

Minute 37 - Dunsbury Hill Farm (part exempt)

Minute 43 - Friendship Agreement with Zhuhai - Notice of Motion Referral

Minute 44 - Animal Welfare - Notice of Motion Referral

The following minutes were opposed:

Minute 45 - Property Investment Strategy 2015/16 to 2019/20

It was

Proposed by Councillor Donna Jones

Seconded by Councillor Luke Stubbs

That the recommendations contained in the report by the Director of Property in paragraph 2.2 be agreed.

As an amendment it was

Proposed by Councillor Hugh Mason

Seconded by Councillor Will Purvis

To amend 2.1.iii to include opposition spokespeople for PRED.

The amended section to read:

"Agrees to give delegated authority to the Director of Property and the Director of Finance and Section 151 officer, taking advice from the City Solicitor and in consultation with the Leader of the Council and *the Cabinet Member and Opposition spokespeople for PRED*, to approve the completion of investment purchases. This to be conditional upon the City Council approving the budget pursuant to 2.2 below."

Following debate, upon the amendment standing in the name of Councillor Hugh Mason being put to the vote, this was LOST.

Upon the original recommendation set out in paragraph 2.2 of the report being put to the vote, this was CARRIED.

RESOLVED that the recommendations set out in paragraph 2.2 of the report be agreed.

Minute 46 - Developing Proposals for Devolved Powers and Responsibilities

It was

Proposed by Councillor Donna Jones
Seconded by Councillor Luke Stubbs

That the recommendations contained in the report from the Chief Executive be presented to full council for noting.

As an amendment it was

Proposed by Councillor Darren Sanders
Seconded by Councillor Hugh Mason

To add new paragraph 2.2 as follows:

"Cabinet is also asked to consider agreeing the following:

- It will oppose any proposal that contains an elected Mayor for the wider Hampshire area
- It will seek the consent of the people of Portsmouth before agreeing to any proposal for a combined authority that takes existing powers away from Portsmouth City Council"

Following debate, upon being put to the vote the amendment standing in the name of Councillor Darren Sanders was LOST.

Upon being put to the vote the proposal to note the recommendations set out in paragraph 2.1 of the report from the Chief Executive were CARRIED unanimously.

RESOLVED that the recommendations set out in 2.1 of the report be noted.

65. Governance & Audit & Standards Committee Recommendations from its meeting held on 26 June

The following minute was approved unopposed:

Minute 47 - Planning Code of Conduct

The following minute was opposed to allow for a short debate around the appeal process.

Minute 43 - Changes to the Designated Independent Person Dismissal Procedures.

(The Chief Executive, the s151 Officer and the Monitoring Officer left the Chamber for the duration of this item).

Following debate, it was

Proposed by Councillor Simon Boshier
Seconded by Councillor Ian Lyon

That the recommendations contained in Minute 43 be adopted.

Upon being put to the vote this was CARRIED.

RESOLVED that Full Council agrees that the Officers' Employment Procedure Rules in Part 3D of the Constitution be amended to reflect the change in process. The proposed changes are attached as Appendix 1 of the report.

66. Notices of Motion

Notice of Motion (a) - The Commitments of the Ethical Care Charter

It was

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

That this notice of motion be debated today. Upon being put to the vote this was LOST.

RESOLVED that Notice of motion (a) as set out on the agenda be not debated today but referred to Cabinet for consideration.

Notice of Motion (b) - Spinnaker Tower

It was

Proposed by Councillor Steve Hastings
Seconded by Councillor Linda Symes

That notice of motion (b) as set out on the agenda be debated today. Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Steve Hastings
Seconded by Councillor Linda Symes

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

As an amendment it was

Proposed by Councillor Hugh Mason
Seconded by Councillor Will Purvis

"That the words following 'hard work in' be deleted and replaced with the following: "seeking offers of sponsorship for the Spinnaker Tower but deplores the final decision made by the portfolio holder."

As an amendment to the notice of motion it was

Proposed by Councillor Gerald Vernon-Jackson
Seconded by Councillor Ben Dowling

That the following be added as a second sentence:

"Recognising, however, that painting of the Spinnaker Tower is not a matter for advertising consent or part of the Emirates deal, Cabinet are recommended to retain white as the colour for the structure of the Tower, to retain its iconic image."

In light of comments made during debate Councillor Vernon-Jackson wished to withdraw the amendment standing in his name. The Local Democracy Manager advised that in order to withdraw an amendment once it had been proposed and seconded it was necessary for full council to take a vote not to consider the amendment. Upon being put to the vote it was AGREED that the amendment be withdrawn.

Recorded votes on this notice of motion were requested by eight members standing. Upon the amendment standing in the name of Councillor Hugh Mason being put to the vote the following members voted in favour:

Councillor Ashmore
Councillor Dowling
Councillor Foster
Councillor Fuller
Councillor Horton
Councillor Hunt

Councillor Hugh Mason
Councillor Purvis
Councillor Sanders
Councillor Stagg
Councillor Winnington

The following members voted against:

Councillor Boshier	Councillor Jones
Councillor Jenny Brent	Councillor Lyon
Councillor Ryan Brent	Councillor Gemma New
Councillor Choudhury	Councillor Rob New
Councillor Denny	Councillor Potter
Councillor Ellcome	Councillor Stockdale
Councillor John Ferrett	Councillor Stubbs
Councillor Ken Ferrett	Councillor Swan
Councillor Galloway	Councillor Symes
Councillor Gray	Councillor Tompkins
Councillor Harris	Councillor Vernon-Jackson
Councillor Hastings	Councillor Wemyss
Councillor Hockaday	Councillor Young

The following member abstained:

Councillor Godier

The amendment standing in the name of Councillor Hugh Mason was LOST.

Upon the original notice of motion as set out on the agenda being put to the vote the following members voted in favour:

Councillor Boshier	Councillor Hockaday
Councillor Jenny Brent	Councillor Jones
Councillor Ryan Brent	Councillor Lyon
Councillor Choudhury	Councillor Potter
Councillor Denny	Councillor Gemma New
Councillor Dowling	Councillor Rob New
Councillor Ellcome	Councillor Sanders
Councillor John Ferrett	Councillor Stagg
Councillor Ken Ferrett	Councillor Stockdale
Councillor Foster	Councillor Stubbs
Councillor Fuller	Councillor Swan
Councillor Galloway	Councillor Symes
Councillor Godier	Councillor Tompkins
Councillor Gray	Councillor Vernon-Jackson
Councillor Harris	Councillor Wemyss
Councillor Hastings	Councillor Young

The following members voted against:

Councillor Ashmore
Councillor Horton
Councillor Hunt
Councillor Purvis
Councillor Winnington

The following member abstained:

Councillor Hugh Mason

The notice of motion was therefore CARRIED.

RESOLVED that the council expresses its thanks to our communication and marketing team for their hard work in securing an offer of sponsorship for the Spinnaker Tower.

Council adjourned at 5.40 pm.

Councillor resumed at 5.50 pm.

Notice of Motion (c) - St George's Day

It was

Proposed by Councillor Colin Galloway
Seconded by Councillor Stuart Potter

That this notice of motion be debated today.

Upon being put to the vote this was LOST.

RESOLVED that Notice of Motion (c) as set out on the agenda be not debated today but referred to Cabinet for consideration.

(The Leader of the Council said that the reason for not debating this matter today was that the administration would simply progress this.)

Notice of Motion (d) - King Richard's School

It was

Proposed by Councillor John Ferrett
Seconded by Councillor Aiden Gray

That the notice of motion be debated today.

Upon being put to the vote this was CARRIED.

Council adjourned at 6.00 pm (fire alarm).

Council resumed at 6.40 pm.

It was

Proposed by Councillor John Ferrett
Seconded by Councillor Aiden Gray

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

Upon being put to the vote this was CARRIED unanimously.

RESOLVED that

this Council welcomes the decision to rebuild King Richard's School. However, the failure by central government to provide sufficient funding to build a school of the size required by the local community is extremely worrying. Indeed, it would appear an absurdity to spend up to £9 million on a new building which will then not be able to accommodate all the children in Paulsgrove who need a secondary school place.

The council's position has been made clear to its own Corporate Projects Board, in that a school of 900 places will be of an insufficient size. Furthermore, it could lead to Portsmouth City Council being unable to deliver upon its statutory duty in respect of the provision of secondary school places. Despite this central government has still refused to release the necessary funding required.

This council calls upon the Council Leader to write to the Minister for Portsmouth and ask that he intervene in this matter and secure the necessary funding from central government to enable the appropriate number of school places to be provided at the new King Richard's school.

Notice of Motion (e) - Budget

It was

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

That the notice of motion be debated today.

Upon being put to the vote this was CARRIED.

It was

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

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

As an amendment it was

Proposed by Councillor Steve Wemyss
Seconded by Councillor Linda Symes

To delete the second paragraph and replace it with:

"This city council places on record its recognition of the Liberal Democrat party for having been an active and willing part of the previous government. It also notes that as part of that Government it actively assisted and promoted the policies that led to the outcomes outlined in paragraphs 1 to 5 which follow."

Upon being put to the vote the amendment standing in the name of Councillor Steve Wemyss was CARRIED. Upon the substantive notice of motion being put to the vote this was CARRIED.

RESOLVED that the City Council recognises that there will be a budget on the 8th July. The City Council recognises that there may well be decisions in the budget that affect local families and wishes to record its view.

This city council places on record its recognition of the Liberal Democrat party for having been an active and willing part of the previous government. It also notes that as part of that Government it actively assisted and promoted the policies that led to the outcomes outlined in paragraphs 1 to 5 which follow.

- 1. Everyone now recognises that problems in the NHS have been made much worse by the huge cuts in social services for the elderly and for those with disabilities. The 40% cut to council's grants have pushed many councils including Portsmouth into making cuts to social services. These cuts have gone as far as they can do without real problems being caused to social services and to the NHS so we hope that council budgets will be protected.**
- 2. Support for families on low pay and for people with health and disability problems should be protected from cuts. Portsmouth has a high level of families who work hard but are on low incomes. We also have people with real problems with their health and their disabilities. We hope that these families are protected from additional cuts that can make a huge difference to their lives.**
- 3. Police budgets have been significantly cut and we hope that this does not continue. In Portsmouth now on some evenings we have just a handful of Police to look after the city. Further cuts would put even this limited cover at risk.**
- 4. We are really pleased that schools budgets will be protected, but access to sixth form and university education is the route to bring families out of poverty and to drive the economy of this country and this country forward. Cuts to maintenance grants to students from the poorest families in Portsmouth and to further education colleges will hurt those who can bring their families out of poverty and bring the country highly skilled workers that this country desperately needs. Cuts here will hurt our economy and mean that the UK will have to import more workers from abroad to fill these skilled jobs.**

- 5. Defence and the Royal Navy are an essential part of the economy of Portsmouth. The cut of £500 million from this year's budget is not good for the Navy. It is the cost of a whole new frigate. Any further cuts to the Navy will be bad for Portsmouth and for the UK.**

Notice of Motion (f)

It was

Proposed by Councillor Lee Hunt
Seconded by Councillor Ben Dowling

That this notice of motion be debated today.

Upon being put to the vote this was LOST. The Leader of the Council proposed that the motion be referred to Cabinet and this was agreed.

RESOLVED that Notice of Motion (f) as set out on the agenda be not debated today but referred to Cabinet for consideration.

Notice of Motion (g)

The Lord Mayor advised that this notice of motion could not be debated today as it was caught by the six month rule in that a very similar notice of motion had been brought to council at the meeting in January 2015.

Notice of Motion (h) - Fracking

It was

Proposed by Councillor Hugh Mason
Seconded by Councillor Darren Sanders

That notice of motion (h) be debated today.

Upon being put to the vote this was CARRIED.

It was

Proposed by Councillor Hugh Mason
Seconded by Councillor Darren Sanders

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

As an amendment it was

Proposed by Councillor Luke Stubbs
Seconded by Councillor Donna Jones

To retain first paragraph.

Delete and replace second paragraph with:

Council further notes that any policy on the regulation of fracking has to be consistent with the National Planning Policy Framework and its associated guidance notes, as such where fracking can be shown to be sustainable development it must be positively planned for and there is a presumption in favour of the granting of planning consent except in national parks and the green belt.

Council therefore notes that whatever the merits of fracking, no local authority can adopt a planning policy to prohibit it.

Council also puts on record its support for the principle of the joint development of Minerals and Waste planning documents with both Hampshire County Council and Southampton City Council thus reducing costs.

Upon being put to the vote the amendment standing in the name of Councillor Luke Stubbs was CARRIED.

Upon the substantive notice of motion being put to the vote this was CARRIED.

RESOLVED that council notes that the recently published draft supplementary planning document on oil and gas development in Hampshire (June 2015) reiterates a policy statement, from the Hampshire Minerals and Waste Plan, that "there will be a presumption in favour of sustainable oil and gas developments unless material considerations indicate otherwise" (p54). Council also notes the recent report of the House of Commons Environmental Audit Committee on the Environmental Risks of Fracking (HC 856 - January 2015) which recommended a moratorium on hydraulic fracturing (fracking) as a method for oil extraction.

Council further notes that any policy on the regulation of fracking has to be consistent with the National Planning Policy Framework and its associated guidance notes, as such where fracking can be shown to be sustainable development it must be positively planned for and there is a presumption in favour of the granting of planning consent except in national parks and the green belt.

Council therefore notes that whatever the merits of fracking, no local authority can adopt a planning policy to prohibit it.

Council also puts on record its support for the principle of the joint development of Minerals and Waste planning documents with both Hampshire County Council and Southampton City Council thus reducing costs.

67. Forward Plan Omission Report - Spinnaker Tower

Council noted that owing to the urgent decision that needed to be taken at the meeting of the Planning, Regeneration & Economic Development portfolio on

5 June, it was not possible to include the item within the normal forward plan process and the usual omission procedure therefore had to be followed.

68. Questions from Members under Standing Order No 17

There were six questions before council.

Question No 1 was from Councillor Julie Swan

"In the full Council meeting of October 14th 2014 it was stated that Library Services brought in 30 people under the workfare scheme.

How many of these people gained direct employment with Portsmouth City Council as a result?"

This was answered by the Leader of the Council, Councillor Donna Jones.

Question No 2 was from Councillor Ben Dowling

"What in-year savings will you be bringing forward to account for the cut in the council's public health budget announced by the Chancellor of the Exchequer in early June 2015?"

This and a supplementary question was answered by the Cabinet Member for Health & Social Care, Councillor Luke Stubbs.

Question No 3 was from Councillor Colin Galloway

"Firstly let me say how pleased I am that the Leader of the Administration showed Portsmouth what real democracy is when she listened to the local people who were so incensed by the original Emirates décor of our Spinnaker Tower that she eventually opted for the people's choice. I would like the Council to listen to the very same people of Portsmouth and act upon their choice when we understand the utmost resentment, anger and objection to that hideous carbuncle of a building due to be erected by McCarthy Stone on the old Savoy site opposite the South Parade Pier. Consequently I would like the Chair of the Planning Committee to give an undertaking to call for an officer report to be considered by his Committee to explore whatever avenues are available to overturn the Bristol Planning Inspectorate's bludgeoning decision to permit the fabrication of this vile folly."

This and supplementary questions were answered by the chair of the Planning Committee, Councillor Aiden Gray.

Question No 4 was from Councillor Matthew Winnington

"Would the Cabinet member update us on the use of places at the Royal Albert Day Centre for the Elderly?"

This and supplementary questions were answered by the Cabinet Member for Health & Social Care, Councillor Luke Stubbs.

Question No 5 was from Councillor Darren Sanders

"How much did the Council receive in its bid to the Care & Support Specialised Housing Fund for a new dementia care home in Milton?"

This was answered by the Cabinet Member for Health & Social Care, Councillor Luke Stubbs.

Question No 6 was from Councillor Lynne Stagg

"When will Portsmouth City Council be receiving back the £35,000 from the Langstone Harbour Board that was paid as a precept last year, now that the Board has declared a £77,000 surplus on their trading for last year?"

This was answered by the Cabinet Member for Planning, Regeneration & Economic Development, Councillor Luke Stubbs.

The meeting concluded at 9.30pm.

Lord Mayor