

EXECUTIVE

RECORD OF DECISIONS taken by the Executive at a meeting held on Tuesday 18 December 2007 at 12 noon in the Guildhall, Portsmouth.

Present

Councillor Gerald Vernon-Jackson (Chair)
Councillors Alex Bentley
Jason Fazackarley (from 12.15 pm)
Terry Hall
Leo Madden
Hugh Mason (from 12.15 pm)
Paula Riches
Eleanor Scott

Also in Attendance

Councillor Jim Patey (non voting member of the Executive)

Councillors Lee Hunt
Luke Stubbs
Steve Wemyss } In accordance with
Standing Order 60

181 Apologies for Absence (AI 1)

Councillor Mike Hancock CBE MP submitted his apologies for absence.

182 Declaration of Members' Interests in Accordance with Standing Order 14 (AI 2)

Councillor Jim Patey declared a personal, non-prejudicial interest in Agenda Item 10 (Rights of Way Improvement Plan) by virtue of being a leaseholder of land in Beviston Road.

Councillor Luke Stubbs declared a personal, prejudicial interest in respect of Agenda item 21 (Land at Fort Cumberland Road) by virtue of owning a flat near to the proposed development site. Councillor Stubbs declared an additional personal interest by previously having been a Qinetiq employee. Councillor Stubbs stated that he had taken advice from the City Solicitor in reaching his decision to make representations and that after making his observations he would leave the room while the item was debated.

183 Variation to Order of Business

In recognition of the significant public interest in some items and the fact that other items on the agenda were due for discussion at the City Council meeting later in the afternoon, the Executive indicated that they would be varying the running order of the agenda.

184 Exclusion of Press and Public (AI 20)

RESOLVED that

- (1) The public be excluded from the meeting during the following items of business because it is likely that if members of the public were present, there would be disclosure to them of "exempt information" within paragraphs 3 and 5 of Part I of Schedule 12A to the Local Government Act 1972 (as amended;)**
- (2) In the event of the recommendations or resolutions of the Executive in relation to the following item of business being considered by the City Council, they be recommended to exclude the public during such consideration because it is likely that if members of the public were present there would be disclosure to them of "exempt information" within paragraphs 3 and 5 of Part I of Schedule 12A to the Local Government Act 1972 (as amended.)**

Item	Paragraph
21. Land at Fort Cumberland Road, Southsea (Appendix only)	3 and 5
22. Portsmouth Outdoor Centre (Appendix only)	3

185 Land at Fort Cumberland Road, Southsea (AI 21)

(TAKE IN REPORT AND EXEMPT APPENDIX)

A deputation from Mr Barry Knell (on behalf of Eastney Naturist Campaign Group) was read. Mr Knell was particularly concerned to ensure continued public access to the beach.

Mr Adrian Reed gave a deputation, indicating that Dr Nigel Scarlett shared his views. Mr Reed was particularly concerned at the apparent presence of Dartford Warbler birds (a protected species) on the site and the subsequent need for City Plan Policy DC18, relating to Sites of local Nature Conservation (SINC,) to be taken into account. Mr Reed also queried whether all of the appropriate actions in relation to appropriation of land within a site of importance for nature conservation (SINC) had been carried out.

Mr Stephen Sheridan, Commercial Director for Qinetiq gave a brief deputation indicating that Qinetiq would be prepared to make Fraser Beach public open space. Qinetiq were prepared to enter into a binding form of agreement to ensure that this took place.

Mr Sheridan noted, however, that as part of its original planning application Qinetiq had already submitted an environmental impact assessment. Qinetiq would, however, undertake a further environmental impact survey if requested and if, in doing so, it helped ensure the implementation of the 30 November 2005 Development Control Committee planning decision.

Councillor Luke Stubbs was in attendance in accordance with Standing Order 60 and declared a personal, prejudicial interest in respect of owning a flat nearby to the proposed development site. Councillor Stubbs declared an additional personal interest by previously having been a Qinetiq employee.

Councillor Stubbs requested that given the evidence of a protected bird species on the site and the need to protect the local environment that the report be rejected, or at least deferred for further consideration.

Councillor Lee Hunt asked the Executive to consider the implications of City Plan Policy DC18, given the evidence of a protected species and the environmental sensitivity of the site.

Councillor Steve Wemyss reminded the Executive that any individual (or company) could make any planning application on *any* land (irrespective of ownership.) He asked that the Executive only agree the sale of land required to implement a planning permission if it was for the right reasons and not because of someone else's expectation.

Mr John Slater, Head of Planning Services reminded the Executive that the planning application considered more than two years ago (and which was referred to in the report) had not yet had formal planning permission issued. The application had been subject to the completion of a Section 106 Planning Agreement and a Section 278 Highways Agreement, neither of which had been completed. He also pointed out that since the 'in principle' decision of the Development Control Committee, government guidance on flooding risks had been amended (PPS25) and evidence of a protected species on the site had also been detected. The applicants would be required to revisit their studies that had accompanied the planning application and their consultants would be asked to prepare supplemental statements for the consideration of the Local Planning Authority covering these areas. In respect of any reconsideration of these issues, the Development Control Committee would be the more appropriate body to assess them.

Members of the Executive acknowledged a considerable amount of correspondence that they had received from, amongst others, Councillor Alistair Thompson, Dr Nigel Scarlett, Mr Adrian Reed, Mr Barry Knell and officers from Qinetiq.

Noting Mr Sheridan's offer that Qinetiq were prepared to make a formal undertaking that guaranteed the preservation of public open space, the Executive indicated that they defer the item to either their meeting on the 4 January (or as soon as possible thereafter) to allow for consideration of a detailed, written proposal from Qinetiq.

DECISION:

That the report be deferred, pending clarification of the offer from Qinetiq in relation to guarantees of public open space.

186 Parking Standards Resolution 180/06 (AI 8)

(TAKE IN REPORT)

DECISION:

RECOMMENDED to the City Council that the application of the Council's Parking Standards Resolution, 10 October 2006 (180/06) be limited to the disposal of land which belongs to the City Council within the city boundaries, sold or otherwise disposed of for development for residential purposes and that if the units of housing accommodation to be provided by the development are to be sold individually on a freehold basis, the covenant shall be limited to the first such development of the land (and each and every part or parts of the land) disposed of.

187 Parking Standards – City Council Resolution 180/06 (Category A and B Waivers) (AI 9)

(TAKE IN REPORTS)

DECISION:

RECOMMENDED that the City Council waives the application of Council minute 180/06 to the disposals referred to in the respective appendices contained in the reports.

188 Revenue Budget 2008/09 (AI 23)

(TAKE IN REPORT)

DECISION:

RECOMMENDED that the City Council –

- (1) Note the Local Government finance settlement consultation for 2008/09, 2009/10 and 2010/11 for Portsmouth;**
- (2) The Strategic Director for Corporate Resources & Services be given delegated authority to make representations on behalf of the City Council on the provisional Local Government finance settlement for 2008/09, 2009/10 and 2010/11 as necessary;**
- (3) Note the specific grants incorporated into the area based grant ABG from 2008/09 as shown in Appendix A;**

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- (4) Note the forecast budget deficits and savings targets for 2008/09 and 2009/10 as reflected in Section 6 and 7.**

189 Concessionary Fares Scheme (AI 11)

(TAKE IN REPORT)

Honorary Alderman Dr Alan Burnett CBE and Mrs Margaret Ashdown both made deputations on behalf of the Portsmouth Pensioners' Association indicating that the PPA offered support to Recommendations 1 and 3 as outlined in the report. Both also indicated that they had reservations regarding the report's recommendation in relation to pensioners in receipt of Attendance Allowance. Honorary Alderman Burnett and Mrs Ashdown each expressed concern in relation to the possible difficulties that could be experienced by pensioners with mobility problems, should the option of tokens be withdrawn.

Councillor Lee Hunt, in attendance in accordance with Standing Order 60, expressed concern over the potential shortfall in funding for the Concessionary Fares Scheme. He also stated his unhappiness with regard to the inaccurate forecasts received from MCL in relation to the demand for subsidised travel. Councillor Hunt urged the Executive to seek a quarterly review of the bus companies to monitor the budget situation.

DECISION:

RECOMMENDED to the City Council that –

- (1) The City Council urgently seeks a meeting with the relevant Government Minister, through the LGA and MPs if appropriate, to raise the serious financial implications for travel concession authorities of both the disappointing funding settlement for 2008/09 travel concession scheme and the bus operators' claims for extra funding in respect of 2006/07, 2007/08 and ongoing;**

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- (2) following consultation with the Portsmouth Disability Forum and the Portsmouth Pensioners' Association that the option of travel tokens be withdrawn from all persons other than those registered blind and disabled. These two groups will remain eligible to receive an increased amount of tokens to the value of £40, as an option, if preferred to a free bus pass;**
- (3) Registered blind residents who opt for the pass will also receive a second pass allowing them to travel on buses within Portsmouth with no time restriction;**

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& SM

- (4) a system of appeal be established for residents who feel unable to access public transport, the cost of this process to be borne by the Traffic & Transportation Portfolio from existing cash limits;**

HoT
& SM

- (5) if additional funding or reduced costs are made available (or identified) the City Council be urged to re-examine proposals from the Portsmouth Pensioners' Association for a scheme for tokens.**

190 Portsmouth Outdoor Centre (AI 22)

(TAKE IN REPORT AND EXEMPT APPENDIX)

Mr Paul Rivington, the Centre Manager and Mr Charlie Adie (Chief Executive of Motiv8) gave brief deputations.

Mr Rivington asked the Executive to defer a decision to allow staff at the Outdoor Centre to develop proposals that could be considered alongside the recommendations contained in the report.

Mr Adie indicated that the Board of Motiv8 did not believe that the closure and sale of the building was in the best interest of Portsmouth's children and the community as a whole. He indicated that Motiv8 would lend its full support in development of any expressions of interest that would build on the key strengths of the Portsmouth Outdoor Centre.

Members of the Executive indicated that given the budgetary significance of the decision recommended in the report that they would need to take a decision by no later than the meeting at which the 2008 Council Tax was set. They therefore indicated that they would be prepared to defer the item to the Executive Meeting due to be held on the 29 January 2008.

DECISION:

P& RM

That the report be deferred and that officers be instructed to bring forward a detailed report outlining the situation to the Executive meeting on 29 January 2008 (or as soon as possible thereafter, if not possible on 29 January.)

191 Adjournment of meeting

At 2 pm, Members of the Executive adjourned their meeting until the rising of the Council meeting. The Executive then reconvened at 4.40pm.

192 Apprentice Community Wardens (AI 4)

(TAKE IN REPORT)

DECISION that:-

(1) Further work to develop an apprentice warden scheme be ended;

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(2) The £30,000 carried forward from 2005/06 to fund the initiative be used instead to purchase a redeployable CCTV to compliment static cameras and the vehicle mounted systems now in use by community wardens.

193 Joint Accommodation Strategy (AI 5)

(TAKE IN REPORT)

Members of the Executive noted the proposals in paragraph 9.2 but indicated that capital receipts needed to be allocated on a corporate basis, with receipts obtained from selling sites needing to be subject to a corporate priority bidding process, rather than earmarked for reuse. They also asked that a final report back be submitted within six months.

DECISION:

- (1) That the content of the report be noted;**
- (2) The proposals in Section 9 of the report be approved, subject to receipts obtained from selling sites being subject to a corporate priority bidding process rather than being earmarked for reuse;**
- (3) That the Executive receives a final, detailed options report back within six months.**

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194 Key Delivery Targets (AI 6)

(TAKE IN REPORT)

Mr Mark Austin, a member of the public, gave a brief deputation in which he asked the Executive to explore value for money initiatives including performance related pay for Councillors, reductions in staff sickness absence and implementation of a successful suggestion scheme.

DECISION:

- (1) That the key delivery targets set out in Annexe 1 of the report for the period for 2008 to 2010 be adopted;**
- (2) That regular progress monitoring and review of the key delivery targets be undertaken as part of the Council's annual refreshment strategic framework, as set out in the report.**

CX

195 Proposed Changes to Project Management Procedures following the KPMG Report (AI 7)

(TAKE IN REPORT)

Councillor Steve Wemyss, in attendance in accordance with Standing Order 60, asked for clarification with regard to the voting rights on the proposed Management Board. He also asked the Executive for consideration as to the process likely to be followed when the Management Board's views came into conflict with those of the Executive.

The Leader of the Council indicated that voting rights were amongst a number of minor details needing to be formally resolved but he hoped that the Executive would endorse the broad principles contained within the report.

DECISION:

(1) That the progress on the Get Fit and Stay Fit steps be noted;

CX

(2) The formation of the Corporate Project Board be approved and that Group Leaders be asked to provide their nominations for membership by January 2008;

(3) The framework for Project Management Boards and gateway reviews be approved as set out in the report;

CX

(4) The progress on the roll-out of the revised approach is reported to the Corporate Projects Board within three months.

196 Rights of Way Improvement Plan (AI 10)

Councillor Steve Wemyss, in attendance in accordance with Standing Order 60, declared a personal, non-prejudicial interest by virtue of references to the area in which he lived. (Councillor Jim Patey had declared an interest earlier in the meeting.)

DECISION:

That the Rights of Way Improvement Plan and definitive Rights of Way Map be approved.

197 Allocation of Residents' Parking Permits (AI 12)

(TAKE IN REPORT)

DECISION:

(1) That the report at Appendix A be noted;

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& SM

(2) The adequacy of the capacity in residents' parking zones continue to be monitored and proposals be brought back to the Executive should the situation worsen significantly.

198 New Development within Residents' Parking Zones (AI 13)

(TAKE IN REPORT)

Councillors Luke Stubbs and Steve Wemyss were in attendance in accordance with Standing Order 60. Mr Mark Austin, a member of the public expressed concerns over the fairness and equability of the proposals.

Mr John Slater, Head of Planning Services indicated it was the intention to add an informative note on planning permissions granted. This would outline the implications for purchases within designated residents' parking permit areas.

DECISION:

- HoPS (1) That the entitlement to residents' parking permits for residents taking up occupancy of housing located in Residents Parking Zone at the time that planning consent for the development was granted be determined in accordance with the principles set out in figure 1 of the report;
- HoPS (2) An informative be added to those planning consents for residents who would not be entitled to permits as determined by the above policy;
- HoPS
HoT&SM (3) That the policy be enforced through the Parking Manager.

199 Oracle Thin Client Upgrade for Schools (AI 14)

(TAKE IN REPORT)

DECISION:

- (1) That CITRIX 'Thin Client' Software for Schools be upgraded at the cost of £80,000; and
- (2) The cost of the upgrade be funded by £40,000 from the contingency provision for 2007/08 and £40,000 from the schools' forum.

200 Computer Centre Fire Protection (AI 15)

(TAKE IN REPORT)

DECISION:

That a new automatic fire suppression system be installed in the Civic Offices computer centre at an estimated cost of £110,000 to be funded from contingency provision.

201 Revision of Prudential Indicators (AI 16)

(TAKE IN REPORT)

DECISION :

- (1) That the limits on the total principal sums invested for periods longer than 364 days be revised to:

31/3/2008 = £50,000,000
31/3/2009 = £50,000,000
31/3/2010 = £50,000,000;

(2) That the e limit of non-specified investments be increased to £50,000,000.

202 Hampshire and Isle of Wight Local Authorities Improvement Board – Vacancy (AI 17)

DECISION:

That Councillors Darren Phillips and Sarah Cook be appointed as the joint PCC representatives on the Hampshire and Isle of Wight Local Authorities Board for the remainder of the 2007/08 municipal year.

203 Implications for Portsmouth City Council of the Proposed European Reform Treaty (AI 18)

Mr Mark Austin, a member of the public, asked the Executive to endorse the idea of a city-wide referendum.

Councillors Luke Stubbs and Steve Wemyss, in attendance in accordance with Standing Order 60 urged the Executive to support a proposal. Both felt that it would allow British citizens a chance to express an opinion on the European Reform Treaty.

Members of the Executive indicated their belief that the balance of the relationship between the United Kingdom and the European was changing and endorsed the idea of a referendum. An amendment to the Notice of Motion was, however, agreed.

DECISION:

That the Notice of Motion as outlined on the agenda be approved with the addition of the following text:-

“That In the interest of political impartiality, the Council is also instructed to write to the Leader of the Opposition, the Right Honourable David Cameron MP, asking whether he would commit to a post ratification referendum, should he ever become the Prime Minister.”

CX

204 Corporate Asset Management Planning (AI 19)

(TAKE IN REPORT)

Members of the Executive noted the content of the report but asked the Chief Executive to address a number of issues contained within it, including a report on the future structure of the Asset Management Service and its related functions, the Member role in Corporate Asset Management Planning and the

proposed vision statement for Corporate Asset Management Planning. These issues were to be addressed in a further report (hopefully to come back to the Executive at one of its January 2008 meetings.)

DECISION:

(1) That the Audit Commission report (see Appendix A) be noted;

CX

(2) That the Chief Executive report back to a meeting of the Executive in January 2008 which addresses –

- (i) the future structure of the Asset Management Service and its related functions,**
- (ii) the Member role in Asset Management Planning and**
- (iii) the proposed vision statement for Corporate Asset Management Planning.**

The meeting closed at 6.20 pm.

Chair

Councillor Gerald Vernon-Jackson
Leader of the Council

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