

COUNCIL

Wednesday, 20th January,
2010
at 2.00 pm

Council Chamber - Civic Centre

Members of the Council

The Mayor – Chair

The Sheriff – Vice-chair

Leader of the Council

Members of the Council (See overleaf)

Contacts

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The agenda and papers are available via Southampton's website at

www.southampton.gov.uk/council-partners/decisionmaking/minagenrep/meetingpapers

WARD	COUNCILLOR	WARD	COUNCILLOR
Bargate	Bogle Mrs Damani Willacy	Millbrook	Davis Norris Wells
Bassett	Hannides Mizon Samuels	Peartree	Drake Jones Slade
Bevois	Barnes-Andrews Burke Rayment	Portswood	Baston Capozzoli Sollitt
Bitterne	Fuller Letts Stevens	Redbridge	Holmes Marsh-Jenks McEwing
Bitterne Park	Baillie White Williams, P	Shirley	Cooke Dean Matthews
Coxford	Galton Thomas Walker	Sholing	Mrs Blatchford Dick Fitzgerald
Freemantle	Ball Moulton Parnell	Swaythling	Beckett Odgers Osmond
Harefield	Daunt Fitzhenry Smith	Woolston	Cunio Payne Williams , R

PUBLIC INFORMATION

Role of the Council

The Council comprises all 48 Councillors. The Council normally meets seven times a year including the annual meeting, at which the Mayor and the Council Leader are elected and committees and sub-committees are appointed, and the budget meeting, at which the Council Tax is set for the following year.

The Council approves the policy framework, which is a series of plans and strategies recommended by the Executive, which set out the key policies and programmes for the main services provided by the Council.

It receives a summary report of decisions made by the Executive, and reports on specific issues raised by the Overview and Scrutiny Management Committee.

The Council also considers questions and motions submitted by Council Members on matters for which the Council has a responsibility or which affect the City.

Public Involvement

Representations

At the discretion of the Mayor, members of the public may address the Council on any report included on the agenda in which they have a relevant interest.

Petitions

Any Councillor may present a petition, on behalf of the signatories, about issues relating to Southampton. If you have such a petition you need to ask a Councillor to present it to the meeting.

The following opportunities also exist for the public to raise matters at Council meetings, but seven clear days' notice must be given before the meeting.

Deputations

A deputation of up to three people can apply to address the Council. A deputation may include the presentation of a petition.

Questions

People who live or work in the City may ask questions of the Mayor, Chairs of Committees and Members of the Executive.

Southampton City Council's Six Priorities

- Providing good value, high quality services
- Getting the City working
- Investing in education and training
- Keeping people safe
- Keeping the City clean and green
- Looking after people

Smoking policy – The Council operates a no-smoking policy in all civic buildings.

Mobile Telephones – Please turn off your mobile telephone whilst in the meeting.

Fire Procedure – In the event of a fire or other emergency, a continuous alarm will sound and you will be advised by Council officers what action to take.

Access – Access is available for disabled people. Please contact the Council Administrator who will help to make any necessary arrangements.

Dates of Meetings (Municipal Year 2009/10)

2009	2010
13 th May	20 th January
15 th July	17 th February (Budget meeting)
16 th September	17 th March
18 th November	12 th May

CONDUCT OF MEETING

FUNCTIONS OF THE COUNCIL

The functions of the Council are set out in Article 4 of Part 2 of the Constitution

RULES OF PROCEDURE

The meeting is governed by the Council Procedure Rules as set out in Part 4 of the Constitution.

BUSINESS TO BE DISCUSSED

Only those items listed on the attached agenda may be considered at this meeting.

QUORUM

The minimum number of appointed Members required to be in attendance to hold the meeting is 16.

DISCLOSURE OF INTERESTS

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "personal" or "prejudicial" interests they may have in relation to matters for consideration on this Agenda.

PERSONAL INTERESTS

A Member must regard himself or herself as having a personal interest in any matter:

- (i) if the matter relates to an interest in the Member's register of interests; or
- (ii) if a decision upon a matter might reasonably be regarded as affecting to a greater extent than other Council Tax payers, ratepayers and inhabitants of the District, the wellbeing or financial position of himself or herself, a relative or a friend or:-
 - (a) any employment or business carried on by such person;
 - (b) any person who employs or has appointed such a person, any firm in which such a person is a partner, or any company of which such a person is a director;
 - (c) any corporate body in which such a person has a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
 - (d) any body listed in Article 14(a) to (e) in which such a person holds a position of general control or management.

A Member must disclose a personal interest.

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PREJUDICIAL INTERESTS

Having identified a personal interest, a Member must consider whether a member of the public with knowledge of the relevant facts would reasonably think that the interest was so significant and particular that it could prejudice that Member's judgement of the public interest. If that is the case, the interest must be regarded as "prejudicial" and the Member must disclose the interest and withdraw from the meeting room during discussion on the item.

It should be noted that a prejudicial interest may apply to part or the whole of an item.

Where there are a series of inter-related financial or resource matters, with a limited resource available, under consideration a prejudicial interest in one matter relating to that resource may lead to a member being excluded from considering the other matters relating to that same limited resource.

There are some limited exceptions.

Note: Members are encouraged to seek advice from the Monitoring Officer or his staff in Democratic Services if they have any problems or concerns in relation to the above.

PRINCIPLES OF DECISION MAKING

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

SOLICITOR TO THE COUNCIL
M R HEATH
Civic Centre, Southampton, SO14 7LY

Tuesday, 12 January 2010

TO: ALL MEMBERS OF THE SOUTHAMPTON CITY COUNCIL

You are hereby summoned to attend a meeting of the COUNCIL to be held on WEDNESDAY, 20TH JANUARY, 2010 in the COUNCIL CHAMBER - CIVIC CENTRE at 2.00 pm when the following business is proposed to be transacted:-

1 APOLOGIES

To receive any apologies.

2 MINUTES (Pages 1 - 12)

To authorise the signing of the minutes of the Council Meeting held on 18th November 2009, attached.

3 ANNOUNCEMENTS FROM THE MAYOR AND LEADER

Matters especially brought forward by the Mayor and the Leader.

4 DEPUTATIONS, PETITIONS AND PUBLIC QUESTIONS

To receive any Deputations, Presentation of Petitions or Public Questions.

5 EXECUTIVE BUSINESS (Pages 13 - 22)

Report of the Leader of the Council, attached.

6 MOTIONS

A. Councillor R Williams to move:

This Council supports free concessionary bus travel for the over 60's enjoyed by 8 million people and calls on all three major political parties on social and environmental grounds to pledge its continuation without changing the criteria for eligibility.

B. Councillor Burke to move:

Council calls on the Executive to abandon its plans to privatize the management of council leisure facilities.

C. Councillor Stevens to move:

Council notes the seriousness of the recommendations in the Warnock Report and in light of the very real concerns shared by all councils and councillors, calls upon Southampton City Council to follow the approach adopted by other authorities and increase the status of the Corporate Parenting Group and its ability to make recommendations within either the scrutiny or Local Safeguarding Children's Board structure and become a politically proportionate body within the constitution of the authority.

7 QUESTIONS FROM MEMBERS TO THE CHAIRS OF COMMITTEES OR THE MAYOR

To consider any question of which notice has been given under Council Procedure Rule 11.2.

8 APPOINTMENTS TO COMMITTEES, SUB-COMMITTEES AND OTHER BODIES

To deal with any appointments to Committees, Sub-Committees or other bodies as required.

**9 ANNUAL AUDIT LETTER 2008/09 AND COMPREHENSIVE AREA ASSESSMENT
(Pages 23 - 58)**

Report of the Leader of the Council formally receiving the 2009 Audit Commission's Annual Audit and Inspection Letter and the Audit Commission's Comprehensive Area Assessment, attached.

**10 ADOPTION OF THE LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY (
(Pages 59 - 66)**

Report of the Cabinet Member for Environment and Transport seeking approval for the adoption of the Core Strategy, following amendments in accordance with the Inspector's recommendations, and the endorsement of the list of additional Local Plan Review policies, attached.

11 TRIENNIAL REVIEW OF GAMBLING ACT 2005 POLICY (Pages 67 - 104)

Report of the Solicitor to the Council seeking the adoption of a revised Gambling Act Policy, attached.

12 EXCLUSION OF THE PRESS AND PUBLIC - CONFIDENTIAL PAPERS INCLUDED IN THE FOLLOWING ITEM

To move that in accordance with the Council's Constitution, specifically the Access to Information procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect of any consideration of the confidential appendix to item no:13

Confidential appendix 2 contains information deemed to be exempt from general publication based on Category 3 of paragraph 10.4 of the Council's Access to Information Procedure Rules. It is not considered to be in the public interest to disclose

this information because this Appendix contains confidential and commercially sensitive information relating to the property interests potentially involved in this matter.

13 EASTPOINT REDEVELOPMENT (Pages 105 - 120)

Report of the Cabinet Member for Economic Development seeking approval, subject to certain conditions, for the addition of £3,000,000 to be added to the Economic Development Portfolio Capital Programme, attached.

14 EXCLUSION OF THE PRESS AND PUBLIC - CONFIDENTIAL PAPERS INCLUDED IN THE FOLLOWING ITEM

To move that in accordance with the Council's Constitution, specifically the Access to Information procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect of any consideration of the confidential appendix to item no 15.

Appendix 1 to the report contains information deemed to be exempt from general publication based on Category 3 of paragraph 10.4 of the Council's Access to Information Procedure Rules. It is not in the public interest to disclose this information because it comprises financial and business information that if made public would prejudice the Council's ability to operate in a commercial environment and obtain best value during acquisition negotiations.

15 PURCHASE & INSTALLATION OF NEW CREMATORS, MERCURY ABATEMENT & OTHER ESSENTIAL EQUIPMENT FOR SOUTHAMPTON CREMATORIUM (Pages 121 - 126)

Report of the Cabinet Member for Environment and Transport seeking approval for the addition of the sum in the confidential appendix to the Environment and Transport Capital Programme for the Crematorium, attached.

16 EXCLUSION OF THE PRESS AND PUBLIC - CONFIDENTIAL PAPERS INCLUDED IN THE FOLLOWING ITEM

To move that in accordance with the Council's Constitution, specifically the Access to Information procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect of any consideration of the confidential appendix to item no: 17.

Appendix 1 of the report contains information deemed to be exempt from general publication based on Category 3 of paragraph 10.4 of the Council's Access to Information Procedure Rules. It is not in the public interest to disclose this information because doing so would prejudice the Council's commercial position in relation to future procurement activities supporting the BSF project and could affect the Council's ability to deliver best value in the procurement of services for the benefit of the public.

17 BUILDING SCHOOLS FOR THE FUTURE: SUBMISSION OF OUTLINE BUSINESS CASE (Pages 127 - 150)

Report of the Cabinet Member for Children's Services seeking approval for capital and revenue contributions to be added to future years' budget proposals and £4 million to be added to the Children's Services Capital programme, attached.

18 OVERVIEW AND SCRUTINY: SUMMARY OF CALL-IN ACTIVITY (Pages 151 - 154)

Report of the Assistant Chief Executive (Strategy), summarising the use of the Call-In procedure over the last three months, attached.

NOTE: There will be Sikh prayers and a Thought for the Day by David Bothwell in the Mayor's Reception Room at 1.45 pm for Members of the Council and Officers who wish to attend.

A handwritten signature in black ink, appearing to read 'M R HEATH', with a large, stylized flourish above the name.

**M R HEATH
SOLICITOR TO THE COUNCIL**