

COUNCIL

Wednesday, 20th November,
2013

at 2.00 pm

PLEASE NOTE TIME

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

Director of Corporate Services

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The agenda and papers are available via the Council's Website

WARD	COUNCILLOR	WARD	COUNCILLOR
Bargate	Bogle Noon Tucker	Millbrook	Furnell Laming Thorpe
Bassett	Hannides B Harris L Harris	Peartree	Keogh Lewzey Dr Paffey
Bevois	Barnes-Andrews Burke Rayment	Portswood	Claisse Norris Vinson
Bitterne	Letts Lloyd Stevens	Redbridge	McEwing Pope Whitbread
Bitterne Park	White Baillie Inglis	Shirley	Chaloner Kaur Mead
Coxford	Morrell Spicer Thomas	Sholing	Mrs Blatchford Jeffery Kolker
Freemantle	Moulton Parnell Shields	Swaythling	Mintoff Turner Vassiliou
Harefield	Daunt Fitzhenry Smith	Woolston	Cunio Hammond Payne

PUBLIC INFORMATION

Role of the Council

The Council comprises all 48 Councillors. The Council normally meets six 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

At a meeting of the Council any Member or member of the public may present a petition which is submitted in accordance with the Council's scheme for handling petitions.

Petitions containing more than 1,500 signatures (qualifying) will be debated at a Council 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 Priorities:

- **Economic:** Promoting Southampton and attracting investment; raising ambitions and improving outcomes for children and young people.
- **Social:** Improving health and keeping people safe; helping individuals and communities to work together and help themselves.
- **Environmental:** Encouraging new house building and improving existing homes; making the city more attractive and sustainable.
- **One Council:** Developing an engaged, skilled and motivated workforce; implementing better ways of working to manage reduced budgets and increased demand.

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 2013/14)

2013	2014
15 May	12 February (Budget)
17 July	19 March
18 September	4 June*
* Date reflects current understanding of date of European Elections which will be combined with local elections.	
20 November	

CONDUCT OF MEETING

FUNCTIONS OF THE COUNCIL

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

BUSINESS TO BE DISCUSSED

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

RULES OF PROCEDURE

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

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 "Disclosable Personal Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PERSONAL INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

(i) Any employment, office, trade, profession or vocation carried on for profit or gain.

(ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

(iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

(iv) Any beneficial interest in land which is within the area of Southampton.

(v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

(vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

(vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value for the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

Other Interests

A Member must regard himself or herself as having a, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

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.

Director of Corporate Services
M R HEATH
Civic Centre, Southampton, SO14 7LY

Tuesday, 12 November 2013

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 NOVEMBER, 2013 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

To authorise the signing of the minutes of the Council Meeting held on 18th September 2013 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 requests for Deputations, Presentation of Petitions or Public Questions.

5 EXECUTIVE BUSINESS

Report of the Leader of the Council, attached.

6 MOTIONS

(a) Councillor Letts to move

Council notes the cost both in financial and social terms of the late night economy in the City Centre.

Council requests the Head of Legal, HR and Democratic Services begin the process of statutory consultation required prior to Council deciding whether to bring in a Late Night Levy. This Levy should it be brought in would be used to contribute towards the costs of keeping those using the night time economy safe.

(b) Councillor Moulton to move

This Council notes that it is contrary to the general duty under s120 of the Road Traffic Regulation Act 1994 to raise on street parking charges for the sole intended purpose of helping to close the Council's budget gap. Council further notes that last year the on street parking account generated a surplus of over £1m and that over a quarter of this was not even spent in 2012/13.

Furthermore Council notes that the accumulated surplus for the on street parking account was over £1.7m as of 1st April 2013.

In light of this and the overwhelming public hostility to increases in residents' parking charges and night time parking charges, and the fact they will hit both struggling families and businesses, Council calls on the Executive to abandon both of these tax increases.

NOTE: This motion has been submitted under Council Procedure Rule 16 as this is a motion to rescind a decision made at the Annual General Meeting on 15th May 2013 (ie the past six months) and as required, the notice of motion has been signed by one third of the Members of the Council.

(c) Councillor Hannides to move

Following the recent commencement of works to build the Arts Complex, the Council acknowledges the positive and constructive approach taken by the Executive in facilitating the delivery of the next phase of the city's flag ship cultural quarter development.

The Council notes there are substantial capital pressures that support the development of the Arts Complex and further resolves to urge the Executive to raise much needed funds through the sale of high value items from the city council's art collection. In so doing it should also be guided by the following principles:

- De-accessioning is compliant with the terms of the relevant Bequests.
- The items do not form part of the Gallery's core collection as presently defined.
- The Gallery's national collection status is retained.

(d) Councillor Morrell to move

This Council deplores the dire financial straits into which it has been driven by the government's cuts in local authority funding. Before even last year's budget the Leader of the Council, Councillor Simon Letts described the axing of services and jobs as equivalent to "removing limbs", and now the council is confronted with making even more cuts amounting to £60 million over the next three years on top of the £57 million cut over the last three years.

This Council rejects the government's argument for cutting local authority spending. It is the bankers and the super-rich, who created the world financial crisis, who should be made to pay, not ordinary people and council workers in Southampton.

This Council demands from the government the funding needed to maintain services. As a first step to mobilising support for the Council's stand, public and private-sector trades unions, community, tenants, youth and pensioners groups from across the City will be invited to a pre-budget conference to discuss the real budget needs of the City.

Hilary Benn, Shadow Secretary of State for Communities and Local Government will be invited to Southampton to explain to the conference how a future Labour government will resolve the local authority budget crisis.

This Council will invite other Labour authorities in the region - Oxford, Reading and Slough - and beyond, to join it in a campaign to defend jobs and services.

(e) Councillor Kaur to move

The Council calls on the Chancellor of the Exchequer in the forthcoming Autumn Statement to announce plans to allow Sixth Form Colleges to reclaim VAT on their purchases in the same way that Academy and local authority School Sixth forms can. This would create a level playing field between such institutions in Southampton and provide both Richard Taunton and Itchen sixth form colleges with additional funding of up to potentially £300,000 to pursue their missions in raising and supporting the ambitions of the most disadvantaged students in our City.

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 CHANGES TO THE COUNCIL'S CONSTITUTION - COUNCIL PETITION SCHEME

Report of the Director of Corporate Services seeking comments on recommendations to changes to the Council's Constitution, attached.

10 SCRAP METAL DEALER LICENSING

Report of the Head of Legal, HR and Democratic Services recommending to Council to delegate the function to the Licensing Committee, attached.

11 REFURBISHMENT OF 315 COXFORD ROAD

Report of Cabinet Member for Children Services, seeking approval to refurbish 315 Coxford Road for the Integrated Family Assessment and Intervention Service, 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 the following Item

The appendix attached to this report is not for publication by virtue of category 3 paragraph 10.4 of the Access to Information Procedure Rules. This is required as the report contains information relating to the potential financial or business affairs of any particular person (including the authority holding that information). It is not considered in the public interest to release this information

13 DEVELOPMENT OF SITES IN LORDSHILL

Report of the Leader of the Council, outlining plans to dispose of the former Oakland's School sites and associated site and plans to reopen the swimming pool, 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 the following Item

Confidential Appendix 1 contains information deemed to be exempt from general publication by virtue of category 3 to paragraph 10.4 of the Council's Access to Information Procedure Rules as contained in the Constitution. Publication of this information may be to the Council's financial detriment

15 THORNHILL DISTRICT ENERGY SCHEME

Report of the Cabinet Member for Housing and Sustainability, detailing considerations relating to a district energy scheme in Thornhill, 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 the following Item

Confidential appendix 1 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 because information relates to the financial affairs of the Authority.

17 TREASURY MANAGEMENT STRATEGY AND PRUDENTIAL LIMITS MID YEAR REVIEW

Report of the Head of Finance and IT regarding the Treasury Management Strategy and Prudential Limits Mid Year review, attached.

18 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 report to the following Item

The confidential 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 because this information relates to the project costs and commercial contracts between third parties which are commercially sensitive.

19 SOUTHAMPTON NEW ARTS COMPLEX

Confidential report with respect to Southampton's New Arts Complex outlining an urgent decision made by the Chief Executive in accordance with the Council's Constitution.

20 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 following report.

Appendix 1 is considered to be confidential, the confidentiality of which is 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 because information relates to the financial affairs of the Authority.

21 WATERMARK WEST QUAY AND REGIONAL GROWTH FUND (

Report of the Cabinet Member for Economic Development and Leisure Services, seeking approval for matters relating to the Watermark West Quay site and the Regional Growth Fund, attached.

22 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 the following Item.

Confidential appendix1 contains information deemed to be exempt from general publication based on Categories 3 (financial and business affairs) and 7A (obligation of Confidentiality) of paragraph 10.4 of the Council's Access to Information Procedure Rules as contained in the Council's Constitution. It is not in the public interest to disclose this information as this appendix contains confidential and commercially sensitive information supplied by Capita Business Services Limited. It would prejudice the Council's ability to operate in a commercial environment and obtain best value in negotiations and would prejudice the Council's commercial relationships with third parties, if they believed the Council would not honour any obligation of confidentiality.

23 STRATEGIC SERVICES PARTNERSHIP (SSP) CONTRACT - PROPOSED CONTRACT EXTENSION (

Report of the Leader of the Council, seeking approval for a proposed contract extension of the Strategic Service Contract, attached.

NOTE: There will be Christian prayers and a Thought for the Day by the Reverend Doctor Julian Davies in the Mayor's Reception Room at 1.45 pm for Members of the Council and Officers who wish to attend.



M R HEATH
Director of Corporate Services