

# CABINET

**Tuesday, 19th February, 2013  
at 5.00 pm**

## **Council Chamber - Civic Centre**

This meeting is open to the public

### **Members**

Councillor Dr R Williams, Leader of the Council  
Councillor Stevens, Cabinet Member for Adult Services  
Councillor Bogle, Cabinet Member for Children's Services  
Councillor Rayment, Cabinet Member for Communities  
Councillor Noon, Cabinet Member for Efficiency and Improvement  
Councillor Thorpe, Cabinet Member for Environment and Transport  
Councillor Payne, Cabinet Member for Housing and Leisure Services  
Councillor Letts, Cabinet Member for Resources

(QUORUM – 3)

### **Contacts**

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## **BACKGROUND AND RELEVANT INFORMATION**

### **The Role of the Executive**

The Cabinet and individual Cabinet Members make executive decisions relating to services provided by the Council, except for those matters which are reserved for decision by the full Council and planning and licensing matters which are dealt with by specialist regulatory panels.

### **Executive Functions**

The specific functions for which the Cabinet and individual Cabinet Members are responsible are contained in Part 3 of the Council's Constitution. Copies of the Constitution are available on request or from the City Council website, [www.southampton.gov.uk](http://www.southampton.gov.uk)

### **The Forward Plan**

The Forward Plan is published on a monthly basis and provides details of all the key executive decisions to be made in the four month period following its publication. The Forward Plan is available on request or on the Southampton City Council website, [www.southampton.gov.uk](http://www.southampton.gov.uk)

### **Key Decisions**

A Key Decision is an Executive Decision that is likely to have a significant

- financial impact (£500,000 or more)
- impact on two or more wards
- impact on an identifiable community

Decisions to be discussed or taken that are key

### **Implementation of Decisions**

Any Executive Decision may be "called-in" as part of the Council's Overview and Scrutiny function for review and scrutiny. The relevant Overview and Scrutiny Panel may ask the Executive to reconsider a decision, but does not have the power to change the decision themselves.

### **Southampton City Council's Seven Priorities**

- More jobs for local people
- More local people who are well educated and skilled
- A better and safer place in which to live and invest
- Better protection for children and young people
- Support for the most vulnerable people and families
- Reducing health inequalities
- Reshaping the Council for the future

### **Procedure / Public Representations**

Reports for decision by the Cabinet (Part A of the agenda) or by individual Cabinet Members (Part B of the agenda). Interested members of the public may, with the consent of the Cabinet Chair or the individual Cabinet Member as appropriate, make representations thereon.

**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 officers of the Council, of what action to take.

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

### **Municipal Year Dates (Tuesdays)**

<b>2012</b>	<b>2013</b>
19 June	29 January
17 July	19 February
21 August	19 March
18 September	16 April
16 October	
13 November	
18 December	

## CONDUCT OF MEETING

### **TERMS OF REFERENCE**

The terms of reference of the Cabinet, and its Executive Members, are set out in Part 3 of the Council's Constitution.

### **RULES OF PROCEDURE**

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

### **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.

### **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 3.

## **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.

## AGENDA

**Agendas and papers are now available via the Council's Website**

### **1 APOLOGIES**

To receive any apologies.

### **2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS**

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Democratic Support Officer.

## **EXECUTIVE BUSINESS**

### **3 STATEMENT FROM THE LEADER**

### **4 RECORD OF THE PREVIOUS DECISION MAKING**

Record of the decision making held on 29<sup>th</sup> January and 5<sup>th</sup> February 2013 attached.

### **5 REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (IF ANY)**

There are no items for consideration

### **6 EXECUTIVE APPOINTMENTS**

To deal with any executive appointments, as required.

## **MONITORING REPORTS**

### **7 THIRD QUARTER PERFORMANCE MONITORING FOR 2012/13**

Report of the Cabinet Member for Efficiency and Improvement outlining progress made at the end of December 2012 against the targets contained within the Council Plan, attached.

### **8 CORPORATE REVENUE FINANCIAL MONITORING FOR THE PERIOD TO THE END OF DECEMBER 2012**

Report of the Cabinet Member Resources detailing financial monitoring for the period to the end of December 2012, attached

## **ITEMS FOR DECISION BY CABINET**

### **9 GRANTS TO VOLUNTARY ORGANISATIONS 2012/14 TO 2015/16**

Report of the Cabinet Member for Efficiency and Improvement seeking approval on recommendations for the allocation of the grants to voluntary organisations budget (subject to Budget setting), attached.

### **10 TRANSFER OF PUBLIC HEALTH FUNCTIONS TO SOUTHAMPTON CITY COUNCIL**

Report of the Cabinet Member for Communities, outlining the operational arrangements for the transfer of the Public Health function, including the approval of the relevant delegations and associated matters, attached.

### **11 CREATION OF A LOCAL TRANSPORT BODY**

Report of the Cabinet Member for Environment and Transport seeking agreement to the creation of a Local Transport Body, attached.

### **12 PLAY SITE DEVELOPMENT**

Report of the Cabinet Member for Housing and Leisure, seeking approval to spend Section 106 funding on the development of play sites across the City. During 2013 the City Council intends to refurbish and develop Play sites across the City, attached.

### **13 LICENSING SCHEME FOR HOUSES IN MULTIPLE OCCUPATION - CONSULTATION RESULTS AND FINAL APPROVAL**

Report of the Cabinet Member for Housing and Leisure, seeking final approval for an additional licensing scheme for Houses in Multiple Occupation (HMOs) following results of the public consultation, attached.

### **14 MOBILITY SCOOTER STORAGE POLICY**

Report of the Cabinet Member for Housing and Leisure, seeking agreement for the introduction of a new Mobility Scooter storage and usage policy for the City Council's housing stock, attached.

### **15 CITY CENTRE FORUM**

Report of the Leader of the Council, seeking authority to participate and support a City Centre Forum proposed by key business organisations to facilitate City Centre development proposals, attached.

### **16 SCOUTS PREMISES - FREEHOLD SALES TO SCOUT GROUPS**

Report of Cabinet Member for Resources, seeking approval to the disposal of up to fifteen Scout site freeholds, attached.

**17 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 Item

Confidential Appendices contain information deemed to be exempt from general publication by virtue of 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 doing so would prejudice the commercial confidentiality of the bidders and selection process.

**18 \* ESTATE REGENERATION - WESTON LANE SHOPPING PARADE REDEVELOPMENT**

Report of the Leader of the Council, detailing the progress made in developing proposals to regenerate Weston Lane shopping parade and recommending approval for proceeding to the next stages required for redeveloping the site.

**ITEMS FOR DECISION BY CABINET MEMBER**

**19 PROPOSALS TO EXPAND THREE PRIMARY SCHOOLS IN THE CITY**

Report of the Head of Infrastructure, seeking a decision on the implementation or withdrawal of proposals to expand Bassett Green Primary, Bevois Town Primary and St Johns Primary and Nursery, attached.

**20 PRIMARY SCHOOL DEVELOPMENT - ST MONICA INFANT AND JUNIOR SCHOOLS**

Report of the Senior Manager Children and Young People Strategic Commissioning, Education and Inclusion seeking consultation on the possibility of developing an new all through primary School, attached.

NOTE: This report is submitted for consideration as a general exception under paragraph 15 of the Access to Information procedure Rules in Part 4 of the Council's Constitution.

**21 CONCESSIONARY FARES SCHEME 2013/14**

Report of the Senior Manager Planning, Transport and Sustainability, seeking approval to the local elements to the Council's concessionary travel scheme 2013 and the reimbursement rate to bus operators that are proposed to apply from 1st April 2013, attached.

**EXECUTIVE BUSINESS**  
**THIS ITEM WILL NOT BE HEARD UNTIL THE CONCLUSION OF OVERVIEW AND**  
**SCRUTINY MANAGEMENT COMMITTEE**

**22 MATTERS REFERRED BY THE COUNCIL OR BY THE OVERVIEW AND SCRUTINY**  
**MANAGEMENT COMMITTEE FOR RECONSIDERATION (IF ANY)**

Report of Chair of Overview and Scrutiny Management Committee, seeking a response to any recommendations made by the Committee at the meeting on the 19<sup>th</sup> February 2013, attached.

MONDAY, 11 FEBRUARY 2013      HEAD OF LEGAL, HR AND DEMOCRATIC SERVICES