

# Cabinet

Tuesday, 17th March, 2015  
at 4.30 pm

## **PLEASE NOTE TIME OF MEETING**

Council Chamber - Civic Centre

This meeting is open to the public

### **Members**

Councillor Simon Letts, Leader of the Council  
Councillor Stephen Barnes-Andrews, Cabinet Member for Resources and Leisure  
Councillor Daniel Jeffery, Cabinet Member for Education and Change  
Councillor Mark Chaloner, Cabinet Member for Children's Safeguarding  
Councillor Satvir Kaur, Cabinet Member for Communities  
Councillor Jacqui Rayment, Cabinet Member for Environment and Transport  
Councillor Dave Shields, Cabinet Member for Health and Adult Social Care  
Councillor Warwick Payne, Cabinet Member for Housing and Sustainability

(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.

### **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)

### **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.

**Mobile Telephones** – Please switch your mobile telephones to silent whilst in the meeting.

### **Use of Social Media**

The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair’s opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council’s Standing Orders the person can be ordered to stop their activity, or to leave the meeting

### **Southampton City Council’s Priorities:**

- Jobs for local people
- Prevention and early intervention
- Protecting vulnerable people
- Affordable housing
- Services for all
- City pride
- A sustainable Council

### **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)

### **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

### **Procedure / Public Representations**

At the discretion of the Chair, members of the public may address the meeting on any report included on the agenda in which they have a relevant interest. Any member of the public wishing to address the meeting should advise the Democratic Support Officer (DSO) whose contact details are on the front sheet of the agenda.

**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.

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

**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>2015</b>	<b>2016</b>
16 June	19 January
14 July	9 February ( <b>Budget</b> )
18 August	16 February
15 September	15 March
20 October	19 April
17 November	
15 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 Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

### **DISCLOSABLE PECUNIARY 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 of 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 an, '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

### **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.

- 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**

### **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 (Pages 1 - 12)**

Record of the decision making held on 10<sup>th</sup> and 17<sup>th</sup> February, 2015, attached.

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

There are no matters referred for reconsideration.

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

There are no items for consideration

### **7 EXECUTIVE APPOINTMENTS**

To deal with any executive appointments, as required.

### **8 QUESTIONS FROM MEMBERS TO CABINET MEMBERS**

To consider any questions to the Executive from Members of the Council submitted on notice.

## **ITEMS FOR DECISION BY CABINET**

**9 INCREASE IN PUPIL NUMBERS AT SPRINGWELL SPECIAL SCHOOL** □ (Pages 13 - 70)

Report of the Cabinet Member for Education and Change outlining the outcome of the statutory consultation on expansion at Springwell School and seeking a decision to authorise the increase in pupil numbers on-roll at Springwell Special School from September 2015, attached.

**10 ADMISSION ARRANGEMENTS FOR INFANT, JUNIOR, PRIMARY AND SECONDARY COMMUNITY AND VOLUNTARY CONTROLLED SCHOOL 2016/17** □ (Pages 71 - 112)

Report of the Cabinet Member for Education and Change seeking approval of the admission arrangements for Community and Voluntary Controlled Infant, Junior, Primary and Secondary Schools for 2016/17, attached.

**11 ENVIRONMENT AND TRANSPORT CAPITAL PROGRAMME 2015/16 - APPROVAL TO SPEND** □ (Pages 113 - 140)

Report of the Cabinet Member for Environment and Transport seeking approval to spend and to provide details of the Environment and Transport capital programme 2015/16, attached.

**12 LOCAL SAFEGUARDING ADULTS BOARD - GOVERNANCE ARRANGEMENTS** (Pages 141 - 156)

Report of the Cabinet Member for Health and Adult Social Care detailing governance arrangements for the Statutory Local Safeguarding Adults Board, attached.

**13 CORE STRATEGY PARTIAL REVIEW: ADOPTION** □ (Pages 157 - 160)

Report of the Leader of the Council seeking approval of the Core Strategy, attached.

**14 CITY CENTRE ACTION PLAN: ADOPTION** □ (Pages 161 - 166)

Report of the Leader of the Council seeking adoption to the City Centre Action Plan, attached.

**15 GRANTS TO VOLUNTARY ORGANISATIONS 2015 TO 2019** □ (Pages 167 - 180)

Report of the Cabinet Member for Resources and Leisure on recommendations for the process of allocating the grants to voluntary organisations budget to March 2019, 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 2 to the following item.

The Confidential Appendix 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 could influence bids for the property which may be to the Council's financial detriment.

**17 \*WEST QUAY 3 SITE B - APPROVAL OF DISPOSAL □ (Pages 181 - 190)**

Report of the Leader of the Council to approve the principle of the terms of the disposal of West Quay 3 Site B, 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

This report is not for publication by virtue of categories 3 and 5 (financial and business affairs of the authority and information in respect of which a claim for legal professional privilege could be maintained) 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 because this case is in dispute with imminent risk of litigation. The Council is formally subject to the Pre-Action Protocol for Construction and Engineering disputes with the next step being formal proceedings. The contents of this report is therefore sensitive to this ongoing dispute and the prospects for settling this matter in favour of the Authority.

**19 \*CONTRACT DISPUTE □ (Pages 191 - 246)**

Report of the Cabinet Member for Education and Change for a decision to be made for a contract dispute, attached.

Monday, 9 March 2015

Head of Legal and Democratic Services