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SOUTHAMPTON CITY COUNCIL

MINUTES OF THE COUNCIL MEETING HELD ON  
18<sup>TH</sup> NOVEMBER 2009

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Present:

The Mayor, Councillor Mizon  
The Sheriff, Councillor Cunio  
Councillors Baillie, Ball, Barnes–Andrews, Baston, Beckett, Mrs Blatchford, Bogle, Burke, Capozzoli, Cooke, Daunt, Davis, Dean, Dick (items 58(b) onwards), Drake, Fitzgerald, Fitzhenry, Fuller, Galton, Hannides, Holmes, Jones, Letts, Marsh-Jenks, McEwing, Moulton, Norris, Odgers, Osmond, Parnell, Payne, Samuels, Smith, Sollitt, Stevens, Thomas, Walker, Wells, White, Willacy, P. Williams and Dr R. Williams.

53. APOLOGIES

It was noted that apologies for absence had been received from Councillors Mrs Damani, Matthews, Rayment and Slade.

54. MINUTES

RESOLVED that the minutes of the Council Meeting held on 16<sup>th</sup> September 2009 be approved and signed as a correct record.

55. ANNOUNCEMENTS FROM THE MAYOR

FRIENDS OF ST. JAMES' PARK

The Mayor congratulated the Friends of St. James' Park on behalf of the whole Council for achieving a Parks for People lottery grant of £1.1million.

TOY APPEAL

The Mayor reminded Members of the assistance the Mayor's Office gives each year to the Southampton Voluntary Services Annual Toy Appeal. The gifts would be presented on Tuesday, 1<sup>st</sup> December 2009.

CITIZENS AWARD

Members were reminded they could nominate someone for the City of Southampton Award recognising someone who has made an exceptional contribution to the life of the City. The closing date for nominations is Thursday, 31<sup>st</sup> December 2009.

MAYORS BALL

The Mayor announced that tickets were on sale for the charity ball taking place on Thursday, 28<sup>th</sup> January 2010.

56. DEPUTATIONS, PETITIONS AND PUBLIC QUESTIONS

- (i) The Council received a deputation and a petition from Dr Ian Thomas concerning traffic lights on Woodmill Bridge.
- (ii) The Council received a deputation from Rose Nicole concerning the plastic bag free community.
- (iii) The Council received a deputation and a petition opposing the privatisation of Leisure Services.
- (iv) The Council received the following public question:  
Does the Council intend to carry out a risk assessment into the potential legal costs of asking the Attorney General for permission to sell art works and the potential costs should the case be referred to a Charity Commission Tribunal or the High Court?

Answer

There is no cost associated with the application to the Attorney General, outside of the minor costs of Counsel fee's for his advice in submitting and arguing the Council's case.

Should the Attorney General choose to refer the application to the Charity Commission, further costs could be incurred if the Council wished to pursue this route. If the Council decided to do so, at any point at which the costs appeared to be likely to become excessive, the Council could then decide to withdraw the application at fairly minimal cost. Any such decision would be based on sound legal advice of the likelihood of success and taken in the context of the significant financial, social and economic benefits to the City that the delivery of the Cultural Quarter would bring.

57. EXECUTIVE BUSINESS

The report of the Leader of the Council was submitted, setting out the details of the business undertaken by the Executive (copy of report circulated with agenda and appended to signed minutes).

The Leader and the Cabinet made statements and responded to Questions.

The following questions were then submitted in accordance with Council Procedure Rule 11.1:-

- 1. Question from Councillor Payne to Councillor P Williams

Since May 2008, how many Southampton council houses have been upgraded to give tenants control over the temperature and energy consumption in their homes? In these cases, what has been the average cost of installing the equipment, and what has been the average saving that tenants have made on their bills?

Answer

Since May 2008 45 properties have been removed from the council's communal heating system giving tenants full control of their energy consumption. A further 84 properties have been programmed to have their landlord meter disconnected with full control of the heating being transferred to the tenant. This work is planned to be completed by early December.

The average cost for this work is £150 - £200 per property.

The Council does not have the relevant information available to determine whether a saving is being made as it does not have access to individual tenant's information relating to their annual heating costs.

2. Question from Councillor Baston to Councillor Samuels

In view of the announcement that the Administration has decided to defer a decision on the sale of works of art in order to explore other ways of funding the proposed Sea City Museum, can the Leader of the Council confirm that his statements on 15 July at Council and 18 July to the press that 'if we don't sell some paintings we don't get a heritage centre. We have made our choice.' no longer represent the Administration's policy

Answer

The Administration has made no such announcement. There has been no change in policy. This matter will be explored in full through the Motions debate later on today's agenda.

3. Question from Councillor R Williams to Councillor Samuels

Does the Leader of the Council still support the linkage of the basic councillors allowance to the minimum wage as voted for by Council a few years ago

Answer

Personally, I never supported the minimum wage concept as the basis for this calculation. The concept was agreed by the Council when very differently constituted, and in very different economic circumstances.

The Councillors' allowance is an allowance and not a wage. Councillors are not employed by the Council. At present the economy is in dire straits. Many people are losing their jobs, suffering cuts in pay or freezes in pay. The number of unemployed, especially amongst young people, is also rising alarmingly.

The Administration is doing all that it can as a top priority, within very limited finances, to protect and promote employment within the City.

The executive's draft 2009/10 budget demonstrates this commitment. It also emphasises that tough choices need to be made to balance the Council's books and to pay for all the things that we are required to do. I see no reason why Councillors' in the public sector should not bear something of the economic pain being experienced by residents within this city. The executive's draft budget proposals therefore currently include a proposal to freeze councillors' expenses next year.

4. Question from Councillor Sollitt to Councillor Hannides

Will the Cabinet Member consider the establishment of an independent or arms-length trust to manage the city's galleries and museums to ensure that they are legally and ethically safeguarded in the best interests of the people of Southampton?

Answer

The administration is committed to the best management option to safeguard the future viability and development of our Cultural facilities. In the event of a Trust managing any of our facilities, the Council would remain as a client and have ultimate responsibility for the facilities and services, including accountability for serving the appropriate ethical and legal interests of the people of Southampton.

5. Question from Councillor R Williams to Councillor Moulton

If art from the Chipperfield Trust is sold will it be subject to Capital Gains Tax and if so at what rate would CT be applied?

Answer

The Council obtained Counsel's opinion on the proposed sale of Art from the Chipperfield Bequest. As part of this opinion, Counsel stated that:

'...no Capital Gains Tax will arise on the disposal of the paintings by either the Charitable Trust or the Council. '

Charitable Trusts enjoy an exemption from CGT to the extent that the gain in question is both applicable and is in fact applied to the charitable purposes (as the proceeds of the sale of paintings by the Charitable Trust would certainly be).

The relevant provision is provided for by **section 256** of the **Taxation of Chargeable Gains Act 1992**, which states that:

'...a gain shall not be a chargeable gain if it accrues to a charity and is applicable and applied for charitable purposes.'

Local Authorities also enjoy such an exemption, as provided by **section 271(3) of the Taxable Gains Act 1992'**

6. Question from Councillor Baston to Councillor Dean

Transition Southampton' aims to help develop positive solutions to the challenges of fossil fuel scarcity and climate change, and to work with individuals, organisations and local government to this end. Will the Cabinet Member inform us whether it is his policy to work constructively with this group.

Answer

It is my policy to work constructively with Transition Southampton. Lorraine Brown, Bill Clark and I have met Transition Southampton on Monday 16<sup>th</sup> November and I have already attended a Transition Southampton Event where I spoke.

7. Question from Councillor R Williams to Councillor Dean

Can the Cabinet Member for Environment and Transport describe the Executive's position on the "10:10" campaign which commits organisation's to cut their carbon emissions by 10% in 2010?

Answer

The Council recognises the threat of climate change as a serious issue which has very real implications for the city and one we are committed to addressing. Our commitment to the issue is embedded in our corporate objectives and within the council's established Sustainability Principles.

We have a reputation for being a leading authority on implementing innovative measures to both mitigate against, and adapt to, the emerging impacts of climate change. Signing-up to the 10:10 campaign, which promotes an ambitious commitment to reducing carbon output, would further enhance this reputation.

The council is currently committed to achieving the LAA stretch target of a reduction of 938 tonnes CO<sub>2</sub> emissions arising from SCC operational buildings and schools by March 31<sup>st</sup> 2010 which equates to a 4.23% annual reduction. Raising this requirement to a 10% reduction is a stretching commitment which will require a raft of actions to be identified and put in place building upon work that is already happening. This will require increased efforts towards energy and transport efficiency measures along with prudent resource use and full corporate commitment to more stretching targets. This presents a significant challenge but one which is worthy of further consideration.

8. Question from Councillor Galton to Councillor Holmes

In light of the recent report stating that 20 schools per week are damaged or destroyed by fire, can the Cabinet Member inform us if all new school buildings within Southampton will be fitted with adequate sprinklers systems, and if any steps are being taken to add sprinkler systems to existing school buildings within the City?

Answer

All wholly new schools, and remodelled schools where there is a substantial proportion of new build, built through Building Schools for the Future will be fitted with sprinklers,. A decision will be taken on a case by case basis in relation to other school capital projects.

9. Question from Councillor McEwing to Councillor White

Can the Cabinet Member for Adult Social Care and Health advise full Council of how many residents of Whitehaven Lodge and Birch Lawn have died since the proposal to close the homes has come into the public domain and can he also advise of those who have already moved into the private sector of residential care have also died?

Answer

The figures requested are as follows;

Since August 2008, of people using Whitehaven:

6 people died in nursing homes  
1 person died in another residential home nearer her family  
1 person died in Whitehaven  
7 people died in hospital

Of people using Birch Lawn:

3 residents have died in Birch Lawn  
3 residents have died in hospital  
1 resident has died in a nursing home.

It should be noted that it is normal practice to move, following careful assessment, those residents whose frailty has increased to homes providing more specialist care e.g. nursing and/or dementia care.

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3 residents have died in Birch Lawn  
3 residents have died in hospital  
1 resident has died in a nursing home.

It should be noted that it is normal practice to move, following careful assessment, those residents whose frailty has increased to homes providing more specialist care e.g. nursing and/or dementia care.

11. Question from Councillor Bogle to Councillor Dean

Would the Cabinet Member for Environment clarify how residents, rather than businesses and visitors may be able to benefit from the recent review of parking charges?

Answer

City centre residents who have no parking place allocated to their place of residence are now able to purchase an overnight season ticket to park in 4 council-owned multi storey car parks for an annual fee of just £250. In effect this means that their vehicle will be in a secure and well lit environment, out of all weathers and covered by CCTV 24 hours a day. This equates to around £5.00 a week. The car parks concerned are Grosvenor Square, Bedford Place, Eastgate Street and Marlands.

In addition, those residents of Southampton who work in and around the city centre now have the opportunity to reduce their parking costs by at least 20% by purchasing a Pay As You Park discount card or a parking season ticket. They could also save as much as 50% on parking charges by parking in Six Dials and Trinity Road car parks.

It remains policy of her majesties opposition to oppose the parking standards which have lead to the deployable situation some local residents, particularly in the city centre, face around parking. Unlike previous administrations we remain committed to doing all we can to help resolve this issue locally.

12. Question from Councillor McEwing to Councillor P Williams  
Can the Cabinet Member for Housing and Local Services advise full Council how long does it take for voids to be relet?

Answer

In 2006 it was taking the council 44 days on average to let a council house. At the end of Quarter 2 in 2009 this is now 32.96 days. The overall target for 2009/10 is 32 days.

Within this headline performance indicator, the relet period for general needs properties is 25.17 days.

Over the past three years the Council has reduced the time taken to complete repairs and sign up new tenants which has resulted in a reduction in time taken to re-let homes. The council has also taken the opportunity to carry out some decent homes work when homes have become empty.

The implementation of the sheltered housing review will lead to a reduction of re-let times in our homes for older people and an improvement in performance overall.

The Average re-let time in days is available on the [Intranet](#) and is kept up to date on a monthly basis.

13. Question from Councillor R Williams to Councillor Dean  
Can the Cabinet Member for Housing and Local Services advise full Council if the City Council is on track to fulfil the deadline to meeting the Decent Homes Programme?

Answer

Yes.

58. MOTIONS

- Councillor Burke moved and Councillor Bogle seconded:  
(a) Council welcomes that all political parties in this Chamber support the delivery of the cultural quarter and see it as essential for the continued regeneration of the city. In order to ensure that the cultural quarter is delivered with the reputation of Southampton untarnished as an arts and heritage centre of excellence, Council calls on the Executive to replace the proposed sale of art from the City Art Gallery with alternative sources of funding.

Amendment moved by Councillor Hannides and seconded by Councillor Smith.

In the second sentence, fourth line, **delete** the words:



“reputation of Southampton untarnished as an arts and heritage centre of excellence,”

and **replace** with:

“support of all relevant stakeholders, Council endorses the Executive's decision to suspend from the forward plan the proposed sale of art. The”

In the second sentence, sixth line, **delete** the words:

“replace the proposed sale of art from the City Art Gallery with”

and **replace** with:

“continue investigating”

#### AMENDED MOTION TO READ

Council welcomes that all political parties in this Chamber support the delivery of the cultural quarter and see it as essential for the continued regeneration of the city. In order to ensure that the cultural quarter is delivered with the support of all relevant stakeholders, Council endorses the Executive's decision to suspend from the forward plan the proposed sale of art. The Council calls on the Executive to continue investigating alternative sources of funding.

UPON BEING PUT TO THE VOTE THE AMENDMENT WAS DECLARED CARRIED

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RESOLVED that the motion as amended be approved.

(b) Councillor Baston moved and Councillor Sollitt seconded:  
This Council notes that:

1. Climate change predictions show that without severe cuts in greenhouse gas emissions, the world will be hit by drought, flooding and famine affecting all of us, and poorest countries in particular. Some of these countries are already suffering from the effects of climate change. This is an issue of social justice as well as a call to take environmental action.
2. Under the UK Climate Change Act 2008 the UK is due to cut its emissions by 34% by 2020, but according to climate change scientists, a cut of 10% in 2010 is in line with what is now needed to avert runaway climate change.

In preparation for the Copenhagen conference, government ministers need to know that the public supports more dramatic cuts in emissions than have been proposed. Many councils have

already signed up to the '10:10' Campaign, which seeks to persuade individuals, business, organisations and the UK government to reduce their CO2 emissions by 10% in 2010.

This Council supports these aims and ambitions and therefore resolves to urge the Executive to sign up to the 10:10 Campaign. Amendment moved by Councillor Dean and seconded by Councillor Fitzhenry.

**Delete** the first section:

“This Council notes that:

3. Climate change predictions show that without severe cuts in greenhouse gas emissions, the world will be hit by drought, flooding and famine affecting all of us, and poorest countries in particular. Some of these countries are already suffering from the effects of climate change. This is an issue of social justice as well as a call to take environmental action.”

In the first line of second paragraph, **delete** the words:

4. “due to cut its emissions by 34% by 2020, but according to climate change scientists, a cut of 10% in 2010 is in line with what is now needed to avert runaway climate change.”

and **replace** with:

“obliged to cut Green House Gas emissions by 80% by 2050 against 1990 levels.”

**Delete** the entire third paragraph:

“In preparation for the Copenhagen conference, government ministers need to know that the public supports more dramatic cuts in emissions than have been proposed. Many councils have already signed up to the '10:10' Campaign, which seeks to persuade individuals, business, organisations and the UK government to reduce their CO2 emissions by 10% in 2010.”

In the fourth paragraph, **delete** the words:

“This Council supports these aims and ambitions and therefore resolves to urge”

and **replace** with:

“To build upon the good work done by the Council to reduce carbon emissions, the council supports the aims of the 10:10 campaign which seeks to cut Green House Gas emissions in 2010 by 10%. This Council urges”

AMENDED MOTION TO READ

Under the UK Climate Change Act 2008 the UK is obliged to cut Green House Gas emissions by 80% by 2050 against 1990 levels.

To build upon the good work done by the Council to reduce carbon emissions, the council supports the aims of the 10:10 campaign which seeks to cut Green House Gas emissions in 2010 by 10%. This Council urges the Executive to sign up to the 10:10 Campaign.

UPON BEING PUT TO THE VOTE THE AMENDMENT WAS DECLARED CARRIED

UPON BEING PUT TO THE VOTE THE MOTION AS AMENDED WAS DECLARED CARRIED

RESOLVED that the motion as amended be approved.

59. QUESTIONS FROM MEMBERS TO THE CHAIRS OF COMMITTEES OR THE MAYOR

It was noted that no questions had been received.

60. APPOINTMENTS TO COMMITTEES, SUB-COMMITTEES AND OTHER BODIES

Council noted that Councillor Fitzgerald had been appointed to replace Councillor Wells on Licensing Committee.

RESOLVED that Councillor Parnell be elected Chair of the Licensing Committee for the remainder of 2009/2010 municipal year.

61. 2009/12 ADULT LEARNING AND SKILLS PLAN (FORMERLY 2009/10)

The report of the Cabinet Member for Young People and Skills seeking approval for the endorsement of the Plan. (Copy of report circulated with agenda and appended to signed minutes).

RESOLVED:

- (i) that the 2009/12 Adult Learning and Skills Plan be approved.
- (ii) that delegated authority be granted to the Executive Director for Children's Services and Learning (following consultation with the Cabinet Member for Young People and Skills) to continue to revise the Plan in response to Learning and Skills Council and City Council priorities.

62. SEA CITY MUSEUM PROJECT

The report of the Cabinet Member for Leisure, Culture and Heritage seeking approval for the expenditure of funds. (Copy of report circulated with agenda and appended to signed minutes).

RESOLVED:

- (i) That the addition of £375,000 to the Leisure, Culture and Heritage capital programme (phased £307,000 in 2009/10 and £68,000 in 2010/11) be approved.