

# CABINET

**Monday, 20th December, 2010**

Traffic Regulation Orders start at  
4:00 PM

Executive Business starts no  
earlier than 5:00 PM

## Council Chamber

This meeting is open to the public

### Members

Councillor Smith, Leader of the Council  
Councillor Moulton, Cabinet Member for Resources  
and Workforce Planning

Councillor Baillie, Cabinet Member for Housing  
Councillor Dean, Cabinet Member for Environment  
and Transport

Councillor Hannides, Cabinet Member for Leisure,  
Culture and Heritage

Councillor Holmes, Cabinet Member for Children's  
Services and Learning

Councillor White, Cabinet Member for Adult Social  
Care and Health

Councillor P Williams, Cabinet Member for Local  
Services and Community Safety

(QUORUM – 3)

### Contacts

Cabinet Administrator

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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 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

## **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 (Mondays)**

<b>2010</b>	<b>2011</b>
7 June	17 January
21 June	7 February
5 July	14 February
2 August	14 March
6 September	11 April
27 September	
25 October	
22 November	
20 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.

### 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 Executive Procedure Rules as set out in Part 4 of the Council's Constitution.

### QUORUM

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

### 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.

Cont/...

## **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.

## AGENDA

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

### **1 APOLOGIES**

To receive any apologies.

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

In accordance with the Local Government Act, 2000, and the Council's Code of Conduct adopted on 16th May, 2007, Members to disclose any personal or prejudicial 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

## **TRAFFIC REGULATION ORDERS**

### **3 PROPOSAL TO INTRODUCE A PERMIT PARKING SCHEME IN CHETWYND DRIVE, BASSETT (TRO)**

Report of the Head of Highways and Parking Services detailing a sustained objection to recent proposals to introduce a permit parking scheme in Chetwynd Drive, attached.

## **EXECUTIVE BUSINESS**

### **4 STATEMENT FROM THE LEADER**

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

Record of the decision making held on 22 November 2010, attached.

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

There are no matters referred for reconsideration.

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

There are no items for consideration

## **8 EXECUTIVE APPOINTMENTS**

To deal with any executive appointments, as required.

### **ITEMS FOR DECISION BY CABINET**

## **9 APPROVAL TO GRANT DELEGATED POWERS TO OFFICERS AND MEMBERS WITHIN THE FRAMEWORK OF THE RECENT NHS WHITE PAPER (**

Report of the Cabinet Member for Adult Social Care and Health seeking approval to grant delegated powers to officers and members to take certain decisions that will contribute to delivering better outcomes for local people within the framework of the recent NHS White Paper, attached.

## **10 ENDORSEMENT OF STATEMENTS OF PURPOSE: ADOPTION, FOSTERING AND PRIVATE FOSTERING SERVICES**

Report of the Cabinet Member for Children's Services and Learning, seeking ratification The Care Standards Act 2002, ratification of: the Fostering Agency Statement of Purpose; The Adoption Agency Statement of Purpose; and the Private Fostering Statement of Purpose, attached.

## **11 HOUSING REVENUE ACCOUNT CAPITAL PROGRAMME PROJECT APPROVAL PHASE III**

Report of the Cabinet Member for Housing, seeking formal approval for expenditure on various projects, in accordance with Financial Procedure Rules, attached.

## **12 HOUSING STRATEGY 2011 - 2015 AND HOUSING REVENUE ACCOUNT BUSINESS PLAN 2010 - 2040**

Report of the Cabinet Member for Housing, seeking approval to review and update the current Housing Strategy, attached.

## **13 AUTHORITY TO ADVERTISE PROPOSED DISPOSAL BY LEASE OF LAND AT ABBEY HILL TO WESTON SAILING CLUB**

Report of the Cabinet Member for Resources and Workforce Planning seeking authority for the Solicitor to the Council to advertise for two consecutive weeks in a local newspaper, the proposed disposal by lease of land, 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.

Confidential Appendix 2 contains information deemed to be exempt from general publication based on Category 3 of paragraph 10.4 of the Councils Access to Information Procedure Rules. Publication of the information could influence the tender process, prejudice negotiations with potential contractors and result in the Authority not obtaining best value in procuring the services necessary to deliver the project.

**15 AUTOMATION OF ITCHEN BRIDGE TOLL COLLECTION SERVICE**

Report of the Cabinet Member for Environment and Transport outlining the conclusions of an investigation into the feasibility and potential benefits of automating the toll collection services on the Itchen Bridge, 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.

Confidential Appendix 3 contains information deemed to be exempt from general publication based on Category 3 of paragraph 10.4 of the Councils Access to Information Procedure Rules. Publication of the information could influence bids made on the Authority's other property transactions which maybe financially detrimental to the Council.

**17 AUTHORITY TO ADVERTISE PROPOSED DISPOSAL OF MAYFIELD LODGE**

Report of the Cabinet Member for Resources and Workforce Planning seeking authority for the Solicitor to the Council to advertise the proposed disposal by lease of land, attached

Friday, 10 December 2010

SOLICITOR TO THE COUNCIL