

COUNCIL

Wednesday, 14th November, 2012
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

Mark Heath

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Democratic Services Manager

Sandra Coltman

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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	Burke Barnes-Andrews 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 Payne Dr R Williams

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. Petitions with less than 1,500 signatories (non-qualifying) shall be presented to the Council meeting and be received without discussion.

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 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

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 2012/13)

2012	2013
16 May	16 January
11 July	13 February (Budget)
12 September	20 March
14 November	15 May

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, 6 November 2012

TO: ALL MEMBERS OF THE SOUTHAMPTON CITY COUNCIL

You are hereby summoned to attend a meeting of the COUNCIL to be held on WEDNESDAY, 14TH NOVEMBER, 2012 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 and the Special Council Meeting held on 12th September 2012, 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 outlining Executive Business conducted since the last Council meeting in September 2012, attached.

6 MOTIONS

(a) Councillor Letts to move:-

“Council notes the impact that the Government’s austerity programme has had on the City of Southampton.

Council is dismayed that the cumulative impact of budget savings in 2011-12 and 2012-13 amounts to £353 per household.

This Council notes the potential for further cuts in funding for the budget round in 2013-14.

Council believes it is the duty of all Councillors elected by the citizens of Southampton to do the best they can to secure a fair funding deal from any government for our City.

Council calls on all Group leaders to jointly lobby Government ministers on behalf of the City to secure the best funding deal available.

Council calls on all elected representatives both parliamentary and local government to 'Stand up for Southampton'."

(b) Councillor Vinson to move:-

“Planning and Housing

This Council believes that local people, through their democratically elected local authorities, are the most suitable judges of what development is acceptable in an area and the suitable level of contributions that developers should make.

This Council opposes:

- The Secretary of State's proposals for the Planning Inspectorate to have powers to override agreements between Councils and developers over the number of affordable housing units allocated to planning applications.
- The Secretary of State's proposals for planning permission – currently required for extensions of more than three or four metres from the rear wall of any home – to only be needed for those reaching beyond 8m for detached homes and 6m for others
- The Secretary of State's proposals for the Planning Inspectorate to take planning powers away from local authorities deemed to be slow or of making poor quality planning decisions in determining applications.

This Council urges the Government to listen to the concerns being expressed by the cross-party LGA.

This Council resolves to formally write to the Secretary of State for Communities and Local Government, outlining this Council's opposition to the plans.

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 LOCAL GOVERNMENT OMBUDSMAN REPORT

Report of the Head of Legal, HR and Democratic Services regarding the findings of the Local Government Ombudsman in relation to an adult social services matter, attached.

10 TRIENNIAL REVIEW OF GAMBLING ACT 2005 POLICY

Report of the Head of Legal, HR and Democratic Services seeking the adoption of a revised Gambling Act Policy, attached.

11 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 confidential report .

Report is considered to be confidential, the confidentiality of which is based on category 4 of paragraph 10.4 of the Council's Access to Information Procedure Rules.

It is not considered to be in the public interest to disclose this information because this Report/ Appendix contains confidential and commercially sensitive information relating to the personal interests of employees involved in this matter.

The information contained therein is potentially exempt as it relates to individual personal details and information held under the Data Protection Act 1998. Having applied the public interest test it is not appropriate to disclose this information as the individuals' legal expectation of privacy outweighs the public interest in the exempt information.

12 EMPLOYEES' TERMS AND CONDITIONS LITIGATION - SETTLEMENT TERMS

Report of the Head of Legal, HR and Democratic Services regarding employees' terms and conditions litigation and the proposals for settlement, attached.

13 REVISION OF THE COUNCIL'S EQUALITY POLICY AND OBJECTIVES

Report of the Cabinet Member for Communities seeking approval to a revised Equality Policy and Equality Action Plan (January 2013 to March 2016), attached.

14 TOWNHILL PARK REGENERATION FRAMEWORK: SCHEME APPROVAL FOR PHASE 1

Report of the Cabinet Member for Housing and Leisure regarding further consideration of the financial model and approval of the capital expenditure for the implementation of Phase 1, attached.

15 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 appendices to the following Item

Confidential appendices 1 and 2 contain 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 doing so would prejudice the Authority's ability to achieve best consideration for the disposal of land and the awarding of a contract to carry out building works.

16 *LIBRARY PROVISION IN WOOLSTON

Report of the Cabinet Member for Housing and Leisure regarding library facilities in the Woolston area, attached.

17 SOUTHAMPTON YOUTH OFFENDING SERVICE (YOS) ANNUAL YOUTH JUSTICE PLAN 2012/13

Report of the Cabinet Member for Communities seeking approval of the Southampton Youth Offending Service (YOS) Annual Youth Justice Plan 2012/13, attached.

18 INCREASING SOUTHAMPTON'S RECYCLING RATE AND ENHANCING COLLECTIONS

Report of the Cabinet Member for Environment and Transport regarding the bid submitted to the Government's Weekly Collection Support Scheme, attached.

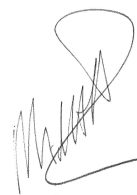
19 ADDITION OF TRANSPORT FUNDING TO THE CAPITAL AND REVENUE PROGRAMMES

Report of the Cabinet Member for Environment and Transport in association with the Cabinet Member for Resources seeking to accept new funding and add to the capital and revenue programmes for transport, attached.

20 TREASURY MANAGEMENT STRATEGY AND PRUDENTIAL LIMITS MID YEAR REVIEW

Report of the Head of Finance and IT (Chief Financial Officer) regarding the Treasury Management Strategy and Prudential Limits Mid Year Review, attached.

NOTE: There will be prayers by the Reverend Andrew Hockett, Joint Mayor's Chaplain in the Mayor's Reception Room at 1.45 pm for Members of the Council and Officers who wish to attend.

A handwritten signature in black ink, appearing to read 'M R HEATH', with a stylized flourish at the end.

M R HEATH
Director of Corporate Services