

ANNUAL COUNCIL MEETING

Wednesday, 15th May 2013
at 11.00 am in the
Guildhall – Civic Centre

2.00 pm in the
Council Chamber - Civic Centre

This meeting is open to the public

Members of the Council

The Mayor – Chair

The Sheriff – Vice-chair

Leader of the Council

Members of the Council (See overleaf)

Contacts

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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 (Vacancy)

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

Any Councillor may present a petition, on behalf of the signatories, about issues relating to Southampton. If you have such a petition you need to ask a Councillor to present it to the meeting.

The following opportunities also exist for the public to raise matters at Council meetings, but seven clear days' notice must be given before the meeting.

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.

Proposed Dates of Meetings (Municipal Year 2013/14)

2013	2014
15 May	12 February (Budget)
17 July	19 March
18 September	4 June*
* Date reflects current understanding of date of European Elections which will be combined with local elections.	
20 November	

CONDUCT OF MEETING

FUNCTIONS OF THE COUNCIL

The functions of the Council are set out in Article 4 of Part 2 of the Constitution

RULES OF PROCEDURE

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

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 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, 7 May 2013

TO: ALL MEMBERS OF THE SOUTHAMPTON CITY COUNCIL

You are hereby summoned to attend the Annual Meeting of the COUNCIL to be held on WEDNESDAY, 15TH MAY, 2013 in the GUILDHALL, CIVIC CENTRE at 11.00 am at which meeting the business set out in items 1 and 2 are proposed to be transacted, and in the COUNCIL CHAMBER - CIVIC CENTRE in the afternoon at 2.00 pm when the business set out in items 3 onwards are proposed to be transacted:-

1 TO ELECT A MAYOR FOR THE ENSUING YEAR

2 TO ELECT A SHERIFF FOR THE ENSUING YEAR

3 APOLOGIES

To receive any apologies.

4 MINUTES

To authorise the signing of the minutes of the Council Meetings held on 20 March 2013 and 25th April 2013, attached.

5 ANNOUNCEMENTS FROM THE MAYOR

Matters especially brought forward by the Mayor.

6 ELECTION OF THE LEADER

To elect a Leader of the Council for the ensuing year. Following the election the Leader will announce membership of the Cabinet.

7 CHANGES TO THE CONSTITUTION

Report of the Head of Legal, HR and Democratic Services, seeking approval for changes to the City Council's Constitution, attached.

8 APPOINTMENTS TO COMMITTEES, SUB-COMMITTEES AND OTHER BODIES

a Appointment of members

The Leader to move that, subject to alterations as may from time to time be made by the Council, the necessary Committees, Sub-Committees and other bodies and external organisations be appointed by the Council with the number and allocation of seats to political groups as set out in a schedule to be tabled at the meeting.

b Appointment of Chair and Vice-Chair

To appoint the Chair and Vice-Chair to each of the Committees and Sub-Committees appointed by the Council.

9 CALENDAR OF MEETINGS

To approve the following dates for meetings of the Council in the 2013/14 Municipal Year:

17th July 2013

18th September 2013

20th November 2013

12th February 2014 (Budget)

19th March 2014

4th June 2014* - Date reflects current understanding of date of European Elections which will be combined with local elections.

10 DEPUTATIONS, PETITIONS AND PUBLIC QUESTIONS

To receive any requests for Deputations, Presentation of Petitions or Public Questions.

The following petition has been received containing 1,500 signatures. Under the Council's Procedure Rules it is a qualifying petition which must be debated at Council.

Title: Southampton Keep Our NHS Public

Government changes to the NHS give the Council increased responsibilities to safeguard public health. These changes provide a base for further privatisation of health services within our NHS. Already private companies are heavily involved in delivering health services that were once NHS operated. As residents of Southampton, we urge the Council to declare itself in favour of protecting and promoting the public provision of health services in Southampton.

We need the Council to explain to the petitioners, where in your preparations for these changes to our NHS the Council has recognised any threat to its public integrity and integration. We have examined your documents as best we could. We've attended meetings of the Council's Health and Overview Scrutiny Panel and the Health and Wellbeing Boards, and we've seen the communication in Cityview. However, we can not find any clear expression that the Council is aware of the dangers highlighted in this petition. The communications so far identify very well the health needs of Southampton and the services needed to meet them but, they don't identify who will deliver the required services. This is a particular failing of the Joint Health and Wellbeing Strategy.

The joint Strategy document has only one clear reference to procurement, in Section 4.1 entitled Scope which states

"The focus of the joint work is on commissioning not on the integration of procurement processes."

Yet, we believe, this is the area in which the Council will have least control, since procurement is hedged round with all kinds of obligations, especially those expressed in the recently issued Section 75 regulations.

We therefore have 3 urgent requests for the Council:

- to revisit the Joint Health and Wellbeing Strategy taking account of these points;
- to give the Council's Health Overview and Scrutiny Panel the role of monitoring how the increased privatisation forced by regulations affect Southampton's health provision in the coming years; and
- require that the Panel detail its findings to Council every 6 months.

We recognise that what we're asking presents you with problems as recent Freedom of Information requests have been met with refusals to disclose on the grounds of commercial confidence. Even so, we urge the Council to expose as much information as possible rather than allowing such arguments to obscure the transparency owed to us.

11 EXECUTIVE BUSINESS

Report of the Leader of the Council, attached.

12 MOTIONS

(a) Councillor Furnell to move:

This Council believes that the introduction of 20mph zones across the City increases road safety for pedestrians. We support the proposed introduction of a trial 20mph zone in the Maybush and Redbridge areas. If this pilot scheme proves a success then Council calls on the Executive to bring forward proposals for similar schemes in other parts of the City as and when resources allow.

(b) Councillor Moulton to move:

This Council calls for a rethink of the Executive's plans to introduce new charges for residents parking schemes in the City. Council believe that in these difficult times we should be keeping costs down for residents and not lumbering them with new taxes. Council believes that first permits should remain free.

(c) Councillor Hannides to move:

Following the resignation of former Cllr Richard Williams, this Council calls for his half a million pound 'slush fund' for Leader's pet projects to be returned to Council balances and that this money should then instead be used to either help protect existing services under threat of cuts or instead be put to use repairing the City's roads and pavements.

(d) Councillor Morrell to move:

Further to the resolution of the Council concerning the under-occupation penalty (so-called 'Bedroom Tax'), Southampton Council further resolves not to evict any tenant who goes into rent arrears because of the 'Bedroom Tax' and calls on other local social housing providers to do the same. This Council also calls on the next Government to scrap the 'Bedroom Tax' legislation and reimburse councils where debts have accrued through non-payment.

13 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.

14 *REBUILD OF ERSKINE COURT, LORDSHILL

Report of the Cabinet Member for Housing and Leisure Services seeking approval for the phased rebuild of Erskine Court, attached.

15 ACCOMMODATION STRATEGY UPDATE 2013

Report of the Cabinet Member for Resources, updating the Council's Accommodation Strategy seeking approval to implement measures necessary to vacate Marland House, attached.

16 ADDITIONAL FUNDING TO BE ADDED TO THE ENVIRONMENT AND TRANSPORT CAPITAL PROGRAMME

Report of the Cabinet Member for Environment and Transport seeking approval for additional funding to be added to the Environment and Transport Capital Programme, 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 confidential appendix to the following item

Confidential appendix 1 contains 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. In applying the public interest test, 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 (the identity of the preferred developer and the figures associated with the land transaction are commercially sensitive).

18 SOUTHAMPTON NEW ARTS COMPLEX SCHEME

Report of the Leader of the Council regarding the new arts complex scheme, attached.

19 OVERVIEW AND SCRUTINY ANNUAL REPORT 2012/13

Report of the Chair of the Overview and Scrutiny Management Committee detailing the Overview and Scrutiny Management Committee Annual Report 2012/13 in accordance with the Council's Constitution, attached.

NOTE: There will be prayers by the Reverend Dr Julian Davies, Church of England, 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 large, stylized flourish at the end.

M R HEATH
Director of Corporate Services