

# COUNCIL MEETING

Wednesday, 20th May, 2020  
at 2.00 pm

PLEASE NOTE: this will be a  
'virtual meeting', a link to which  
will be available on  
Southampton City Council's  
website at least 24hrs before  
the meeting

## **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**

Service Director – Legal and Business Operations

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Senior Democratic Support Officer

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<b>WARD</b>	<b>COUNCILLOR</b>	<b>WARD</b>	<b>COUNCILLOR</b>
<b>Bargate</b>	Bogle Noon Dr Paffey	<b>Millbrook</b>	G Galton S Galton Taggart
<b>Bassett</b>	Hannides B Harris L Harris	<b>Peartree</b>	Bell Houghton Keogh
<b>Bevois</b>	Barnes-Andrews Kataria Rayment	<b>Portswood</b>	Cooper Mitchell Savage
<b>Bitterne</b>	Murphy Prior Streets	<b>Redbridge</b>	McEwing Spicer Whitbread
<b>Bitterne Park</b>	Fuller Harwood White	<b>Shirley</b>	Chaloner Coombs Kaur
<b>Coxford</b>	Professor Margetts Renyard T Thomas	<b>Sholing</b>	J Baillie Guthrie Vaughan
<b>Freemantle</b>	Leggett Shields Windle	<b>Swaythling</b>	Bunday Fielker Mintoff
<b>Harefield</b>	P Baillie Fitzhenry Laurent	<b>Woolston</b>	Mrs Blatchford Hammond Payne

## **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**

**Questions:-** People who live or work in the City may ask questions of the Mayor, Chairs of Committees and Members of the Executive. (See the Council's Constitution ref Part 4 Council Procedure Rules 10.8)

**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. (See the Council's Constitution ref Part 4 Council Procedure Rules 10.1)

**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. 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.

**Deputations:-** A deputation of up to three people can apply to address the Council. A deputation may include the presentation of a petition. (See the Council's Constitution ref Part 4 Council Procedure Rules 10.7)

## **MEETING INFORMATION**

**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. By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public.

Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so.

Details of the Council's Guidance on the recording of meetings is available on the Council's website.

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

Southampton: Corporate Plan 2020-2025 sets out the four key outcomes:

- Communities, culture & homes - Celebrating the diversity of cultures within Southampton; enhancing our cultural and historical offer and using these to help transform our communities.
- Green City - Providing a sustainable, clean, healthy and safe environment for everyone. Nurturing green spaces and embracing our waterfront.
- Place shaping - Delivering a city for future generations. Using data, insight and vision to meet the current and future needs of the city.
- Wellbeing - Start well, live well, age well, die well; working with other partners and other services to make sure that customers get the right help at the right time

**Access** – Access is available for disabled people. Please contact the Council Administrator who will help to make any necessary arrangements

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

**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.

<b>Proposed dates of meetings (Municipal year 2018/19)</b>	
<b>2019</b>	<b>2020</b>
17 July	26 February (Budget)
18 September	18 March
20 November	20 May (AGM)

### **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 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
- 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.

Richard Ivory  
Service Director, Legal and Business Operations  
Civic Centre, Southampton, SO14 7LY

Tuesday, 12 May 2020

**TO: ALL MEMBERS OF THE SOUTHAMPTON CITY COUNCIL**

You are hereby summoned to attend a meeting of the COUNCIL to be held on WEDNESDAY, 20TH MAY, 2020 in the COUNCIL CHAMBER CIVIC CENTRE at 2:00pm when the following business is proposed to be transacted:-

**1 ELECTION OF A MAYOR FOR THE ENSUING YEAR**

**2 ELECTION OF A SHERIFF FOR THE ENSUING YEAR**

**3 APOLOGIES**

To receive any apologies.

**4 MINUTES (Pages 1 - 4)**

To authorise the signing of the minutes of the Council Meeting held on 18<sup>th</sup> March 2020, attached.

**5 ANNOUNCEMENTS FROM THE MAYOR AND LEADER**

Matters especially brought forward by the Mayor and the Leader.

**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 ANNUAL REVIEW OF THE CONSTITUTION (Pages 5 - 8)**

Report of the Director of Legal & Business Operations detailing proposed changes to the 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**

To informally appoint the Chair to each of the Committees and Sub-Committees, appointed by the Council. Chairs to be formally appointed at their first meeting of the Municipal Year.

## **9 CALENDAR OF MEETINGS**

To approve the following dates for meetings of the Council in the 2020/21 Municipal Year:

15th July 2020

16th September 2020

18th November 2020

24th February 2021 (Budget)

17th March 2021

19th May 2021 (AGM)

## **10 USE OF EMERGENCY POWERS UNDER COVID 19 AND REMOVAL OF THE AUTHORITY GRANTED AT COUNCIL ON 18TH MARCH 2020** (Pages 9 - 16)

To consider the report of the Service Director, Legal and Business Operations detailing the decisions taken under the Emergency Delegated Decision powers approved by Council on 18th March, 2020.

## **11 HIGHWAYS CAPITAL PROGRAMME 2020/21** (Pages 17 - 20)

Report of the Director of Finance and Commercialisation seeking approval to incur £5.80M of expenditure against the Highways Capital Programme in 2020/21.

## **12 OVERVIEW AND SCRUTINY: SUMMARY OF CALL-IN ACTIVITY**

To note that there has been no use of the Call-In procedure since last reported to Council.



Richard Ivory  
Service Director – Legal and Business Operations

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## SOUTHAMPTON CITY COUNCIL

### MINUTES OF THE COUNCIL MEETING HELD ON 18 MARCH 2020

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#### Present:

The Mayor, Councillor P Baillie  
Councillors Barnes-Andrews, J Baillie, Bell, Fielker, Fitzhenry, Guthrie,  
Hammond, Houghton, Kaur, Keogh, Leggett, Prior, Rayment, Savage and  
Shields

#### 71. APOLOGIES

It was noted for the official record that this meeting was purposely being held with only the minimum of a quorum of 16 due to the unprecedented Covid 19 Pandemic that was affecting not only the United Kingdom but the World. As such the meeting would now only deal with core business that had been published in the papers for this meeting.

#### 72. MINUTES

**RESOLVED:** that the minutes of the meeting held on 20<sup>th</sup> November and 26<sup>th</sup> February be approved as a correct record.

#### 73. ANNOUNCEMENTS FROM THE MAYOR AND LEADER

- (i) The Mayor welcomed representatives from the Chinese Association who donated Covid 19 testing kits.
- (ii) The Mayor announced that due to the Covid 19 restrictions on social gatherings the Mayors Ball had been cancelled.
- (iii) The Mayor announced that this was the last Full Council meeting of the Municipal Year and thanked all Members for their hard work and commitment over the year.
- (iv) The Mayor announced that there would be an emergency motion at the end of the meeting to deal with the unprecedented impact Covid 19 was having on the City.
- (v) The Leader thanked the Mayor and his wife for their work over the last year and the Mayor for chairing the Council meetings.
- (vi) The Leader announced that these were unprecedented times and paid tribute to all those working in the NHS who were going above and beyond at this time. As a Council the following top ten priorities had been identified in order to continue to adapt to the fast changing situation:-
  - Making sure the right services were in place to continue to support and safeguard the most vulnerable residents.
  - Making sure that residents and businesses had access to the information needed about how to stay safe, including signposting to the latest public health guidance, as well as keeping them up to date on disruptions to normal services.
  - Working with communities to reach those who might be more vulnerable and not go online for advice. A personal written letter to all residents and businesses this week so that everyone had access to the latest information.

- Working closely with community groups and the voluntary sector to help communities help each other, and encourage the wonderful community spirit which has been shared across the City.
- Reviewing the need for face to face meetings, and moving to telephone contact where possible, to minimise risk to residents and staff.
- Protecting staff, many of whom were also City residents. We have encouraged staff to work from home if possible where this would not affect the day to day running of essential services. For those who cannot work remotely, making sure that they have access to hand wash and sanitisation facilities.
- Keeping the Council's buildings and venues safe and clean to stop infections spreading, recognising the role as the largest landlord in the City.
- Working with schools to support them, including helping those who rely on free school meals. All schools were working with the Council to maintain provision for the children of key workers such as NHS and emergency services.
- Working with partners and contracted services to make sure that there was capacity to support people in care homes, nursing homes, refuges and hostels. This included making sure that support was in place for people who were homeless or rough sleeping, so that they had safe spaces to go if they needed to isolate.
- Working with partners across the City to support local businesses in particular smaller businesses so they could access the support and advice available.

#### 74. DEPUTATIONS, PETITIONS AND PUBLIC QUESTIONS

This item was withdrawn from the meeting.

#### 75. EXECUTIVE BUSINESS

This item was withdrawn from the meeting.

#### 76. MOTIONS

Motions (a) and (b) were withdrawn from the meeting.

Emergency Motion moved at the Meeting:-

Councillor Hammond moved and Councillor Fitzhenry seconded

The Covid-19 pandemic is the worse seen in generations and requires a civic undertaking not seen since the Second World War. During this time, the Council has a vital role in ensuring that the city has the resilience to cope and to continue providing vital services to our residents.

To aid delivery of Council functions, the usual decision-making processes may become impossible or unlawful to carry out. Therefore, Council resolves to temporarily suspend all parts of the Constitution that require formal decision making by elected members in person.

Council delegates to the Service Director; Legal and Business Operations and Monitoring Officer, the power to cancel any formal Council, committee or panel meeting as considered appropriate after consultation with the Leader of the Council and the Mayor (only in respect of full Council meetings). Council would use these powers following Government direction or the Director of Public Health's advice that the Council is advised not to hold public meetings."

To ensure continuity and agility when dealing with the pandemic, and in the potential absence of Full Council meetings, further authority is delegated to the Chief Executive, Executive Directors and Service Director; Legal and Business Operations, and Heads of Service in their absence, to exercise all decisions that would ordinarily be decided by members. Decisions would only be valid after consultation with the Leader of the Council and/or the relevant Cabinet Member as appropriate.

This would include suspending all financial limits and the Key Decision criteria but does not include setting new strategic policy or Council priorities which have a democratic mandate by the citizens of Southampton.

UPON BEING PUT TO THE VOTE THE MOTION WAS DECLARED CARRIED

**RESOLVED:** that the motion be approved.

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

This item was withdrawn from the meeting.

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

Membership had been requested for the new Combined Hampshire and Isle of Wight Fire and Rescue Authority which would exist in "shadow form" for its first year from 1<sup>st</sup> April 2020 to 31<sup>st</sup> March 2021.

**RESOLVED:** that Councillor Mintoff who was the current Hampshire Fire and Rescue Authority Member be appointed to the new Combined Authority for its shadow year which would be reviewed as part of the Annual General Meeting in May 2020 when all appointments for the 2020/2021 Municipal Year would be confirmed.

79. PAY POLICY 2020 - 2021

Report of the Leader seeking approval of the Pay Policy for 2020-2021.

**RESOLVED:**

- (i) That the Pay Policy statement for 2020-2021 be approved;
- (ii) That the continued implementation of the Living Wage Foundation increase as the minimum hourly rate for NJC evaluated posts from 1st April 2020 be noted; and
- (iii) That negotiations for a cost of living award for 2020 - 2021 as part of the pay agreement for NJC evaluated roles and Chief Officer and Chief Executive pay are ongoing and that implementation of this, once agreed, is delegated to

the Service Director HR and OD to be applied for 2020-2021 be noted. The budget proposals for 2020-2021 included an indicative uplift of 2% across all pay points.

80. SOUTHAMPTON CITY HEALTH AND CARE STRATEGY 2020 - 2025

Report of the Cabinet Member for Healthier and Safe City seeking approval of the Southampton City Health and Care Strategy 2020-2025.

**RESOLVED:** That the Southampton City Health and Care Strategy, as set out in Appendix 1 of the report be approved.

81. LOCAL PLACEMENT PLAN - CHILDREN'S RESIDENTIAL CARE

Report of the Cabinet Member for Aspiration, Children and Lifelong Learning seeking approval for the Local Placement Plan Proposal for Children's Residential Care.

**RESOLVED:** That the financial commitment of £2,311,500 Capital spend and Revenue spend from Children and Families budget as detailed below to deliver the project be approved.

- FY 20/21 - £686,200
- FY 21/22 - £2,476,400
- FY 22/23 - £2,880,800

<b>DECISION-MAKER:</b>	COUNCIL		
<b>SUBJECT:</b>	ANNUAL REVIEW OF THE CONSTITUTION		
<b>DATE OF DECISION:</b>	20 <sup>TH</sup> MAY 2020		
<b>REPORT OF:</b>	SERVICE DIRECTOR: LEGAL& BUSINESS OPERATIONS		
<b><u>CONTACT DETAILS</u></b>			
<b>AUTHOR:</b>	<b>Name:</b>	Richard Ivory	<b>Tel:</b> 023 8083 2794
	<b>E-mail:</b>	<a href="mailto:Richard.ivory@southampton.gov.uk">Richard.ivory@southampton.gov.uk</a>	
<b>Director</b>	<b>Name:</b>	Mike Harris	<b>Tel:</b> 023 8083 2794
	<b>E-mail:</b>	<a href="mailto:Mike.harris@southampton.gov.uk">Mike.harris@southampton.gov.uk</a>	

<b>STATEMENT OF CONFIDENTIALITY</b>	
None	
<b>BRIEF SUMMARY</b>	
<p>This report sets out the annual review of the Constitution. In light of the timescales, the Leader of the Council and Chair of Governance Committee have agreed that the matter can be considered by Council without the need to convene a virtual Governance Committee.</p> <p>As ever, the Constitution is a document that changes regularly and, therefore, further revisions may be proposed prior to or at Council.</p>	
<b>RECOMMENDATIONS:</b>	
<b>Council</b>	
	(i) To agree the changes to the Constitution and associated arrangements as set out in this report;
	(ii) To authorise the Service Director: Legal & Business Operations to finalise the arrangements as approved by Full Council and make any further consequential or minor changes arising from the decision;
	(iii) To authorise the Service Director; Legal and Business Operations to convene a task and finish cross party working group after consultation with the Group Leaders to report back to Council in July 2020 with options regarding Members Questions at Council
	(iv) To approve the City Council's Constitution, as amended, including the Officer Scheme of Delegation, for the Municipal Year 2020-21.
<b>REASONS FOR REPORT RECOMMENDATIONS</b>	
1.	It is appropriate as a core tenant of good governance for the Council to keep its Constitution under regular review and to amend it, both to reflect experience and changing circumstances.
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
2.	The Council has previously resolved to review its Constitution annually. Therefore, it is appropriate that this report is considered by Members. There are a range of recommendations set out within the report, none of which are

	substantial changes. Members have a range of options about various changes, not least of which is to amend or reject some or all of them.
<b>DETAIL (Including consultation carried out)</b>	
<u>Officer Scheme of Delegation</u>	
3.	Following the senior management restructure, the Officer Scheme of Delegation has been fully updated to reflect revised job titles and revised areas of responsibility.
4.	In addition, some new delegations have been added, in particular in the section for the Director of Quality & Integration. Some explicit delegations make the Director responsible for all procurement activities and matters in respect of health and care services procured and managed via the Integrated Commissioning Unit and changes to the delegations for the Head of Supplier Management are included to reflect proposed changes to Contract Procedure Rules, working practices and legislation.
5.	The proposed revised Officer Scheme of Delegation can be found at Appendix 1 (online only due to volume).
<u>Financial Procedure Rules</u>	
6.	The intention was to revise the Financial Procedure Rules but in light of revised priorities as a result of the pandemic, these will be considered later in the year.
<u>Contract Procedure Rules</u>	
7.	The amendments proposed to the current Contract Procedure Rules (CPRs) dated May 2019 intend to support the Council to achieve value for money for its goods, services and works through an appropriate and proportionate approach to procurement activity.
8.	The CPRs have not changed as a result of the UK leaving the EU on 31 <sup>st</sup> January 2020. Equally, it is not expected that there will be any significant changes to the UK's procurement approach in the short term and the CPRs will be revisited if and when any changes are decided upon.
9.	The principal changes are updates to the PCR threshold values to reflect the UK Official Journal of the European Union (OJEU) threshold values applicable between 1 <sup>st</sup> January 2020 and 31 <sup>st</sup> December 2021.
10.	Also a new rules within "Exemption" section (19) relating to children's placements and education funding to reflect acceptance that this spend should not be treated as non-compliant.
11.	The proposed revised Contract Procedure Rules can be found at Appendix 2.
<u>Council Procedure Rules</u>	
12.	Following discussion between Group Leaders, for clarity in paragraph 11.4(b) in relation to the asking of Urgent (and therefore previously untabled) Questions the following wording be added:  "The Mayor must seek the advice of the Service Director: Legal & Business Operations" before deciding to permit the Question to be asked".

	In addition, Group Leaders have requested a small cross party working group be convened to consider the Members Questions at Council parameters and process given ongoing concerns. It is intended that the group reports back to Governance Committee then July Council with recommendations.
<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
13.	None.
<b><u>Property/Other</u></b>	
14.	None.
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
15.	The Executive Arrangements and Constitution are required under the Local Government Act 2000 (as amended) and the Localism Act 2011.
<b><u>Other Legal Implications:</u></b>	
16.	None.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
17.	None.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
18.	None.

<b>KEY DECISION?</b>	<b>No</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	None
<b><u>SUPPORTING DOCUMENTATION</u></b>	
<b>Appendices</b>	
1.	Scheme of Delegation changes (published online with the agenda)
	Summary of Contract Procedure Rules revisions (published online with the agenda)

**Documents In Members' Rooms**

1.	Draft Revised Constitution
<b>Equality Impact Assessment</b>	
<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>	<b>No</b>
<b>Data Protection Impact Assessment</b>	
<b>Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.</b>	<b>No</b>
<b>Other Background Documents</b>	
<b>Other Background documents available for inspection at:</b>	

<b>Title of Background Paper(s)</b>	<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>
1.	None



<b>DECISION-MAKER:</b>	COUNCIL		
<b>SUBJECT:</b>	USE OF EMERGENCY POWERS UNDER COVID 19 AND REMOVAL OF THE AUTHORITY GRANTED AT COUNCIL ON 18 <sup>TH</sup> MARCH 2020		
<b>DATE OF DECISION:</b>	20 MAY 2020		
<b>REPORT OF:</b>	SERVICE DIRECTOR, LEGAL AND BUSINESS OPERATIONS		
<b><u>CONTACT DETAILS</u></b>			
<b>AUTHOR:</b>	<b>Name:</b>	Judy Cordell	Tel: 023 8083 2766
	<b>E-mail:</b>	Judy.cordell@southampton.gov.uk	
<b>Director</b>	<b>Name:</b>	Richard Ivory	Tel: 023 8083 2794
	<b>E-mail:</b>	Richard.ivory@southampton.gov.uk	

<b>STATEMENT OF CONFIDENTIALITY</b>	
N/A	
<b>BRIEF SUMMARY</b>	
This report details the Officer Delegated Decisions taken under Emergency procedure rules approved by Council on 18 <sup>th</sup> March, 2020.	
In order to aid delivery of Council functions during the pandemic the usual decision-making processes may become impossible or unlawful to carry out. Therefore, Council resolved to temporarily suspend all parts of the Constitution that required formal decision making by Elected Members in person to permit officers to take emergency decisions after consultation with the appropriate members of the Administration.	
<b>RECOMMENDATIONS:</b>	
(i)	To note the Officer Delegated Decisions taken under Emergency procedure rules as set out in Appendix 1
(ii)	That the decision made on 18 <sup>th</sup> March 2020 by Council to grant such powers to officers is removed
<b>REASONS FOR REPORT RECOMMENDATIONS</b>	
1.	To ensure the Council could discharge its statutory functions during the pandemic. At that stage (18 <sup>th</sup> March) it was considered inappropriate to hold full decision making meetings due to the need for social distancing. That was followed on 23 <sup>rd</sup> March by “lockdown”. Subsequently new legislation was passed in early April that permits virtual decision making and it is the intention that the Council now resumes such public meetings, but virtually. The need for the emergency authority has now passed. An urgency power remains in the Scheme of Delegation should it be required.
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
2.	To continue with the emergency powers delegation. In light of the recent new law to permit virtual decision making meetings it is now considered unnecessary.

<b>DETAIL (Including consultation carried out)</b>	
3.	Council delegated to the Service Director; Legal and Business Operations and Monitoring Officer, the power to cancel any formal Council, committee or panel meeting as considered appropriate after consultation with the Leader of the Council and the Mayor (only in respect of full Council meetings). Council would use these powers following Government direction or the Director of Public Health's advice that the Council is advised not to hold public meetings.
4.	To ensure continuity and agility when dealing with the pandemic, and in the potential absence of Full Council meetings, further authority was also delegated to the Chief Executive, Executive Directors and Service Director; Legal and Business Operations, and Heads of Service in their absence, to exercise all decisions that would ordinarily be decided by Members. Decisions would only be valid after consultation with the Leader of the Council and/or the relevant Cabinet Member as appropriate.
5.	This would include suspending all financial limits and the Key Decision criteria but did not include setting new strategic policy or Council priorities which had a democratic mandate by the citizens of Southampton.
<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
6.	None
<b><u>Property/Other</u></b>	
7.	None
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
8.	S.1 Localism Act 2011 and associated legislation
<b><u>Other Legal Implications:</u></b>	
9.	None
<b>RISK MANAGEMENT IMPLICATIONS</b>	
10.	None
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
11.	None

<b>KEY DECISION?</b>	<b>No</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	All
<b><u>SUPPORTING DOCUMENTATION</u></b>	
<b>Appendices</b>	
1.	Summary of emergency decisions made by officers
2.	

**Documents In Members' Rooms**

1.	
2.	
<b>Equality Impact Assessment</b>	
<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>	<b>No</b>
<b>Data Protection Impact Assessment</b>	
<b>Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.</b>	<b>No</b>
<b>Other Background Documents</b>	
<b>Other Background documents available for inspection at:</b>	
<b>Title of Background Paper(s)</b>	<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>
1.	Reports to Cabinet Members detailing the proposals
2.	

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**DECISIONS – CABINET & EMT COVID MEETINGS**

18<sup>th</sup> March 2020

<b>Decision</b>
<b>Council Tax/Rent and Sundry Debt</b> enforcement action to be suspended.
<b>Adults</b> Holcroft House. All visits of relatives to be ceased.
<b>Public Buildings</b> Libraries, Museums and Art Gallery. Agreed to close by end of 19 <sup>th</sup> March 2020. Appropriate communications to be put in place. Sure Starts – to be closed in line with schools. Gateway opening hours to be reviewed. Community rooms to be closed with immediate effect.
<b>Events</b> to be cancelled incl Southampton Marathon and formal VE day commemoration. Mayor to film wreath laying and post online

24<sup>th</sup> March 2020

<b>Decision</b>	
<b>Adults</b> Day Services to close end of today, with family support to be made available. Adaptations to close. OT to move to support Discharge service. Telecare. Purchase of basic telecare kit. Stopping of reviews other than for urgent cases.	
<b>Communities, Culture &amp; Homes</b> Play Parks to close. Housing Management. Emergency contact only i.e. domestic abuse, hate crime. Cease sign-ups to properties. Housing repairs. Emergency only response. Homelessness. Keeping presence in the Civic centre to assist with those presenting as homeless. Agreed to pause current decanting programme. Itchen Bridge – agreed to run bridge free for next 3 weeks, with appropriate review. Residential parking zones – no enforcement to be undertaken.	
<b>Business Services</b> Gateway agreed to closure along with the cash office, signage to be in place. Civic Centre reception to be closed; signage to be in place.	Appendix 1
<b>Public Toilets</b> Closure agreed.	

26<sup>th</sup> March 2020

<b>Decision</b>
Easter Provision. Agreed
<b>Waste</b> Cabinet agreed to all recommendations in paper except for stopping of the dry recycling collection accepting we will need to step down in the near future but to be continued for as long as possible. Going forward decision to be made in liaison between Cllrs Hammond, Rayment, Kate Martin and Sandy Hopkins.
<b>Adults Social Care</b> Learning and Disability service and Kentish Road closed. Agreed that we should encourage family members to support individuals care. Multi-agency hub will be in place by end of week with Sembal House as the base.

31<sup>st</sup> March 2020

<b>Decision</b>
<b>U</b> Weston Shore car park closed following request from Hampshire Police.

16<sup>th</sup> April 2020

<b>Decision</b>
Garden Waste. Agreement given to the re-introduction from next week (w.c. 20 <sup>th</sup> April) on a phased approach.
Taxi Licensing. Agreed that for the period up to June 30 <sup>th</sup> 2020, licence renewals are allowed for vehicles that have otherwise reached the age limit currently stipulated in SCC's licensing conditions. These licences will be granted for one year in line with legislation and current practice.
Itchen Bridge. Cabinet had previously agreed to suspend charging and review in 3 weeks. Agreement given to continue suspension and review at the end of May.
Crematorium. Reduced length of services to 45 minutes and reduce fee from £860 to £825 which we used to charge for a 45 min service.

21<sup>st</sup> April 2020

<b>Decision</b>
Public Transport. Recommendations within paper agreed.

23<sup>rd</sup> April 2020

<b>Decision</b>
Debt Recovery. Agreed to extending the temporary suspension of recovery activity until 31 May 2020, with a review by 22nd May 2020.

28<sup>th</sup> April 2020

<b>Decision</b>
Agreement given to re-introduce glass kerbside collection, chargeable bulky waste collection and Member minor works (landscape operations) from 4 <sup>th</sup> May 2020.

30<sup>th</sup> April 2020

<b>Decision</b>
Renewal of Licenced Premises Licences. Agreed in principle to delay suspension notes to 1 <sup>st</sup> February 2021. Further work to be undertaken on timeline and financial impact. [Mary D'Arcy]
High Street Pay & Display – re-introduction of enforcement.
Permit Parking agreed to the extension of current position of non-enforcement and review at the end of May 2020.

5<sup>th</sup> May 2020

<b>Decision</b>
Temporary Provider Uplift – Delegated Decision. DDN signed by John Harrison, Executive Director Finance & Commercialisation (S151). Councillor Fielker (Portfolio Holder) briefed and agreeable with Cllr. Galton briefed and supportive.
HWRC Millbrook. In line with the decision made by Hampshire County Council site will re-open on 11 <sup>th</sup> May 2020. Service will run a Winter timetable and only initially accept household waste.

6<sup>th</sup> May 2020

<b>Decision</b>
The provision of a Coroners Service to Southampton City Council – Delegated Decision. DDN signed by Executive Director Communities, Culture & Homes. Councillor Leggett (Portfolio Holder) briefed and agreeable with Cllr. Galton briefed and supportive.

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<b>DECISION-MAKER:</b>	COUNCIL		
<b>SUBJECT:</b>	HIGHWAYS CAPITAL PROGRAMME 2020/21		
<b>DATE OF DECISION:</b>	20 MAY 2020		
<b>REPORT OF:</b>	CABINET MEMBER FOR RESOURCES		
<b><u>CONTACT DETAILS</u></b>			
<b>AUTHOR:</b>	<b>Name:</b>	Steve Harrison	Tel: 023 8083 4351
	<b>E-mail:</b>	<a href="mailto:Steve.Harrison@southampton.gov.uk">Steve.Harrison@southampton.gov.uk</a>	
<b>Director</b>	<b>Name:</b>	John Harrison	Tel: 023 8083 4897
	<b>E-mail:</b>	<a href="mailto:John.Harrison@southampton.gov.uk">John.Harrison@southampton.gov.uk</a>	

<b>STATEMENT OF CONFIDENTIALITY</b>			
N/A			
<b>BRIEF SUMMARY</b>			
An overall five-year Highways investment programme was added to the capital programme as part of the Medium Term Financial Strategy approved by Council in February 2020. Approval to incur expenditure against specific programme areas is now required for the 2020/21 scheme, with more detailed provided.			
<b>RECOMMENDATIONS:</b>			
Council are recommended to:			
i)	Approve expenditure of £5.80M against the Highways capital programme in 2020/21		
<b>REASONS FOR REPORT RECOMMENDATIONS</b>			
1.	To comply with the Council's financial procedure rules for incurring expenditure against capital projects.		
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>			
2.	To not provide approval to incur expenditure against the Highways capital programme in 2020/21. This was rejected as it does not meet the strategic asset management based approach to Highways maintenance.		
<b>DETAIL (Including consultation carried out)</b>			
<b><u>BACKGROUND</u></b>			
3.	The 2020/21 scheme is £5.80M and is funded by grants totalling £1.17M and £4.63M of Council Resources. Below is a breakdown of the scheme showing the proposed expenditure over the different elements of the programme. This is the Highways Partnership recommendation for the proportional split of available financing. This is generated on Transport Asset Management Plan (TAMP) best practice and in accordance with risk assessment in alignment with other national recommended codes of compliance.		
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 70%;"><b>Highways Programme 2020/21</b></td> <td style="width: 30%; text-align: center;"><b>£M</b></td> </tr> </table>	<b>Highways Programme 2020/21</b>	<b>£M</b>
<b>Highways Programme 2020/21</b>	<b>£M</b>		

Principal Roads	1.40
Classified Roads	0.50
Unclassified Roads	1.67
Structural Patching	0.40
Slurry Footways	0.40
Removal & Replacement of Slabbed Footways	0.40
Resurface Footways	0.40
Drainage	0.20
Minor Works (ad-hoc safety related highway works)	0.05
Structures	0.15
Structures (Northam Rail bridge scheme)	0.18
Itchen Bridge	0.05
<b>Scheme Total</b>	<b>5.80</b>
Local Transport Programme (LTP) Grant	0.87
Incentive Fund Grant	0.30
Council Resources	4.63
<b>Funding Total</b>	<b>5.80</b>

## RESOURCE IMPLICATIONS

### Capital Implications

4. The capital implications are fully detailed within the report.

### Property/Other

5. None, other than those detailed in the report.

## LEGAL IMPLICATIONS

### Statutory power to undertake proposals in the report

6. s.101 Local Government Act 1972 and associated highways legislation. The headline spend for 2020/21 was included as part of the capital programme agreed in February 2020. As a highways authority, the council has the ability to invest in its roads programme, this report provides further information.

### Other Legal Implications:

7. None.

## RISK MANAGEMENT IMPLICATIONS

### Local Implications

8. None

## POLICY FRAMEWORK IMPLICATIONS

9. The Medium Term Financial Strategy and the capital programme are key parts of the Policy Framework of the Council and in accordance with procedure agreement to the expenditure, given the details now provided, is requested from Full Council.

<b>KEY DECISION?</b>	<b>No</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	All
<u>SUPPORTING DOCUMENTATION</u>	

**Documents In Members' Rooms**

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**Equality Impact Assessment**

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**Data Protection Impact Assessment**

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**Other Background Documents**

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