

# Public Document Pack

## **COUNCIL**

Wednesday, 17th March, 2010  
at 2.00 pm

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**

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The agenda and papers are available via Southampton's website at

[www.southampton.gov.uk/council-partners/decisionmaking/minagenrep/meetingpapers](http://www.southampton.gov.uk/council-partners/decisionmaking/minagenrep/meetingpapers)

<b>WARD</b>	<b>COUNCILLOR</b>	<b>WARD</b>	<b>COUNCILLOR</b>
<b>Bargate</b>	Bogle Mrs Damani Willacy	<b>Millbrook</b>	Davis Norris Wells
<b>Bassett</b>	Hannides Mizon Samuels	<b>Peartree</b>	Drake Jones Slade
<b>Bevois</b>	Barnes-Andrews Burke Rayment	<b>Portswood</b>	Baston Capozzoli Sollitt
<b>Bitterne</b>	Fuller Letts Stevens	<b>Redbridge</b>	Holmes Marsh-Jenks McEwing
<b>Bitterne Park</b>	Baillie White Williams, P	<b>Shirley</b>	Cooke Dean Matthews
<b>Coxford</b>	Galton Thomas Walker	<b>Sholing</b>	Mrs Blatchford Dick Fitzgerald
<b>Freemantle</b>	Ball Moulton Parnell	<b>Swaythling</b>	Beckett Odgers Osmond
<b>Harefield</b>	Daunt Fitzhenry Smith	<b>Woolston</b>	Cunio Payne Williams , R

# **PUBLIC INFORMATION**

## **Role of the Council**

The Council comprises all 48 Councillors. The Council normally meets seven 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 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

**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 2009/10)**

<b>2009</b>	<b>2010</b>
13 <sup>th</sup> May	20 <sup>th</sup> January
15 <sup>th</sup> July	17 <sup>th</sup> February (Budget meeting)
16 <sup>th</sup> September	17 <sup>th</sup> March
18 <sup>th</sup> November	12 <sup>th</sup> 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

### **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 "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.

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## **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.

SOLICITOR TO THE COUNCIL  
M R HEATH  
Civic Centre, Southampton, SO14 7LY

Tuesday, 9 March 2010

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

You are hereby summoned to attend a meeting of the COUNCIL to be held on WEDNESDAY, 17TH MARCH, 2010 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 Meetings held on 20<sup>th</sup> January and 17<sup>th</sup> February 2010, 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 Deputations, Presentation of Petitions or Public Questions.

**5 EXECUTIVE BUSINESS**

Report of the Leader of the Council, attached.

**6 MOTIONS**

**A. Councillor Smith to move, Councillor Moulton to second:**

This council calls on the Strategic Health Authority to hold a referendum on its proposals to fluoridate Southampton's water before any such proposal is implemented. We further call on them to honour the outcome of that referendum.

**B. Councillor Bogle to move, Councillor Baston to second:**

Council agrees to set up a cross party Working Group to review alternative arrangements to the City Council acting as sole corporate trustee to oversee the Chipperfield Bequest collection in the Southampton City Art Gallery and report back to Full Council.

### **C. Councillor Letts to move:**

Council notes the large size of the Housing waiting list. Council notes the recent coverage in the Echo showing that buying your own property outright remains beyond the reach of many Southampton families.

Council calls upon the government elected this year to prioritise the building of a substantial number of affordable homes in areas of demonstrable need like Southampton.

Council calls on the Leader of the Council to communicate this priority to the incoming Housing Minister and to work with them to develop a proposal for a significantly increased Council House building programme for Southampton.

### **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.

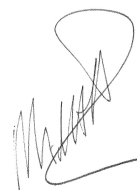
### **8 APPOINTMENTS TO COMMITTEES, SUB-COMMITTEES AND OTHER BODIES**

To deal with any appointments to Committees, Sub-Committees or other bodies as required.

### **9 BYELAWS ON THE EMPLOYMENT OF CHILDREN 2010**

Report of the Solicitor to the Council, seeking authorisation for the Solicitor of the Council to make and seal the Byelaws for the Employment of Children 2010, attached.

NOTE: There will be Jewish prayers and a Thought for the Day by David Bothwell in the Mayor's Reception Room at 1.45 pm for Members of the Council and Officers who wish to attend.



M R HEATH  
SOLICITOR TO THE COUNCIL

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SOUTHAMPTON CITY COUNCIL

MINUTES OF THE COUNCIL MEETING HELD ON  
20<sup>th</sup> JANUARY 2010

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Present:

The Mayor, Councillor Mizon  
The Sheriff, Councillor Cunio  
Councillors Baillie, Ball, Barnes–Andrews, Baston, Beckett (items 63-78),  
Mrs Blatchford, Bogle, Burke (not present for item 75), Capozzoli (items  
68(c)-70, 72-80), Cooke, Mrs Damani, Daunt, Davis, Dean, Dick, Drake,  
Fitzgerald, Fitzhenry, Fuller, Galton (item 68 onwards), Hannides, Holmes,  
Jones, Letts, Marsh-Jenks, Matthews, Moulton, Norris, Odgers, Osmond,  
Parnell, Payne, Rayment, Samuels, Slade, Smith, Sollitt, Stevens, Thomas,  
Walker, Wells, White, Willacy, P. Williams and Dr R. Williams.

63. APOLOGIES

It was noted that apologies for absence had been received from Councillor McEwing.

64. MINUTES

RESOLVED that the minutes of the Council Meeting held on 18<sup>th</sup> November 2009 be approved and signed as a correct record.

65. ANNOUNCEMENTS FROM THE MAYOR

1. Association of Public Service Excellence Award

The Mayor informed Members that in December 2009, the Council's Fleet Transport Service won the prestigious 'Most Improved Performer' Award from the Association of Public Service Excellence (APSE) at its Performance Networks awards ceremony held in Blackpool.

Twelve months after winning the 'Best Overall Performer' award, the Council's team emerged top of the Performance Networks 250 member councils for Vehicle Fleet Maintenance and is the fourth consecutive year that it has won one of the 2 top awards.

The Mayor presented a certificate and trophy to Dave Bone, the Council's Acting Fleet Manager.

2. Mayor's Charity Ball

The Mayor reminded Members that tickets were still available for her Charity Ball to be held on Thursday 28th January 2010. She also reminded Members that there were a number of auction prizes available

and that bids could be accepted on the prizes either prior to the Ball or at the Mayor's Charity Ball itself.

66. DEPUTATIONS, PETITIONS AND PUBLIC QUESTIONS

- (i) The Council received a deputation from Mrs Fox and Mr Mainwaring concerning the dangers of a specific stretch of Blackthorn Road, Merry Oak.
- (ii) The Council received the following public question from Mr Pope:  
“Does the Council prioritise procurement contracts to those who do not pay excessive remuneration packages for example, greater than £100k per annum, and who do not have reckless bonus cultures, for example, no more than 50% of salary?”

Answer

‘In conducting its procurements over the OJEU levels (recently revised but were £139,892 for supplies and services and £3,497,313 for works) it has to comply with the requirements of the EU Procurement Directives and the Public Contract Regulations 2006. As such contracts are awarded on the basis of either the most economically advantageous tender or lowest price. There are no other options allowed. The Council also has an obligation to deliver best value. The most economically advantageous tender award procedure requires criteria to be defined as part of the tender evaluation process. However, they have to be relevant to the contract. Remuneration packages could not be considered to be relevant as they do not affect the desired outcomes the Council may have from a contract. However, in order for a bidder to be successful there is a need for bidders to be competitive and it is therefore the bidder’s responsibility to ensure that they have a cost effective cost structure.

Remuneration for most organisations is based upon market rates and it would therefore be inappropriate for the Council to attempt to use its procurements to ‘drive down’ market rates. Any attempt to do this could have a negative effect on the service delivered by the Council, through its suppliers. Furthermore, the Council deals with a broad spectrum of suppliers from one person organisations through to Microsoft. We also have variable influence with our suppliers and as such many of our suppliers would choose not to deal with the Council if we tried to dictate their remuneration policy.

In conclusion, although I understand the sentiment behind your question, it would be illegal to select suppliers based upon their remuneration packages, and even if we could, it would be likely to have a detrimental effect upon the services we deliver.’

67. 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 Leader informed Members of a change to the Cabinet and the Cabinet scheme of Delegations in that there had been a re-organisation in Cabinet in relation to the Young People and Skills Portfolio, as Councillor Matthews had retired from the Cabinet. This portfolio had been divided between two portfolios which had been renamed, thus creating changes in their responsibility and functions. The Children's Services and Learning Portfolio would be held by Councillor Holmes and the Safeguarding Children and Youth Services Portfolio would be held by Councillor Walker.

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

1. Question from Councillor Stevens to Councillor Walker

Has the Cabinet Member for Safeguarding Children and Youth Services confidence in the Council's ability to care for all young people eighteen or under in the City?

Answer

Yes, given the measures the Administration has taken and the improvements that are being implemented.

2. Question from Councillor Stevens to Councillor Walker

Who commissioned the report into Safeguarding in the City and why was it felt necessary for such a report to be commissioned?

Answer

The Director of Children's Services in conjunction with our statutory partners, to ensure inter-agency arrangements were as safe as possible.

3. Question from Councillor Stevens to Councillor Walker

Why did the Cabinet Member not even mention the Independent Multi Agency Safeguarding Review and its findings at the Corporate Parenting committee?

Answer

The Corporate Parenting Committee focuses primarily on Children

Looked After. The 'Worlock' Review largely relates to Children in Need and the joint effectiveness of our safeguarding arrangements between agencies for those children.

4. Question from Councillor Stevens to Councillor Walker

Why is the Corporate Parenting Committee not a statutory body considering the issues/concerns raised in the Independent Multi Agency Safeguarding Review about the lack of action or understanding by Council and Councillors?

Answer

The Review does not criticise the Council or Cabinet Members in relation to a lack of action or understanding of Safeguarding issues. The Corporate Parenting Committee is not a legal requirement and making the body a part of the Council's constitution would have no direct benefit to Children Looked After. In addition to this, briefings on Safeguarding have been offered and will continue to be in the future.

5. Question from Councillor Stevens to Councillor Walker

When did the Cabinet Member know about the recommendations in the Independent Multi Agency Safeguarding Review?

Answer

In draft form, from the summer of 2009, but the report was not accepted with our statutory partners until the end of October 2009. It would not have been appropriate to comment on the recommendations until the report had been accepted.

6. Question from Councillor Stevens to Councillor Samuels

Why did the Cabinet not release the Independent Multi Agency Safeguarding Review and its findings for six months after it was completed?

Answer

The draft report was not completed until the end of October and was then circulated in full to Group Leaders, Deputy Group Leaders and Spokespeople in November.

7. Question from Councillor Stevens to Councillor Samuels

What is the Council's response to the Independent Multi Agency Safeguarding Review recommendations and when will there be action?

Answer

The Council welcomes the report and is already working to implement its key recommendations, some of which were already in train.

8. Question from Councillor Drake to Councillor P Williams

Would the Cabinet Member please let me know when action will be taken to help prevent heat escaping through single glazed windows in Council properties by the installation of double glazing, which would also cut emissions?

Answer

This is an important issue for many tenants. There is an ongoing programme to replace people's windows. The Government currently takes millions of pounds of tenants' rents. If we had this money locally then we could allocate more money on tenants' priorities.

With the current spend (£2.786m) it is envisaged that by the end of 2013 the majority of all single glazed timber/metal framed windows will be replaced with PVCu double glazed units.

9. Question from Councillor Bogle to Councillor Hannides

Will the Council still be responsible for the maintenance costs of the leisure centres once they are privatised?

Answer

The Council is proposing to transfer responsibility for Repairs and Maintenance of the leisure centres to the preferred partner and bidders have been required to provide management fee proposals on this basis. The Council will retain responsibility only for the structure and latent defects in the buildings as it will remain freeholder on the property. General maintenance, replacement of major equipment and redecoration will be the responsibility of the partner.

10. Question from Councillor Drake to Councillor Dean

Would the Cabinet Member please let me know what is being done to prevent cycling on certain pavements on the Eastern side of the City, which is causing problems to some residents, in particular the elderly and disabled?

Answer

There have been several campaigns aimed at addressing cycling on pavements. We have supported the Police at various locations to highlight and address the issues of cycling on pavements.

The initial campaign started in Shirley in November 2008 and has moved to other districts.

In November 2009, in conjunction with the police and other partner agencies, the council went to different locations around the city to engage with cyclists. Each day we were at a different location so we could engage with as many different people as possible. In total 579 cyclists were stopped and spoken with. Advice was given about the use of lights and staying bright; many were given a free high visibility vest, rucksack covers or fluorescent snap bands to encourage them to cycle safely on cycle routes and roads.

I have written to Superintendent Matthew Greening who is responsible for operational policing matters in Southampton regarding cycling on pavements in December 2009 and as yet I am awaiting a reply to my letter.

I plan to meet him to discuss this and other issues in February 2010.

11. Question from Councillor Bogle to Councillor Smith

Does the Cabinet Member for Economic Development support the policy of an Alcohol Disorder Zone in areas with high levels of alcohol related violent crime?

Answer

Alcohol Disorder Zones (ADZ) were introduced by the Government as an additional tool to tackle crime and ASB linked to alcohol, in particular 'binge drinking' in the Night Time Economy. The guidance is that this is to be used as a last resort, and require agreement of the council and police who would have to show evidence that an ADZ would be proportionate and effective but there is no prescribed threshold of crime and disorder for an appropriate ADZ. The ultimate sanction is an additional 'levy' on licensed premises within the zone to help fund crime reduction costs including policing in the area.

There is no prescribed threshold of crime and disorder where an ADZ is considered appropriate. Currently there is no evidence that the city needs to use ADZ as 'last resort' action at this stage. It could stigmatise the city and have a negative effect on the local economy. Reducing alcohol-related crime and ASB is a high priority for the council and Safe City Partnership which is working hard to deliver a range of actions including:

- projects to reduce alcohol related crime in the night time economy
- more robust approach to holding licensed premises to account
- new ways to identify and tackle offenders
- maximum use of existing powers to increase the safety of visitors to the city at night.

12. Question from Councillor Sollitt to Councillor Smith

What effect did the closure of the Southampton Rail Tunnel and resulting increase in traffic flow into the City Centre have on the pre and post Christmas foot-fall into the City Centre?

Answer

The closure of the Rail Tunnel resulted in improvements made to bus services. There was an increase in foot-fall during the 2009 Christmas holiday period of 4.8% compared to the same period in 2008. There were 217,600 visitors to the city centre during 26<sup>th</sup>, 27<sup>th</sup> and 28<sup>th</sup> December 2009 compared to 207,500 for the same 3 days in 2008. This is an increase of 10,100 visitors for this period, which can only be good for the local economy.

13. Question from Councillor Rayment to Councillor Moulton

Question Withdrawn

14. Question from Councillor Slade to Councillor Dean

How many people have contacted the Council regarding claims for falls on icy pavements?

Answer

Please see the response to Council Question 20 for a full statement on gritting and the recent adverse weather conditions.

15. Question from Councillor Dr R Williams to Councillor Dean

What is the percentage of the concessionary fares budget used to pay for journeys that start and finish within the Southampton City boundaries?

Answer

The Council does not know these figures as passengers that travel on the longer services, such as the Winchester route, may be travelling within the city and it has never been practice for Southampton passengers to state their destination when boarding a bus using a concessionary fare pass. Swipe cards are available that can pair up the outward and return trips but this technology is not available in Southampton currently.

The Administration is currently undertaking a review of supported bus services: the focus of this study is to see if Council resources can be spent more effectively supporting the travelling public rather than making a budget saving.

16. Question from Councillor Baston to Councillor Dean

Could the Cabinet Member please clarify the Administration's policy on gritting roads in icy conditions, in particular as applied to bus routes and public car parks?

Answer

Please see the response to Council Question 20 for a full statement on gritting and the recent adverse weather conditions.

17. Question from Councillor Dr R Williams to Councillor Holmes

What is the Cabinet Member for Children's Services doing to address the dire problems at schools across Southampton?

Answer

The situation in our schools is not dire.

In fact, there is significant evidence that performance in Southampton schools is improving and the gap with the national average has been reduced at age 5, 7, 14 and 16.

At age 5 (Foundation Stage) the gap has reduced from 12% in 2006 to 4% in 2009.

At age 7 (Key Stage 1) the gap was reduced in 2009 from 4% to 2% in reading, from 4% to 3% in writing and from 2% to being in-line with the national average in mathematics.

At age 14 (Key Stage 3) results in 2009 improved by 10% in both English and science and by 5% in mathematics.

At age 16 (GCSE) – the gap with the national on 5+A\*-C including English and mathematics has reduced from 10% in 2006 to 7% in 2009.

In addition the latest Ofsted data confirms that there are a greater proportion of outstanding schools than the national average.

These highly successful schools are working in partnership with lower performing schools so that the excellence that already exists within Southampton influences more widely.

18. Question from Councillor Baston to Councillor Dean

Does the Cabinet Member intend to review the amount of gritting materials kept in stock by the Council in view of the recent emergency?



Answer

Please see the response to Council Question 20 for a full statement on gritting and the recent adverse weather conditions.

19. Question from Councillor Burke to Councillor Hannides

Can the Cabinet Member inform the Council whether there is a break clause in the proposed privatisation of leisure facilities?

Answer

No break clause is proposed at specific dates in the Terms and Conditions to be agreed with the preferred bidder. However, the Council has the opportunity to terminate the agreement on the basis of Contractor default that cannot be resolved through the performance and default mechanism agreed with bidders.

20. Question from Councillor Cunio to Councillor Dean

What policy does the Cabinet Member for Environment and Transport have towards the gritting of pavements in adverse weather conditions such as those experienced recently in the City?

Answer

The City Council has a Winter Maintenance Policy which includes an operations plan for dealing with adverse weather conditions. As part of this policy the Council has categorised the road and footway networks for salting treatment, based on the level of traffic (vehicles and pedestrians) and the strategic importance of the highway. Main bus routes are covered under A routes. The majority of other roads used by buses are covered under B routes. Public Car Parks are not salted as a priority, in line with many other authorities. Details of priority routes and times for salting treatment are available on Southampton Online (<http://www.southampton.gov.uk/s-environment/roadsandparking/roadsmaintenance/grittingandsnowclearance.aspx>)

The Council keeps a stock of salt at town depot which is sufficient for a week of bad weather under normal circumstances. We currently have over 100 tonnes of salt at the Town Depot which puts us in a better position than most other councils. This is considered appropriate as salt is usually available within 48 hours from the Council's suppliers. I have asked the officers to review their practices given the bad weather last February and in recent weeks; however, the storage of large quantities of corrosive salt is not environmentally sound and is relatively expensive to store. This matter will also be discussed with the new Highways Service Providers before next winter.

The salt stocks have been professionally managed by our operational officers, despite having to deal with many direct individual requests, some of which will have been the result of slips and falls. It would have been irresponsible to have responded outside our operating policy in an uncontrolled way. This would have resulted in a mixture of treated and untreated roads which would have been dangerous and could have placed the council at great risk from claims, particularly if we had compromised our ability to salt priority routes as a consequence. Currently there has been no increase in claims submitted as a result of falls on icy pavements. However, as people have three years to submit a claim it is too early to ascertain how many claims will be made, especially as the poor weather is so recent.

During the recent period of bad weather, the government issued advice to councils seeking a reduction in salt use by 25%. We responded by reducing our salting to A routes only and saving 20%. We also suspended filling grit bins. Despite reducing the salting activities in line with government advice, we were still able to respond to requests from the police, bus operators, and health authority for assistance. Our Open Spaces teams were able to apply grit to many busy footways in the City.

21. Question from Councillor Burke to Councillor Hannides

Can the Cabinet Member inform the Council whether the tender for leisure facilities will be acceptable even if it falls below the current level of income?

Answer

The Council currently subsidises the facilities to a significant extent. The new management arrangements will reduce the net subsidy required by the Council; this is one of the 3 key objectives of the project. With reference to income, bidders have accepted the risk on generating the income proposed in their management proposals.

22. Question from Councillor Letts to Councillor Hannides

Can the Cabinet Member confirm that the current provision for 'free swimming' will remain available at Bitterne Leisure Centre and the Quays under the proposed private sector management arrangements?

Answer

The Department of Culture, Media and Sport originally committed the scheme to last for 2 years and its contributions for the free swimming programme is due to end at the end of March 2011. This was supplemented by additional funding from NHS Southampton City, local schools and the City Council. Bidders have committed to the programme while funding exists.

Should this funding not be available after March 2011, the Council will need to decide whether it wishes to work with the Contractor to continue the free swimming programme.

23. Question from Councillor Barnes-Andrews to Councillor Walker

Can the Cabinet Member provide a breakdown on what the £800k additional spending in Children's Services provided?

Answer

The additional budget from the Revenue Development Fund has been used to employ additional social workers within the Safeguarding Division.

24. Question from Councillor Letts to Councillor Dean

Following comments made at the Overview and Scrutiny Management Committee can the Cabinet Member confirm that it is your view that the terms and conditions of staff working for First Bus in Southampton are too good?

Answer

No.

25. Question from Councillor Letts to Councillor Smith

From what source is the proposed (up to £3,000,000) capital purchase of the land at Eastpoint to be funded?

Answer

The Council will continue to meet the cost of the land until the sale is agreed and therefore borrowing cannot be ruled out. However, once the residual land is sold, the capital receipt will be ring fenced to the Eastpoint Redevelopment.

68. MOTIONS

- (a) Concessionary Bus Travel

Councillor Dr R Williams moved and Councillor Letts seconded:-

“This Council supports free concessionary bus travel for the over 60's enjoyed by 8 million people and calls on all three major political parties on social and environmental grounds to pledge its continuation without changing the criteria for eligibility.”

Amendment moved by Councillor Dean and seconded by Councillor Moulton :

In the third line, delete the words:

“without changing the criteria for eligibility.”

and replace with:

“but deplores the underfunding by Central Government of the scheme.”

AMENDED MOTION TO READ:

“This Council supports free concessionary bus travel for the over 60's enjoyed by 8 million people and calls on all three major political parties on social and environmental grounds to pledge its continuation but deplores the underfunding by Central Government of the scheme.”

Further amendment moved by Councillor Dr R. Williams and seconded by Councillor Letts:

In the third line, delete the words:

“but deplores the underfunding” and delete the word “of”

and replace with:

“and welcomes all party support for increased funding by Central Government for the scheme”.

FURTHER AMENDED MOTION TO READ:

“This Council supports free concessionary bus travel for the over 60's enjoyed by 8 million people and calls on all three major political parties on social and environmental grounds to pledge its continuation and welcomes all party support for increased funding by Central Government for the scheme”

UPON BEING PUT TO THE VOTE THE AMENDMENT IN THE NAME OF COUNCILLOR DR R. WILLIAMS WAS DECLARED LOST

UPON BEING PUT TO THE VOTE THE AMENDMENT IN THE NAME OF COUNCILLOR DEAN WAS DECLARED CARRIED

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

RESOLVED that the motion as amended by Councillor Dean be approved.

(b) Privatisation of Leisure Facilities

Councillor Burke moved and Councillor Bogle seconded:-

“Council calls on the Executive to abandon its plans to privatise the management of council leisure facilities.”

UPON BEING PUT TO THE VOTE THE MOTION WAS DECLARED LOST

RESOLVED that the motion be **not** approved.

(c) Corporate Parenting Committee

With the consent of the meeting, Councillor Stevens altered and moved his motion and Councillor Walker seconded:-

“In the first paragraph, delete the words:

“seriousness of the recommendations in the Warnock Report and in light of the very real concerns shared by all councils and councillors, calls upon Southampton City Council to follow the approach adopted by other authorities and increase the status of the Corporate Parenting Group and its ability to make recommendations within either the scrutiny or Local Safeguarding Children’s Board structure and become a politically proportionate body within the constitution of the authority.”

and replace with:

“importance of the Safeguarding Agenda and in particular, the rightful focus on outcomes for Children Looked After. As such, Council welcomes the measures taken to develop the Corporate Parenting Committee such as scrutinising outcomes for Children Looked After, ensuring the Corporate Parenting Committee remains a prominent and effective vehicle for improving the opportunities and outcomes for Children Looked After, in Southampton.”

ALTERED MOTION TO READ:

Council notes importance of the Safeguarding Agenda and in particular, the rightful focus on outcomes for Children Looked After. As such, Council welcomes the measures taken to develop the Corporate Parenting Committee such as scrutinising outcomes for Children Looked After, ensuring the Corporate Parenting Committee remains a prominent and effective vehicle for improving the opportunities and outcomes for Children Looked After, in Southampton.

UPON BEING PUT TO THE VOTE THE ALTERED MOTION WAS

DECLARED CARRIED

RESOLVED that the altered motion be approved.

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

It was noted that no questions had been received.

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

It was noted that no changes to the appointments had been made.

71. ANNUAL AUDIT LETTER 2008/09 AND COMPREHENSIVE AREA ASSESSMENT

The report of the Leader of the Council was submitted formally receiving the 2009 Audit Commission's Annual Audit and Inspection Letter and the Audit Commission's Comprehensive Area Assessment. (Copy of report circulated with agenda and appended to signed minutes).

RESOLVED that the 2009 Audit Commission's Annual Audit and Inspection Letter and the Audit Commission's CAA Assessment - Organisational Assessment of the City Council and Southampton's Area Assessment, be formally received.

72. ADOPTION OF THE LOCAL DEVELOPMENT FRAMEWORK CORE STRATEGY

The report of the Cabinet Member for Environment and Transport seeking approval for the adoption of the Core Strategy, following amendments in accordance with the Inspector's recommendations, and the endorsement of the list of additional Local Plan Review policies, was submitted. (Copy of report circulated with agenda and appended to signed minutes).

RESOLVED:

- (i) That the Core Strategy which has been amended in accordance with the Inspector's recommendations be adopted; and
- (ii) That the list of additional Local Plan Review policies (attached as Appendix 1 to the report), that will be replaced in part or in full by the Core Strategy, be endorsed.

73. TRIENNIAL REVIEW OF GAMBLING ACT 2005 POLICY

The report of the Solicitor to the Council seeking the adoption of a revised Gambling Act Policy was submitted (Copy of report circulated with agenda and appended to signed minutes).

RESOLVED that the draft revised Gambling Act policy be adopted.

74. EXCLUSION OF THE PRESS AND PUBLIC – CONFIDENTIAL PAPERS

RESOLVED 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. 75.

Confidential appendix 2 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. It is not considered to be in the public interest to disclose this information because this appendix contains confidential and commercially sensitive information relating to the property interests potentially involved in this matter.

75. EASTPOINT REDEVELOPMENT

The report of the Cabinet Member for Economic Development seeking approval, subject to certain conditions, for the addition of £3,000,000 to be added to the Economic Development Portfolio Capital Programme, was submitted (Copy of report circulated with agenda and appended to signed minutes).

RESOLVED:

- (i) That the addition of up to £3,000,000 to the Economic Development Portfolio Capital Programme for the surrender of the current Eastpoint Lease be approved; and
- (ii) That the addition of £130,000 to the Economic Development Capital Programme for the demolition of the old Eastpoint Centre following the construction of the new Eastpoint building and services, and the vacation of the old Eastpoint Centre, be approved.

NOTE: Councillor Burke declared a personal interest in the above matter, in view of his status as Chair of Governors at Itchen College, and left the meeting during the consideration of the matter.

76. EXCLUSION OF THE PRESS AND PUBLIC – CONFIDENTIAL PAPERS

RESOLVED 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. 77.

Appendix 1 to the report 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. It is not in the public interest to disclose this information because it comprises financial and business information that if made public would prejudice the Council's ability to operate in a commercial environment and obtain best value during acquisition negotiations.

77. PURCHASE & INSTALLATION OF NEW CREMATORS, MERCURY ABATEMENT & OTHER ESSENTIAL EQUIPMENT FOR SOUTHAMPTON CREMATORIUM

The report of the Cabinet Member for Environment and Transport seeking approval for the addition of the sum set out in the confidential appendix to the Environment and Transport Capital Programme for the Crematorium, was submitted (Copy of report circulated with agenda and appended to signed minutes).

RESOLVED that in accordance with Financial Procedure Rules, the addition of the sum set out in the confidential appendix to the Environment & Transport Capital Programme for the Crematorium - New Cremators scheme, to be funded from a combination of direct revenue financing and unsupported borrowing, be approved.

78. EXCLUSION OF THE PRESS AND PUBLIC - CONFIDENTIAL PAPERS

RESOLVED 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. 79.

Appendix 1 to the report 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. It is not in the public interest to disclose this information because doing so would prejudice the Council's commercial position in relation to future procurement activities supporting the BSF project and could affect the Council's ability to deliver best value in the procurement of services for the benefit of the public.



BUILDING SCHOOLS FOR THE FUTURE (BSF): SUBMISSION OF  
OUTLINE BUSINESS CASE

The report of the Cabinet Member for Children's Services seeking approval for capital and revenue contributions to be added to future years' budget proposals and £4 million to be added to the Children's Services Capital programme, was submitted. (Copy of report circulated with agenda and appended to signed minutes).

RESOLVED:

- (i) That the proposed capital and revenue contributions as detailed in Appendix 1 to the report be added to budget proposals in future years;
- (ii) That in accordance with Financial Procedure Rules, a sum of £5.147 million be vired to the Children's Services Capital programme for BSF Wave 6a, funded from 14-19 Diplomas, SEN and Disabilities Targeted Capital Fund Grant;
- (iii) That delegated authority be granted to the Executive Director of Resources to certify the Council's affordability position (the Section 151 letter) as required for the submission of the Outline Business Case (OBC) or any other stage of the BSF procurement process subject to the project remaining within the overall affordability envelope approved by the Council;
- (iv) That delegated authority be granted to the Executive Director of Resources to determine the actual Capital and Revenue sources of funding to be used to support the Council's required financial contributions (see indicative funding model in appendix 1) to BSF, subject to the project remaining within the overall affordability envelope approved by the Council; and
- (v) That delegated authority be granted to the Executive Director of Children's Services and Learning and the Executive Director of Resources, following consultation with the Solicitor to the Council and the Cabinet Member for Children's Services, to do anything necessary to give effect to the recommendations in the report and/or to enable the Council to submit the OBC, subject to the project remaining within the overall affordability envelope approved by the Council.

NOTE: Councillors Beckett, Mrs Blatchford, Capozzoli, Cooke, Cunio, Matthews and Slade, declared personal interests in the above matter, in view of their status as School Governors, and remained in the meeting during the consideration of the matter, except for Councillor Beckett, who left the meeting.

80. OVERVIEW AND SCRUTINY: SUMMARY OF CALL-IN ACTIVITY

RESOLVED that the report of the Assistant Chief Executive (Strategy), summarising the use of the Call-In procedure over the last three months be noted.

NOTE: Councillor Beckett declared a personal interest in the above matter, in view of his status as a School Governor, and left the meeting during the consideration of the matter.

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SOUTHAMPTON CITY COUNCIL

MINUTES OF THE COUNCIL MEETING HELD ON  
17<sup>TH</sup> FEBRUARY 2010

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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, Mrs Damani, Daunt, Davis, Dean, Dick, Drake, Fitzgerald, Fitzhenry, Fuller, Galton, Hannides, Holmes, Jones, Letts, McEwing, Marsh-Jenks, Matthews, Moulton, Norris, Odgers, Osmond, Payne, Rayment, Samuels, Slade, Smith, Sollitt, Stevens, Thomas, Walker, Wells, White, Willacy, P. Williams and Dr R. Williams.

81. APOLOGIES

It was noted that apologies for absence had been received from Councillor Parnell.

82. DEPUTATIONS, PETITIONS AND PUBLIC QUESTIONS

It was noted that no requests for deputations, petitions or public questions had been received.

83. EXCLUSION OF THE PRESS AND PUBLIC – CONFIDENTIAL PAPERS INCLUDED IN MINUTE 84

RESOLVED 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 minute 84.

Appendix 4 to the report was not for publication by virtue of category 3 of paragraph 10.4 of the Access to Information procedure rules as contained in the Constitution. It is not in the public interest to disclose this information because it contains confidential and commercially sensitive information relating to the potential funding sources for the Sea City Museum Scheme and the financial impact of certain possible options upon other parties and the Council's financial position. Given the commercial sensitivity of this information, in that its disclosure could adversely impact upon the parties and the Council's negotiating positions and therefore have an adverse impact on the parties and the Council's financial position, it is considered that the public interest in withholding this information at this time is greater than the public interest in disclosing it.

84. COUNCIL TAX SETTING AND RELATED MATTERS

(a) GENERAL FUND CAPITAL PROGRAMME 2009/10 TO 2012/13

(b) GENERAL FUND REVENUE BUDGET 2010/11 TO 2012/13

The reports of the Cabinet Member for Resources and Workforce Planning were submitted seeking approval of the updated Capital Programme for 2009/10 - 2012/13 together with the latest estimated overall financial position on the General Fund Revenue Budget for 2010/11 - 2012/13 and outlining the main issues that needed to be addressed in considering the Cabinet's budget proposals. The recommendations therein as amended by Executive Budget Resolution 2010/11 to comprise the Executive's budget proposals were moved by Councillor Moulton and seconded by Councillor Smith (copies of reports circulated with agenda and appended to signed minutes and a copy of the amended Executive Budget resolution as circulated at the meeting attached as appendix A to these minutes).

The Council agreed to suspend Council Procedure Rules 14.2, 14.4, 14.5, 14.6, 14.7, 14.8, 14.9 and 16.2:-

- (i) to enable the above items to be considered together;
- (ii) to enable any amendments to be proposed, seconded and considered at the same time;
- (iii) to enable any amendment to be re-introduced later into the meeting; and
- (iv) to revise the time allowed for speakers as follows:-

Movers of motion	-	20 minutes
Seconders	-	10 minutes
Other Speakers	-	4 minutes

An amendment setting out the Labour Group's budget proposals (Labour Budget Resolution 2010/11) was moved by Councillor Marsh-Jenks and seconded by Councillor R Williams (copy attached as Appendix B to these minutes).

A further amendment setting out the Liberal Democrat Group's budget proposals (Liberal Democrat Budget Resolution 2010/11) was moved by Councillor Sollitt and seconded by Councillor Baston (copy attached as Appendix C to these minutes).

UPON BEING PUT TO THE VOTE THE LIBERAL DEMOCRAT GROUP PROPOSALS WERE DECLARED LOST.

UPON BEING PUT TO THE VOTE THE LABOUR GROUP PROPOSALS WERE DECLARED LOST.

UPON BEING PUT TO THE VOTE THE EXECUTIVE BUDGET PROPOSALS AS AMENDED WERE DECLARED CARRIED.

RESOLVED that the General Fund Capital Programme 2009/10 to 2012/13 and the General Fund Revenue budget 2010/11 to 2012/13 as amended by Executive Budget Resolution 2010/11 (appendix A to these minutes) be adopted.

NOTE: Councillors Beckett, Mrs Blatchford, Burke, Capozzoli, Cooke, Cunio, Matthews, Odgers and Slade declared personal interests in the above matter, in view of their status as School Governors, and remained in the meeting during the consideration of the matter.

#### 85. HOUSING REVENUE ACCOUNT BUDGET REPORT

The report of the Cabinet Member for Housing and Local Services was submitted seeking approval to the Housing Revenue Account budget proposals including the proposed 2010/11 Housing Revenue Account (HRA) revenue estimates for all of the day to day services provided to Council tenants in the City, together with the proposed rent and service charge increases for council tenants from April 2010 and the HRA capital programme for the period to 2012/13, which will include an assessment of the resources available to finance major housing capital projects in the City (copy of report circulated with agenda and appended to signed minutes).

Amendment moved by Councillor Payne and seconded by Councillor Marsh-Jenks:

To add a further recommendation :-

- xiii) To commit the City Council to bid for future rounds of the 'Housing Stimulus Programme' for local authority new build schemes, where it is financially viable to do so and to include the financial implications of those bids in future updates of the HRA business plan.

UPON BEING PUT TO THE VOTE THE AMENDMENT WAS DECLARED LOST

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

RESOLVED:

- (i) that the Tenant Association representatives be thanked for their input to the capital and revenue budget setting process and that their views as set out in the report be noted;
- (ii) that with effect from the 5<sup>th</sup> April 2010, it be agreed that the current

average weekly dwelling rent figure of £63.57 should increase by 2.45%, which equates to an average increase of £1.56 per week, and that the following to calculate this increase be approved:

- That the percentage reduction applied to all dwelling rents should be 0.9%, equivalent to a reduction of £0.57 per week
- That the revised phased introduction of the Government's Rent Restructuring regime should be followed, giving an increase in average rent levels of 2.96% (£1.88 per week)
- That the final step should be a further increase in average rent levels of 0.39% (£0.25 per week) for the caps and the limits adjustment and,

to note that:

- The total percentage increase in individual rents will vary according to the restructured rent of their property in 2012/13;

- (iii) that no increase in the charges for garages and parking spaces for 2010/11 be agreed;
- (iv) that no increase in tenants' service charges for 2010/11 be agreed;
- (v) that the Housing Revenue Account Revenue Estimates as set out in Appendix 1 to the report be approved;
- (vi) that the revised Housing Revenue Account Capital Programme set out in Appendix 2 to the report, which includes total spending of £82.214M on work that meets the definition of "affordable housing", be approved;
- (vii) that the use of resources to fund the HRA Capital Programme as shown in Appendix 3 to the report be approved, including the following use of unsupported (prudential) borrowing:
  - £2.150M to support the overall programme (unchanged from the report in September 2009)
  - £3.356M to fund the new build programme that is not funded from HCA grant
  - £2.600M to fund the digital TV proposals if this is more cost effectively purchased rather than leased
  - £0.870M to fund the estate regeneration programme pending the receipt of capital receipts from sale of the sites and
  - £3.100M of short term borrowing to sustain the programme in 2010/11, which can be repaid by the end of 2012/13;
- (viii) that because the final HRA subsidy papers had not yet been received from the Government, delegated authority be granted to the Executive Director for Neighbourhoods, in consultation with the Executive Director for Resources and following consultation with the Cabinet Member for Housing and Local Services, to make changes to the recommendations in the report if there is a material difference

between the final subsidy papers and the draft subsidy papers that have been used in compiling these estimates;

- (ix) to note the savings that have been made in the budget process, as set out in paragraphs 13 to 15;
- (x) that it be noted that, rental income and service charge payments will be paid by tenants over a 48 week period;
- (xi) that it be noted that, the overall shortfall in resources of £2.561M to fund the capital programme is within the tolerances set by the Executive Director for Resources in the approved Medium Term Financial Strategy and that plans are in place to close this gap as set out in paragraph 31 of the report; and
- (xii) that delegated authority be granted to the Executive Director for Resources, following consultation with the Cabinet Members for Housing and Local Services and Resources and Workforce Planning, the Executive Director for Neighbourhoods and the Solicitor to the Council, authority to determine the Council's response to the "buy-out" offer for Reform of Council Housing Finance if the response is required in such a period that it is not possible to submit a report to Council.

86. ANNUAL TREASURY MANAGEMENT STRATEGY AND PRUDENTIAL LIMITS 2009/10 – 2012/13

The report of the Executive Director of Resources was submitted seeking approval of the Annual Treasury Management Strategy and Prudential Indicators for 2009/10 – 2012/13, as required under the provisions of the Local Government Act 2003 (copy of report circulated with agenda and appended to signed minutes).

With the consent of the meeting, Councillor Moulton altered and moved his motion and Councillor Smith seconded:-

To add a further recommendation :-

- vii) Approve the minimum credit rating for counterparties for long term investments as A+ as long as they are also backed by the Government Guarantee Scheme.

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

RESOLVED:

- (i) that the Council's Prudential Indicators as detailed in Appendix 2 to the report be approved;
- (ii) that the 2010 MRP Statement be approved;

- (iii) that the Treasury Management Strategy for 2010/11 as outlined in the report be approved;
- (iv) that the amendments to Standing Orders to comply with the revised CIPFA guide on Treasury Management as detailed in paragraph 7 of the report be approved;
- (v) that delegated authority be granted to the Executive Director of Resources following consultation with the Cabinet Member for Resources and Workforce Planning to approve any changes to the Prudential Indicators or borrowing limits that will aid good treasury management, for example increase the % for variable rate borrowing to take advantage of the depressed market for short term rates. Any amendments will be reported as part of quarterly financial and performance monitoring and in revisions to this strategy; and
- (vi) that the minimum credit rating for counterparties for long term investments as A+ be approved as long as they are also backed by the Government Guarantee Scheme.



## **Conservative Budget Resolution 2010/11**

### **It is recommended that Council:**

- i) Approves the Revised Budget for 2009/10 as set out in Appendix 2 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- ii) Notes the position on the forecast roll forward budget for 2010/11 as set out in paragraphs 10 to 16 of the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- iii) Approves the Invest to Save Bids as set out in Appendix 3 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- iv) Approves the revenue pressures as set out in Appendix 4 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- v) Approves the Revenue Developments as set out in Appendix 5 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- vi) Approves the Revenue Bids as set out in Appendix 6 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda, as amended by the changes in Section A of Appendix 1 to this Resolution
- vii) Approves the efficiencies, income and service reductions as set out in Appendix 7 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda, as amended by the changes in Section B of Appendix 1 to this Resolution.
- viii) Approves the General Fund Revenue Budget as set out in Appendix 2 to this Resolution which takes account of these amendments and which assumes a council tax increase of 2.50%, (the full calculation for which is set out in Appendix 3 to this Resolution).
- ix) Delegates authority to the Chief Financial Officer (CFO) to action all budget changes arising from the approved pressures, bids, efficiencies, income and service reductions and incorporate any other approved amendments into the General Fund estimates.
- x) Notes that after taking these items into account, there is an estimated General Fund balance of £4.5M at the end of 2012/13 as detailed in paragraph 36 of the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- xi) Delegates authority to the Executive Director of Resources in consultation with the Solicitor to the Council to do anything necessary to give effect to the recommendations in this Resolution.

- xii) Sets the Budget Requirement for 2010/11 at £183,269,600.
- xiii) Notes the estimates of precepts on the Council Tax collection fund for 2010/11 as set out in Appendix 10 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- xiv) Notes the Medium Term Forecast as set out in Appendix 11 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- xv) Authorises the Chief Executive and Chief Officers to pursue the development of the options for efficiencies, income and service reductions as set out in Appendix 7 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda for the financial years 2011/12 and 2012/13 and continue to develop options to close the remaining projected gaps in those years in line with the proposed Efficiency Strategy.
- xvi) Approves a further £250,000 in 2009/10 for highway maintenance following the severe weather conditions at the start of this year, to be met from savings in the overall general fund budget in 2009/10.
- xvii) Approves the Efficiency Strategy attached in Appendix 12 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- xviii) Approves the following amounts now calculated by the Council for the year 2010/11 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

- |   |                 |
|---|-----------------|
| a) Aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a to e) of the Act.  | £595,640,600.00 |
| b) Aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a to c) of the Act.  | £412,371,000.00 |
| c) Calculation in accordance with Section 32(4) of the Act, of the Council's budget requirement for the year, being the amount by which the aggregate at a) above exceeds the aggregate at b) above.  | £183,269,600.00 |
| d) Aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant, and adjusted by the net amount of the sums which the Council estimates will be transferred to / from its general fund to / from its collection fund in accordance with Section 97(3) of the Local Government Finance Act 1988 as amended by the Local Government Finance Act 1992. | £101,275,102.00 |
| e) The amount at c) above less the amount at d) above, all divided by the Council Tax base of 66,167.0 calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.   | £1,239.21       |

f) Precepting authority - Southampton City Council	Valuation Bands	Amount
	A	£826.14
	B	£963.83
	C	£1,101.52
	D	£1,239.21
	E	£1,514.59
	F	£1,789.97
	G	£2,065.35
	H	£2,478.42

Being the amounts given by multiplying the amount at e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amount to be taken into account for the year in respect of dwellings listed in different valuation bands.

- g) That it be noted for the year 2010/11 that the Hampshire Police Authority have stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown in the following table:

	Valuation Bands	Amount
	A	£97.50
	B	£113.75
	C	£130.00
	D	£146.25
	E	£178.75
	F	£211.25
	G	£243.75
	H	£292.50

- h) That it be noted for the year 2010/11 that the Hampshire Fire and Rescue Authority have stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown in the following table:

Valuation Bands	Amount
A	£40.92
B	£47.74
C	£54.56
D	£61.38
E	£75.02
F	£88.66
G	£102.30
H	£122.76

- l) That, having calculated the aggregate in each case of the amounts at f), g) and h) above, the Council in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts of the Council Tax for the year 2010/11 for each of the categories of dwellings shown below:

Valuation Bands	Amount
A	£964.56
B	£1,125.32
C	£1,286.08
D	£1,446.84
E	£1,768.36
F	£2,089.88
G	£2,411.40
H	£2,893.68

**CONSERVATIVE GROUP BUDGET PROPOSALS**  
**AMENDMENTS TO GENERAL FUND REVENUE BUDGET PAPERS**

Ref.		Better £000's	Worse £000's
<b><u>SECTION A - New Revenue Bids</u></b>			
New	Additional bus funding to support the 13 and 22 bus routes		98
New	Additional one off investment in roads to tackle winter weather		200
New	Provision of 50 additional bins around the city		25
New	Provision of community pay back for additional district centre cleaning		40
<b><u>SECTION B - Additional Savings</u></b>			
New	Seek agreed reduction in the rate paid for staff car travel to the Inland Revenue non profit rate of 40p per mile.	(38)	
<b><u>Balances</u></b>			
	Additional draw from balances (funded from unspent contingency and unspent element of the Revenue Development Fund in 2009/10)	(325)	
		<u>(363)</u>	<u>363</u>
	<b>Net Gap / (Surplus)</b>		<u>0</u>

**2010/11 GENERAL FUND REVENUE ACCOUNT**

<b>Portfolios</b>	<b>2010/11 Forecast £000's</b>	<b>Invest to Save Bids £000's</b>	<b>Revenue Pressures £000's</b>	<b>Revenue Bids £000's</b>	<b>Savings &amp; Income £000's</b>	<b>2010/11 Budget £000's</b>
Adult Social Care & Health	56,373.5	0.0	730.0	300.0	(1,957.0)	55,446.5
Childrens Services	52,771.0	0.0	490.0	105.0	(1,393.3)	51,972.7
Economic Development	5,077.3	0.0	0.0	0.0	(162.0)	4,915.3
Environment & Transport	33,553.0	0.0	0.0	298.0	(2,367.0)	31,484.0
Housing & Local Services	12,030.9	0.0	0.0	145.0	(552.0)	11,623.9
Leader's Portfolio	5,821.5	0.0	0.0	0.0	(275.0)	5,546.5
Leisure Culture & Heritage	14,297.6	0.0	0.0	76.0	(647.0)	13,726.6
Resources & Workforce Planning	10,180.2	0.0	0.0	0.0	(692.8)	9,487.4
<b>Sub-total for Portfolios</b>	<b>190,105.0</b>	<b>0.0</b>	<b>1,220.0</b>	<b>924.0</b>	<b>(8,046.1)</b>	<b>184,202.9</b>
<b>Levies &amp; Contributions</b>						
Southern Seas Fisheries Levy	44.0					44.0
Flood Defence Levy	44.0					44.0
Coroners Service	440.5					440.5
	<b>528.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>528.5</b>
<b>Capital Asset Management</b>						
Capital Financing Charges	11,572.9					11,572.9
Capital Asset Management Account	(23,652.4)					(23,652.4)
	<b>(12,079.5)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>(12,079.5)</b>
<b>Other Expenditure &amp; Income</b>						
Direct Revenue Financing of Capital	947.0					947.0
Trading Areas (Surplus) / Deficit	208.2				(60.0)	148.2
Net Housing Benefit Payments	(881.9)					(881.9)
Revenue Development Fund	0.0			5,890.7		5,890.7
Open Spaces and HRA	535.7					535.7
Risk Fund	6,000.0					6,000.0
Contingencies	250.0					250.0
	<b>7,059.0</b>	<b>0.0</b>	<b>0.0</b>	<b>5,890.7</b>	<b>(60.0)</b>	<b>12,889.7</b>
<b>NET GF SPENDING</b>	<b>185,613.0</b>	<b>0.0</b>	<b>1,220.0</b>	<b>6,814.7</b>	<b>(8,106.1)</b>	<b>185,541.6</b>
<b>Draw from Balances:</b>						
Draw from Balances (General)	(1,000.0)				(325.0)	(1,325.0)
To Fund the Capital Programme	(947.0)					(947.0)
	<b>(1,947.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>(325.0)</b>	<b>(2,272.0)</b>
<b>Net Gap in Budget</b>	<b>396.4</b>	<b>0.0</b>	<b>1,220.0</b>	<b>6,814.7</b>	<b>(8,431.1)</b>	<b>0.0</b>
<b>BUDGET REQUIREMENT</b>	<b>183,269.6</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>183,269.6</b>

**COUNCIL TAX CALCULATION - 2010/11**

	<b>2009/10</b>	<b>2010/11</b>	<b>Change</b>	<b>Change</b>
	<b>£000</b>	<b>£000</b>	<b>£000</b>	<b>%</b>
<b>Budget Requirement (a)</b>	<b>179,195.6</b>	<b>183,269.6</b>	<b>4,074.0</b>	<b>2.27%</b>
Less NDR	(79,846.2)	(87,436.7)		
Less RSG	(18,429.5)	(12,696.6)		
Aggregate External Finance	(98,275.7)	(100,133.3)	(1,857.6)	1.89%
Deficit / (Surplus) on Collection Fund	(1,536.8)	(1,141.8)	395.0	0.0%
<b>Net Grant Income (b)</b>	<b>(99,812.5)</b>	<b>(101,275.1)</b>	<b>(1,462.6)</b>	<b>1.47%</b>
<b>Amount to be met from Council Tax (a - b)</b>	<b>79,383.1</b>	<b>81,994.5</b>	<b>2,611.4</b>	<b>3.29%</b>
Tax base	65,661.5	66,167.0	505.5	0.77%
<b>Basic amount of Council Tax (Band D)</b>	<b>1,208.97</b>	<b>1,239.21</b>	<b>30.24</b>	<b>2.50%</b>
Last years Council Tax		1,208.97		
Increase (Cash)		30.24		
Increase (Cash per Week)		0.58		
Increase (%)		2.50%		

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## Labour Group Budget Resolution 2010/11

### **It is recommended that Council:**

- i) Approves the Revised Budget for 2009/10 as set out in Appendix 2 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- ii) Notes the position on the forecast roll forward budget for 2010/11 as set out in paragraphs 10 to 16 of the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- iii) Approves the Invest to Save Bids as set out in Appendix 3 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- iv) Approves the revenue pressures as set out in Appendix 4 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- v) Approves the Revenue Developments as set out in Appendix 5 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda, as amended by the changes in Section A of Appendix 1 to this Resolution.
- vi) Approves the Revenue Bids as set out in Appendix 6 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda, as amended by the changes in Section B of Appendix 1 to this Resolution
- vii) Approves the efficiencies, income and service reductions as set out in Appendix 7 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda, as amended by the changes in Section C and D of Appendix 1 to this Resolution.
- viii) Approves the General Fund Revenue Budget as set out in Appendix 2 to this Resolution which takes account of these amendments and which assumes a council tax increase of 2.50%, (the full calculation for which is set out in Appendix 3 to this Resolution).
- ix) Delegates authority to the Chief Financial Officer (CFO) to action all budget changes arising from the approved pressures, bids, efficiencies, income and service reductions and incorporate any other approved amendments into the General Fund estimates.
- x) Notes that after taking these items into account, there is an estimated General Fund balance of £4.5M at the end of 2012/13 as detailed in paragraph 36 of the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- xi) Delegates authority to the Executive Director of Resources in consultation with the Solicitor to the Council to do anything necessary to give effect to the recommendations in this Resolution.

- xii) Sets the Budget Requirement for 2010/11 at £183,269,600.
- xiii) Notes the estimates of precepts on the Council Tax collection fund for 2010/11 as set out in Appendix 10 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- xiv) Notes the Medium Term Forecast as set out in Appendix 11 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- xv) Authorises the Chief Executive and Chief Officers to pursue the development of the options for efficiencies, income and service reductions as set out in Appendix 7 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda for the financial years 2011/12 and 2012/13 and continue to develop options to close the remaining projected gaps in those years in line with the proposed Efficiency Strategy.
- xvi) Approves a further £250,000 in 2009/10 for highway maintenance following the severe weather conditions at the start of this year, to be met from savings in the overall general fund budget in 2009/10.
- xvii) Approves the Efficiency Strategy attached in Appendix 12 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- xviii) Approves the following amounts now calculated by the Council for the year 2010/11 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

- |   |                 |
|---|-----------------|
| a) Aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a to e) of the Act.  | £595,149,600.00 |
| b) Aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a to c) of the Act.  | £411,880,000.00 |
| c) Calculation in accordance with Section 32(4) of the Act, of the Council's budget requirement for the year, being the amount by which the aggregate at a) above exceeds the aggregate at b) above.  | £183,269,600.00 |
| d) Aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant, and adjusted by the net amount of the sums which the Council estimates will be transferred to / from its general fund to / from its collection fund in accordance with Section 97(3) of the Local Government Finance Act 1988 as amended by the Local Government Finance Act 1992. | £101,275,102.00 |
| e) The amount at c) above less the amount at d) above, all divided by the Council Tax base of 66,167.0 calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.   | £1,239.21       |

f) Precepting authority - Southampton City Council	Valuation Bands	Amount
	A	£826.14
	B	£963.83
	C	£1,101.52
	D	£1,239.21
	E	£1,514.59
	F	£1,789.97
	G	£2,065.35
	H	£2,478.42

Being the amounts given by multiplying the amount at e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amount to be taken into account for the year in respect of dwellings listed in different valuation bands

- g) That it be noted for the year 2010/11 that the Hampshire Police Authority have stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown in the following table:

	Valuation Bands	Amount
	A	£97.50
	B	£113.75
	C	£130.00
	D	£146.25
	E	£178.75
	F	£211.25
	G	£243.75
	H	£292.50

- h) That it be noted for the year 2010/11 that the Hampshire Fire and Rescue Authority have stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown in the following table:

Valuation Bands	Amount
A	£40.92
B	£47.74
C	£54.56
D	£61.38
E	£75.02
F	£88.66
G	£102.30
H	£122.76

- l) That, having calculated the aggregate in each case of the amounts at f), g) and h) above, the Council in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts of the Council Tax for the year 2010/11 for each of the categories of dwellings shown below:

Valuation Bands	Amount
A	£964.56
B	£1,125.32
C	£1,286.08
D	£1,446.84
E	£1,768.36
F	£2,089.88
G	£2,411.40
H	£2,893.68

**LABOUR GROUP BUDGET PROPOSALS**  
**AMENDMENTS TO GENERAL FUND REVENUE BUDGET PAPERS**

Ref.		Better £000's	Worse £000's
<b><u>SECTION A - Reductions to Revenue Developments</u></b>			
RES 1	End the higher-income pensioner and special constables Council Tax discount	(1,000)	
E&T 3	Stop expenditure on a private sector Highways Partner	(500)	
LCH 1	Stop expenditure on a private sector Sport & Recreation Partner	(193)	
<b><u>SECTION B - New Revenue Bids</u></b>			
New	Increase parking in residential areas by the Introduction of marked parking bays		100
New	Set up a mentoring Programme for NEETs (Training for 30 mentors - taking 2 NEETs each)		90
New	Increase funding to various Coxford and Thornhill youth projects		65
New	Attack fuel poverty - Based on the Luton model		100
New	Additional repairs to pavements		193
New	Set up an independent inquiry into Educational Attainment in the City. This will comprise of national experts and be required to produce a report within three months of formation.		50
New	Set aside a reserve to implement any recommendations from the Education Inquiry		300
<b><u>SECTION C - Additional Savings</u></b>			
New	Reduce mileage rate to 40p for all staff and Councillors	(38)	
New	Stop insuring the art collection	(50)	

**LABOUR GROUP BUDGET PROPOSALS**  
**AMENDMENTS TO GENERAL FUND REVENUE BUDGET PAPERS**

<b>Ref.</b>		<b>Better £000's</b>	<b>Worse £000's</b>
<b><u>SECTION D - Rejected Savings Proposals</u></b>			
ASCH 5	Do not support transfers of in-house domiciliary care to private sector provision		203
CS24	Do not reduce the grant paid to City College for delivery of employment based training programmes.		42
E&T 39	Bereavement Services - Reduce fee Increases for cremations etc		130
E&T	Do not charge for replacement green waste bags		20
E&T 4	Do not reduce the Environmental Health & Trading Standards trainee budget		25
E&T 52	Do not delete two posts in the Pest Control Service		20
E&T 53	Do not reduce Environmental Health Food Safety Service		45
E&T 54	Do not reduce Environmental Health Pollution and Safety Service.		60
HLS 18	Reduce by half the planned increase in pitch & put charges etc		4
HLS 19	Do not make reductions in number of Special Assessments and checks on Housing Register applicants		43
HLS 20	Do not reduce the Active Communities and Stronger Communities teams		65
L 13	Make no changes in Members allowances and keep the external link		6
L 15	Do not reduce number of Scrutiny panels and enquiries		5
LCH 21	Do not delete of Public Arts Officer Post		42
LCH 4	Do not privatise St Mary's Leisure Centre		40
LCH 5	Do not privatise sports and recreation management		111
LCH14	Do not increase Libraries charges		12
LCH 18	Do not close Millbrook Library		10
		<b>(1,781)</b>	<b>1,781</b>
	<b>Net Gap / (Surplus)</b>		<b>0</b>

**APPENDIX 2****2010/11 GENERAL FUND REVENUE ACCOUNT**

<b>Portfolios</b>	<b>2010/11 Forecast £000's</b>	<b>Invest to Save Bids £000's</b>	<b>Revenue Pressures £000's</b>	<b>Revenue Bids £000's</b>	<b>Savings &amp; Income £000's</b>	<b>2010/11 Budget £000's</b>
Adult Social Care & Health	56,373.5	0.0	730.0	300.0	(1,754.0)	55,649.5
Childrens Services	52,771.0	0.0	490.0	610.0	(1,351.3)	52,519.7
Economic Development	5,077.3	0.0	0.0	0.0	138.0	5,215.3
Environment & Transport	33,553.0	0.0	0.0	293.0	(2,329.0)	31,517.0
Housing & Local Services	12,030.9	0.0	0.0	180.0	(440.0)	11,770.9
Leader's Portfolio	5,821.5	0.0	0.0	0.0	(264.0)	5,557.5
Leisure Culture & Heritage	14,297.6	0.0	0.0	76.0	(482.0)	13,891.6
Resources & Workforce Planning	10,180.2	0.0	0.0	0.0	(730.8)	9,449.4
<b>Sub-total for Portfolios</b>	<b>190,105.0</b>	<b>0.0</b>	<b>1,220.0</b>	<b>1,459.0</b>	<b>(7,213.1)</b>	<b>185,570.9</b>
<b>Levies &amp; Contributions</b>						
Southern Seas Fisheries Levy	44.0					44.0
Flood Defence Levy	44.0					44.0
Coroners Service	440.5					440.5
	<b>528.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>528.5</b>
<b>Capital Asset Management</b>						
Capital Financing Charges	11,572.9					11,572.9
Capital Asset Management Account	(23,652.4)					(23,652.4)
	<b>(12,079.5)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>(12,079.5)</b>
<b>Other Expenditure &amp; Income</b>						
Direct Revenue Financing of Capital	947.0					947.0
Trading Areas (Surplus) / Deficit	208.2				(60.0)	148.2
Net Housing Benefit Payments	(881.9)					(881.9)
Revenue Development Fund	0.0			4,197.7		4,197.7
Open Spaces and HRA	535.7					535.7
Risk Fund	6,000.0					6,000.0
Contingencies	250.0					250.0
	<b>7,059.0</b>	<b>0.0</b>	<b>0.0</b>	<b>4,197.7</b>	<b>(60.0)</b>	<b>11,196.7</b>
<b>NET GF SPENDING</b>	<b>185,613.0</b>	<b>0.0</b>	<b>1,220.0</b>	<b>5,656.7</b>	<b>(7,273.1)</b>	<b>185,216.6</b>
<b>Draw from Balances:</b>						
Draw from Balances (General)	(1,000.0)					(1,000.0)
To Fund the Capital Programme	(947.0)					(947.0)
	<b>(1,947.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>(1,947.0)</b>
<b>Net Gap in Budget</b>	<b>396.4</b>	<b>0.0</b>	<b>1,220.0</b>	<b>5,656.7</b>	<b>(7,273.1)</b>	<b>0.0</b>
<b>BUDGET REQUIREMENT</b>	<b>183,269.6</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>183,269.6</b>

**COUNCIL TAX CALCULATION - 2010/11**

	2009/10 £000	2010/11 £000	Change £000	Change %
<b>Budget Requirement (a)</b>	<b>179,195.6</b>	<b>183,269.6</b>	<b>4,074.0</b>	<b>2.27%</b>
Less NDR	(79,846.2)	(87,436.7)		
Less RSG	(18,429.5)	(12,696.6)		
Aggregate External Finance	(98,275.7)	(100,133.3)	(1,857.6)	1.89%
Deficit / (Surplus) on Collection Fund	(1,536.8)	(1,141.8)	395.0	0.0%
<b>Net Grant Income (b)</b>	<b>(99,812.5)</b>	<b>(101,275.1)</b>	<b>(1,462.6)</b>	<b>1.47%</b>
<b>Amount to be met from Council Tax (a - b)</b>	<b>79,383.1</b>	<b>81,994.5</b>	<b>2,611.4</b>	<b>3.29%</b>
Tax base	65,661.5	66,167.0	505.5	0.77%
<b>Basic amount of Council Tax (Band D)</b>	<b>1,208.97</b>	<b>1,239.21</b>	<b>30.24</b>	<b>2.50%</b>
Last years Council Tax		1,208.97		
Increase (Cash)		30.24		
Increase (Cash per Week)		0.58		
Increase (%)		2.50%		



## **Liberal Democrat Group Budget Resolution 2010/11**

### **It is recommended that Council:**

- i) Approves the Revised Budget for 2009/10 as set out in Appendix 2 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- ii) Notes the position on the forecast roll forward budget for 2010/11 as set out in paragraphs 10 to 16 of the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- iii) Approves the Invest to Save Bids as set out in Appendix 3 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- iv) Approves the revenue pressures as set out in Appendix 4 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- v) Approves the Revenue Developments as set out in Appendix 5 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda, as amended by the changes in Section A of Appendix 1 to this Resolution.
- vi) Approves the Revenue Bids as set out in Appendix 6 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- vii) Approves the efficiencies, income and service reductions as set out in Appendix 7 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda, as amended by the changes in Section B of Appendix 1 to this Resolution.
- viii) Approves the General Fund Revenue Budget as set out in Appendix 2 to this Resolution which takes account of these amendments and which assumes a council tax increase of 1.49%, (the full calculation for which is set out in Appendix 3 to this Resolution).
- ix) Delegates authority to the Chief Financial Officer (CFO) to action all budget changes arising from the approved pressures, bids, efficiencies, income and service reductions and incorporate any other approved amendments into the General Fund estimates.
- x) Notes that after taking these items into account, there is an estimated General Fund balance of £4.5M at the end of 2012/13 as detailed in paragraph 36 of the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- xi) Delegates authority to the Executive Director of Resources in consultation with the Solicitor to the Council to do anything necessary to give effect to the recommendations in this Resolution.

- xii) Sets the Budget Requirement for 2010/11 at £182,464,600.
- xiii) Notes the estimates of precepts on the Council Tax collection fund for 2010/11 as set out in Appendix 4 to this Resolution.
- xiv) Notes the Medium Term Forecast as set out in Appendix 11 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- xv) Authorises the Chief Executive and Chief Officers to pursue the development of the options for efficiencies, income and service reductions as set out in Appendix 7 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda for the financial years 2011/12 and 2012/13 and continue to develop options to close the remaining projected gaps in those years in line with the proposed Efficiency Strategy.
- xvi) Approves a further £250,000 in 2009/10 for highway maintenance following the severe weather conditions at the start of this year, to be met from savings in the overall general fund budget in 2009/10.
- xvii) Approves the Efficiency Strategy attached in Appendix 12 to the General Fund Revenue Budget 2010/11 to 2012/13 report on the Council agenda.
- xviii) Approves the following amounts now calculated by the Council for the year 2010/11 in accordance with Sections 32 to 36 of the Local Government Finance Act 1992:

- |   |                 |
|---|-----------------|
| a) Aggregate of the amounts which the Council estimates for the items set out in Section 32(2)(a to e) of the Act.  | £594,510,600.00 |
| b) Aggregate of the amounts which the Council estimates for the items set out in Section 32(3)(a to c) of the Act.  | £412,046,000.00 |
| c) Calculation in accordance with Section 32(4) of the Act, of the Council's budget requirement for the year, being the amount by which the aggregate at a) above exceeds the aggregate at b) above.  | £182,464,600.00 |
| d) Aggregate of the sums which the Council estimates will be payable for the year into its general fund in respect of redistributed non-domestic rates, revenue support grant, and adjusted by the net amount of the sums which the Council estimates will be transferred to / from its general fund to / from its collection fund in accordance with Section 97(3) of the Local Government Finance Act 1988 as amended by the Local Government Finance Act 1992. | £101,275,102.00 |
| e) The amount at c) above less the amount at d) above, all divided by the Council Tax base of 66,167.0 calculated by the Council, in accordance with Section 33(1) of the Act, as the basic amount of its Council Tax for the year.   | £1,227.04       |

f) Precepting authority - Southampton City Council	Valuation Bands	Amount
	A	£818.03
	B	£954.36
	C	£1,090.70
	D	£1,227.04
	E	£1,499.72
	F	£1,772.39
	G	£2,045.07
	H	£2,454.08

Being the amounts given by multiplying the amount at e) above by the number which, in the proportion set out in Section 5(1) of the Act, is applicable to dwellings listed in a particular valuation band divided by the number which in that proportion is applicable to dwellings listed in valuation band D, calculated by the Council, in accordance with Section 36(1) of the Act, as the amount to be taken into account for the year in respect of dwellings listed in different valuation bands.

- g) That it be noted for the year 2010/11 that the Hampshire Police Authority have stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown in the following table:

	Valuation Bands	Amount
	A	£97.50
	B	£113.75
	C	£130.00
	D	£146.25
	E	£178.75
	F	£211.25
	G	£243.75
	H	£292.50

- h) That it be noted for the year 2010/11 that the Hampshire Fire and Rescue Authority have stated the following amounts in precepts issued to the Council in accordance with Section 40 of the Local Government Finance Act 1992, for each of the categories of dwellings shown in the following table:

Valuation Bands	Amount
A	£40.92
B	£47.74
C	£54.56
D	£61.38
E	£75.02
F	£88.66
G	£102.30
H	£122.76

- l) That, having calculated the aggregate in each case of the amounts at f), g) and h) above, the Council in accordance with Section 30(2) of the Local Government Finance Act 1992, hereby sets the following amounts of the Council Tax for the year 2010/11 for each of the categories of dwellings shown below:

Valuation Bands	Amount
A	£956.45
B	£1,115.85
C	£1,275.26
D	£1,434.67
E	£1,753.49
F	£2,072.30
G	£2,391.12
H	£2,869.34

**LIBERAL DEMOCRAT GROUP BUDGET PROPOSALS**  
**AMENDMENTS TO GENERAL FUND REVENUE BUDGET PAPERS**

<b>Ref.</b>		<b>Better £000's</b>	<b>Worse £000's</b>
<b><u>SECTION A - Changes to Revenue Developments</u></b>			
RES 1	Delete Provision for Council Tax Discount to Pensioners and Special Constables	(1,000)	
New	Increase Funding to Highways Repairs		165
<b><u>SECTION B - Rejected Savings Proposals</u></b>			
E&T 52	Do not reduce two posts in the Pest Control Service		20
LCH 18	Do not close Millbrook Library as part of Cumbrian Way Estate Redevelopment		10
<b><u>Council Tax</u></b>			
	Reduce increase in Council Tax to 1.49%		805
<b>Sub Total</b>		<b>(1,000)</b>	<b>1,000</b>
<b>Net Gap / (Surplus)</b>			<b>0</b>

**APPENDIX 2****2010/11 GENERAL FUND REVENUE ACCOUNT**

<b>Portfolios</b>	<b>2010/11 Forecast £000's</b>	<b>Invest to Save Bids £000's</b>	<b>Revenue Pressures £000's</b>	<b>Revenue Bids £000's</b>	<b>Savings &amp; Income £000's</b>	<b>2010/11 Budget £000's</b>
Adult Social Care & Health	56,373.5	0.0	730.0	300.0	(1,957.0)	55,446.5
Childrens Services	52,771.0	0.0	490.0	105.0	(1,393.3)	51,972.7
Economic Development	5,077.3	0.0	0.0	0.0	(162.0)	4,915.3
Environment & Transport	33,553.0	0.0	0.0	0.0	(2,309.0)	31,244.0
Housing & Local Services	12,030.9	0.0	0.0	80.0	(552.0)	11,558.9
Leader's Portfolio	5,821.5	0.0	0.0	0.0	(275.0)	5,546.5
Leisure Culture & Heritage	14,297.6	0.0	0.0	76.0	(637.0)	13,736.6
Resources & Workforce Planning	10,180.2	0.0	0.0	0.0	(692.8)	9,487.4
<b>Sub-total for Portfolios</b>	<b>190,105.0</b>	<b>0.0</b>	<b>1,220.0</b>	<b>561.0</b>	<b>(7,978.1)</b>	<b>183,907.9</b>
<b>Levies &amp; Contributions</b>						
Southern Seas Fisheries Levy	44.0					44.0
Flood Defence Levy	44.0					44.0
Coroners Service	440.5					440.5
	<b>528.5</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>528.5</b>
<b>Capital Asset Management</b>						
Capital Financing Charges	11,572.9					11,572.9
Capital Asset Management Account	(23,652.4)					(23,652.4)
	<b>(12,079.5)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>(12,079.5)</b>
<b>Other Expenditure &amp; Income</b>						
Direct Revenue Financing of Capital	947.0					947.0
Trading Areas (Surplus) / Deficit	208.2				(60.0)	148.2
Net Housing Benefit Payments	(881.9)					(881.9)
Revenue Development Fund	0.0			5,055.7		5,055.7
Open Spaces and HRA	535.7					535.7
Risk Fund	6,000.0					6,000.0
Contingencies	250.0					250.0
	<b>7,059.0</b>	<b>0.0</b>	<b>0.0</b>	<b>5,055.7</b>	<b>(60.0)</b>	<b>12,054.7</b>
<b>NET GF SPENDING</b>	<b>185,613.0</b>	<b>0.0</b>	<b>1,220.0</b>	<b>5,616.7</b>	<b>(8,038.1)</b>	<b>184,411.6</b>
<b>Draw from Balances:</b>						
Draw from Balances (General)	(1,000.0)					(1,000.0)
To Fund the Capital Programme	(947.0)					(947.0)
	<b>(1,947.0)</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>(1,947.0)</b>
<b>Net Gap in Budget</b>	<b>1,201.4</b>	<b>0.0</b>	<b>1,220.0</b>	<b>5,616.7</b>	<b>(8,038.1)</b>	<b>0.0</b>
<b>BUDGET REQUIREMENT</b>	<b>182,464.6</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>182,464.6</b>

**COUNCIL TAX CALCULATION - 2010/11**

	2009/10 £000	2010/11 £000	Change £000	Change %
<b>Budget Requirement (a)</b>	<b>179,195.6</b>	<b>182,464.6</b>	<b>3,269.0</b>	<b>1.82%</b>
Less NDR	(79,846.2)	(87,436.7)		
Less RSG	(18,429.5)	(12,696.6)		
Aggregate External Finance	(98,275.7)	(100,133.3)	(1,857.6)	1.89%
Deficit / (Surplus) on Collection Fund	(1,536.8)	(1,141.8)	395.0	0.0%
<b>Net Grant Income (b)</b>	<b>(99,812.5)</b>	<b>(101,275.1)</b>	<b>(1,462.6)</b>	<b>1.47%</b>
<b>Amount to be met from Council Tax (a - b)</b>	<b>79,383.1</b>	<b>81,189.5</b>	<b>1,806.4</b>	<b>2.28%</b>
Tax base	65,661.5	66,167.0	505.5	0.77%
<b>Basic amount of Council Tax (Band D)</b>	<b>1,208.97</b>	<b>1,227.04</b>	<b>18.07</b>	<b>1.49%</b>
Last years Council Tax		1,208.97		
Increase (Cash)		18.07		
Increase (Cash per Week)		0.35		
Increase (%)		1.49%		

**COLLECTION FUND ESTIMATES 2010/11**

	<b>2009/10</b>	<b>2010/11</b>	<b>Change</b>	<b>Change</b>
	<b>£000's</b>	<b>£000's</b>	<b>£000's</b>	<b>%</b>
Southampton City Council Precept	79,383.1	81,189.5	1,806.4	2.28%
Hampshire Police Precept	9,331.2	9,676.9	345.8	3.71%
Fire and Rescue Services Precept	3,959.4	4,061.3	101.9	2.57%
Income due from Council Tax Payers	<u>92,673.6</u>	<u>94,927.8</u>	<u>2,254.1</u>	<u>2.43%</u>
Tax Base for Area	65,661.5	66,167.0	505.5	0.77%
<b>Basic Amount of Tax for Band D Property</b>	<b><u>1,411.37</u></b>	<b><u>1,434.67</u></b>	<b><u>23.29</u></b>	<b><u>1.65%</u></b>



<b>DECISION-MAKER:</b>		COUNCIL	
<b>SUBJECT:</b>		EXECUTIVE BUSINESS	
<b>DATE OF DECISION:</b>		17 <sup>th</sup> MARCH 2010	
<b>REPORT OF:</b>		LEADER OF THE COUNCIL	
<b>AUTHOR:</b>	Name:	Suki Sitaram	Tel: 023 8083 2060
	E-mail:	<a href="mailto:suki.sitaram@southampton.gov.uk">suki.sitaram@southampton.gov.uk</a>	

**STATEMENT OF CONFIDENTIALITY**

None

**SUMMARY**

This report outlines the decisions made by the Executive since the January 2010 Council meeting. The report also provides an update on Traffic Regulation Order objections referred to the Executive and an update on the Southampton Partnership's activities since the last Executive Business report was presented to Full Council.

Six policy priorities were approved by the Council at the budget setting meeting in February 2009. This report sets out the decisions made by the Executive between the 18<sup>th</sup> January 2010 and the 17<sup>th</sup> February 2010 which will progress these priorities. For ease of reference the titles of the individual decision making items are highlighted in bold throughout this report.

**RECOMMENDATIONS:**

That the report be noted.

**REASONS FOR REPORT RECOMMENDATIONS**

This report is presented in accordance with Part 4 of the Council's Constitution.

**CONSULTATION**

Appropriate consultation has taken place on each of the decision items summarised in this report.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

Not applicable.

**DETAIL**

**1. GETTING THE CITY WORKING**

The following initiatives have been approved by the Executive to progress this priority:

- Approval of the **FUNDING FLEXIBILITIES FOR TRANSPORT INITIATIVES** report to enable Local Transport Plan capital funding to be swapped with On Street Car Parking Account revenue funding to fund future transport studies and initiatives. Cabinet also approved the addition to the Environment and Transport Portfolio's revenue estimates, of a Transport Initiatives Feasibility Study budget of up to £195,000 in 2009/10 and up to £500,000 in 2010/11, funded by contributions from the On Street Car Parking Account.

- Approval of the **HIGHWAYS SERVICE PARTNERSHIP – APPROVAL TO CALL FOR FINAL TENDER** report with delegations to officers following consultation with the Cabinet Member for Environment and Transport, to take all necessary steps to close the dialogue, issue the Call for Final Tenders and appoint a preferred bidder. Approval was also given to lease office and depot space at Castle Way, Town Depot and the future Dock Gate 20 City Depot to the successful provider for a period commensurate with the term of the contract (or such lesser period as may be required) with the final terms and conditions of any such leases being delegated to the Head of Property and Procurement.

## 2. INVESTING IN EDUCATION AND TRAINING

The Cabinet considered the report of the Cabinet Member for Young People and Skills detailing the **APPRENTICESHIPS, SKILLS, CHILDREN AND LEARNING ACT** and noted the changes made to the scheme of executive delegations to give effect to these proposals.

The following initiatives and decisions have been approved by the Executive to progress this priority:

- Approval of the **RESPONSE TO THE SCRUTINY INQUIRY INTO THE CHILDREN'S ANNUAL PERFORMANCE ASSESSMENT** with authority being given to the Executive Director of Children's Services and Learning, following consultation with the Cabinet Member for Children's Services, to take further decisions in relation to the inquiry recommendations where further investigation is required.
- Agreement of **PROPOSALS TO ESTABLISH NEW SPECIAL EDUCATIONAL NEEDS LEARNING CENTRES AT SIX SECONDARY SCHOOLS** in the city. The Schools concerned are Chamberlayne College for the Arts, Upper Shirley High School, St. George Catholic College, Cantell Maths and Computing College, Bitterne Park School and The Sholing Technology College. Delegated authority was also given to officers, following consultation with the Cabinet Member for Children's Services, to do anything necessary to give effect to the recommendations and to take any action necessary to comply with the requirements of the School Standards and Frameworks Act 1998.
- **APPROVAL OF MODERNISATION PROJECT EXPENDITURE FOR FAIRISLE JUNIOR SCHOOL** totalling £440,000 from the Children's Services Capital Programme to progress this scheme.
- Approval of **NEWLANDS PRIMARY SCHOOL REBUILD** capital expenditure totalling £7.5 million from the Children's Services and Learning Capital Programme to progress the construction of the new school.

## 3. KEEPING THE CITY CLEAN AND GREEN

The following initiatives have been approved by the executive to progress this priority:

- **ADOPTION OF A CORPORATE CARBON REDUCTION POLICY** to ensure the Council can meet its obligations under the Carbon Reduction Commitment (CRC) Energy Efficiency Scheme and manage energy effectively within Council operated buildings. An annual report will also be brought back to Cabinet

outlining the progress in delivering the Action Plan together with recommendations for further improvements.

#### 4. **LOOKING AFTER PEOPLE**

The following initiatives have been approved by the executive to progress this priority since the last Council meeting:

- Agreement of **PROPOSALS TO SPEND DEPARTMENT OF HEALTH 'COMMON ASSESSMENT FRAMEWORK' GRANT FUNDING** totalling £3.062 Million for the development of a joint health and social care assessment system.
- Approval of the **CONCESSIONARY FARES SCHEME 2010/11** so that it will remain in operation from 1 April 2010 until further notice, pending the publication of revised guidance from the Department for Transport (DfT) with the continued reimbursement of operators at the 2009/10 rate of 41.2p in the £, plus 15p per generated journey, in accordance with the guidance given by the Department for Transport's Reimbursement Analysis Tool with a figure of 50% being retained for return ticket sales in the average fare calculation. Delegated authority was given to officers following consultation with the Cabinet Members for Environment & Transport and Resources to make any necessary variations or changes to the scheme arising from any outstanding appeals and to determine the arrangements for operators to claim additional capacity and capital costs.
- Agreement of the **LOCAL AUTHORITY 'NEW BUILD' SCHEME APPROVAL** report to enable a grant £ 970,804 to be accepted from the Homes and Communities Agency (HCA) to build new Council homes under the LA New Build scheme on 2 sites in the city at Leaside Way and Cumbrian Way. The Cabinet also approved overall capital expenditure of £1,941,608 from within the Housing Revenue Account Capital Programme for 2010-2011 and 2011 – 2012 to progress these schemes. Delegated authority was given to officers, following consultation with Cabinet Member for Housing and Local Services, to undertake all necessary actions to deliver this initiative such as entering into the Homes and Communities Agencies grant contract, all consequential contracts, and rent setting for the new homes.

#### 5. **KEEP PEOPLE SAFE**

This priority continues to be actively progressed with the Police and other organisations in the city to ensure that Southampton is a Safe City for residents and visitors alike.

- Agreement of the **PROPOSED COUNCIL TAX DISCOUNTS FOR SPECIAL CONSTABLES AND PERSONS OVER THE AGE OF 65** under S13A of the Local Government Finance Act 1992 in accordance with the qualifying criteria in respect of the "pensioners" element and the "Special Constable" element of the Scheme for 2010/11 with authority being given to the Executive Director of Resources to take any further action necessary to give effect to this decision.

#### 6. **PROVIDING GOOD VALUE, HIGH QUALITY SERVICES**

The following initiatives have been approved by the executive to progress this overarching priority since the last Council meeting:

- Approval of **SALE OF LAND AT TOWN DEPOT ADJACENT TO AMERICAN WHARF** by way of a conditional agreement for the grant of a long lease for less than best consideration to enable the conversion and reuse of this site.
- Endorsement of the revised **GENERAL FUND CAPITAL PROGRAMME**, which was subsequently approved at the budget setting meeting of Full Council in February together with the **GENERAL FUND REVENUE BUDGET 2009/10 – 2012/13**.
- Agreement of the **HOUSING REVENUE ACCOUNT BUDGET** report which was agreed at Full Council in February setting out a proposed rent increase of 2.45% with effect from 5<sup>th</sup> April 2010 - with no increase being applied for garages, parking spaces and service charges for tower block wardens or the concierge service in 2010/11. The revised Housing Revenue Account Capital Programme, which includes total spending of £82.214M on work that meets the definition of “affordable housing” in the city, was also agreed by the Cabinet and subsequently approved by Full Council at the budget setting meeting in February.
- The executive noted the **CORPORATE FINANCIAL GENERAL FUND CAPITAL MONITORING FOR THE PERIOD TO THE END OF DECEMBER 2009**, the **HOUSING REVENUE ACCOUNT FINANCIAL REVENUE MONITORING FOR THE PERIOD TO THE END OF DECEMBER 2009** and the **3<sup>RD</sup> QUARTER FINANCIAL AND PERFORMANCE MONITORING REPORT**.
- Endorsement of **SOUTHAMPTON’S 2010 LOCAL AREA AGREEMENT REFRESH** to enable re-negotiated “designated” targets to be formally agreed by partners and representatives of government departments for submission to the Secretary of State by the 17<sup>th</sup> March.
- The **SELECTION OF PARTNERS FOR SPORT AND RECREATION PARTNERSHIP** report was agreed by the executive following consideration of the objections received. This matter was subsequently “called in” by the Overview and Scrutiny Management Committee and the Executive will therefore be reconsidering this matter at the Cabinet meeting on the 15<sup>th</sup> March.

## 7. **TRAFFIC REGULATION ORDERS**

The Executive received a report on **PROPOSALS FOR PERMIT PARKING IN VERMONT CLOSE AND TALBOT CLOSE IN BASSETT** outlining a number of objections to the design of the proposed parking scheme as advertised and an objection to the proposal to allow Special permits to be issued to visitors to Red Lodge Community Pool for the duration of construction work at Great Oaks School. The executive resolved to amend the advertised proposed parking arrangements at Vermont Close and Talbot Close to include additional spaces from Winchester Road to Vermont Close with the permit parking scheme being reviewed in 9 months to establish whether a satisfactory long term arrangement can be made for parking provision for visitors to Red Lodge Community Pool off the highway.

## 8. **City Partnerships Update**

Since the last Council meeting, the **Southampton Partnership Delivery Board**

(DB) has approved the final recommendations of the **Economy & Enterprise Board Review** which has rationalised or re-aligned a number of boards with the principle aim of ensuring that the Boards operating in the economic/regeneration arena are focussing on the delivery of the Southampton Economic Delivery Action Plan (SEDAP) and the Regeneration Strategy and their associated targets and initiatives, ensuring that there is no duplication of effort.

The SP Delivery Board has also approved the establishment of a **Marketing Southampton** strategic marketing alliance for the city which will be facilitated by Business Southampton with effect from the 1<sup>st</sup> April 2010. A progress report from the **Think Family Pathfinder Project** was considered and a number of recommendations to accelerate progress in this area were agreed.

The Board also received a presentation on **Domestic Violence** and agreed that a business case for improving multi agency responses to medium and standard risk cases should be developed for further partnership consideration. A presentation from the Audit Commission was also received outlining the key issues to be explored in the **2010 Comprehensive Area Assessment**. In addition, the SP Delivery Board received a comprehensive briefing from key officers involved in the **Bournemouth, Dorset & Poole (BDP) Total Place Pilot** and the lessons learnt, and these will be considered as Southampton considers its Total Place approach to how we deliver better services at less cost, through effective collaboration and partnership working. The **Southampton Partnership Policy Board's** next meeting is on the 18<sup>th</sup> March 2010 and the outputs from that meeting will be reported to Council accordingly.

Further information on the activities of the Southampton Partnership and its partnership family can be found at [www.southampton-partnership.com](http://www.southampton-partnership.com) or by contacting the relevant partnership manager direct whose contact details can be found on the SP website by clicking on the 'Our Partners' page and then the relevant partnership page.

## **FORTHCOMING BUSINESS**

9. The Executive published its Forward Plan on the 12<sup>th</sup> February 2010 covering the period March to June 2010 and will publish its next plan on the 17<sup>th</sup> March 2010 covering the period April to July 2010. Details of all forthcoming executive decision items can be found at:

<http://sccwww1.southampton.gov.uk/decisionmaking/internet/forwardplanindex.asp>

## **FINANCIAL/RESOURCE IMPLICATIONS**

### **Capital**

Not applicable.

### **Revenue**

Not applicable.

### **Property**

Not applicable.

### **Other**

None.

## LEGAL IMPLICATIONS

### Statutory power to undertake proposals in the report:

This report is brought forward in accordance with the Local Government Act 2000. The powers to undertake the proposals summarised in this report are detailed within the individual decision making reports presented to the executive over the past few months.

### Other Legal Implications:

Not applicable

## POLICY FRAMEWORK IMPLICATIONS

None

## SUPPORTING DOCUMENTATION

### Appendices

1.	None
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### Documents In Members' Rooms

1.	None
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### Background Documents

Title of Background Paper(s)

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	None	
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**Background documents available for inspection at:** Not applicable

**FORWARD PLAN No:**

**KEY DECISION?**

Not Applicable

No

### **WARDS/COMMUNITIES AFFECTED:**

None directly, since this report is presented for information purposes.

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<b>DECISION-MAKER:</b>	COUNCIL		
<b>SUBJECT:</b>	BYELAWS ON THE EMPLOYMENT OF CHILDREN 2010		
<b>DATE OF DECISION:</b>	17 MARCH 2010		
<b>REPORT OF:</b>	SOLICITOR TO THE COUNCIL		
<b>AUTHOR:</b>	Name:	Sarita Riley, Senior Solicitor (Corporate)	Tel: 023 8083 3218
	E-mail:	Sarita.riley@southampton.gov.uk	

**STATEMENT OF CONFIDENTIALITY**

N/A

**SUMMARY**

The existing Byelaws on the employment of children, made and confirmed in 1998, are now out of date and, like many other local authorities employment byelaws, do not reflect minor, but important, changes to the law that have been introduced. All Children's Services authorities have been requested to review their Byelaws accordingly. This report proposes that the Byelaws are amended to bring them into line with current legislation and that, once made by the Council and published, application is made for their confirmation to the Secretary of State in order for the revised Byelaws to come into force on 1<sup>st</sup> June 2010.

**RECOMMENDATIONS:**

- (i) To authorise the Solicitor to the Council to make and seal the Byelaws for the Employment of Children 2010 as attached at Appendix 1 ('the Byelaws').
- (ii) To authorise the Solicitor to the Council to give at least one months Notice of the intention to apply for confirmation of the Byelaws and make the Byelaws available on deposit for public inspection at all reasonable hours for at least one month prior to applying for confirmation of the Byelaws.
- (iii) To authorise the Solicitor to the Council, having completed all notice and deposit requirements under s.236 of the Local Government Act 1972, to apply to the Secretary of State for Children's Schools and Families for confirmation of the Byelaws.
- (iv) To authorise the Solicitor to the Council to take any action or decision necessary to give effect to, conducive to or calculated to facilitate the recommendations in this report and the bringing into force of the Byelaws.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. To update the existing Byelaws in line with changes in relevant legislation and to ensure that the Council's safeguarding duties in relation to the protection of children, in particular the protection of children from the possibility of exploitation or harm in a work place, are maintained.

## **CONSULTATION**

2. Internal officer consultation has taken place with Children's Services & Learning who are responsible for the provision of education welfare services to children and for managing and enforcing the requirements in relation to the employment of children and young persons. Informal consultation in relation to the content and procedure for amending the proposed Byelaws has also been carried out with the Department for Children's Schools and Families (DCSF) and the proposals in the report are consistent with and wholly in accordance with the model Byelaws previously issued by the DCSF and the updated guidance issued to local authorities in November 2009.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

3. Not to seek to amend the Byelaws. This option has been rejected as the current Byelaws do not reflect current changes in the law relating to the employment of children.

## **DETAIL**

4. Southampton City Council has, since the transfer of responsibility for Children's Services functions in it's area from Hampshire County Council, been responsible for ensuring that the law in relation to the employment of children and young person is enforced.
5. Under Sections 18(2) and 20(2) of the Children and Young Persons Act 1933 the Council has the power to make Byelaws regulating the types of employment in which children and young persons may be engaged, the manner under which any such employment should be carried out, the hours which a child may be employed and the arrangements for permits to be issued regulating the employment of children to ensure that employment does not or is not likely to harm the health or welfare of a child or their ability to take full advantage of their education.
6. In 1998 the DCSF published model byelaws for local authorities to adopt in this regard, with some provision for the model to be adapted to meet particular local circumstances. The existing Southampton City Council byelaws follow the model byelaws in all material respects, with the exception that they omit any permissive regime relating to street trading (which is an optional area that local authorities can include or not as they see fit depending on whether or not it is a particular concern or activity that takes place in it's area). Southampton City Council has historically chosen to regulate Street Trading through existing licensing and highways legislation.
7. In 2000 a number of minor changes to the law were introduced relating to the prohibition of the employment of children below the age of 13. As the City Council Byelaws in force at this time did not permit the employment of



children below the age of 13, no changes to the byelaws were proposed at that time. It has however, been brought to the attention of local authorities that a number of other minor changes have been introduced following that date, including a change in the types of work that children aged 13 may undertake and further changes introduced by the Licensing and Gambling Acts, and it is therefore appropriate to update the Byelaws to reflect these changes now. All local authorities have recently been sent a reminder of this requirement by DCSF with a request that existing byelaws be reviewed and amended where appropriate.

8. Other than the changes required to reflect the updates in legislation referred to above, it is not proposed to make any other changes to the Byelaws at this time.
9. The changes to the Byelaws attached at Appendix 1 may be summarised as follows:
  - New section 5 added to reflect the change in law specifying that children aged 13 years may no longer be employed in light agricultural or horticultural work unless employed by their parents or guardians and limited to an occasional basis only.
  - Section 6 (previously section 5) amended to delete 'light agricultural or horticultural work' from the list of permitted employment for children aged 13.
  - Explanatory notes 'Prohibited and permitted employment' section amended to reflect updates in recent legislation, particularly Licensing & Gaming Acts provisions and the Safeguarding Vulnerable Groups Act 2006.
10. All other provisions within the proposed Byelaws remain unchanged.
11. Subject to Council approving the proposed amendments, the Byelaws will be made under Seal and then placed on deposit in Council offices for a period of not less than one calendar month. Notices will also be placed in at least one newspaper circulating in the area. Any person may make representations in relation to the proposed Byelaws during that time. Following the close of the application period the Solicitor to the Council will apply to the Secretary of State for confirmation of the Byelaws. Any representations made during the notice will be sent to and considered by the Secretary of State for Children's Schools and families before deciding whether or not to confirm the Byelaws as proposed.

## **FINANCIAL/RESOURCE IMPLICATIONS**

### **Capital**

12. None

### **Revenue**

13. None – the Byelaws will be regulated and enforced within existing Children's Services budgets for this area of work.

### **Property**

14. N/A

## **Other**

15. N/A

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

16. The main statutory provisions empowering the Council to make byelaws regulating the employment of children are set out in the body of the report and Appendix 1.
17. The process for making byelaws is regulated by Section 236 of the Local Government Act 1972 and this is reflected in the procedure set out in paragraph 11 above.

### **Other Legal Implications:**

18. The proposed byelaws are consistent with the provisions of equalities and safeguarding legislation and the provisions of the Human Rights Act 1998.

## **POLICY FRAMEWORK IMPLICATIONS**

19. The proposals set out in this report are wholly consistent with the Council's Policy Framework, in particular the provisions of the Children And Young People's Plan.

## SUPPORTING DOCUMENTATION

**Non-confidential appendices are in the Members' Rooms and can be accessed on-line**

### **Appendices**

1.	BYELAWS ON THE EMPLOYMENT OF CHILDREN 2010
2.	

### **Documents In Members' Rooms**

1.	N/A
2.	

### **Background Documents**

Title of Background Paper(s)

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.	BYELAWS ON THE EMPLOYMENT OF CHILDREN 1998	N/A
2.	Guidance on the Employment of Children 2009 Published by DCSF	N/A

**Background documents available for inspection at:**

Legal & Democratic Services, Civic Centre

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# ITEM NO: 9 APPENDIX 1

## CITY OF SOUTHAMPTON BYELAWS

Made: March 2010  
Coming into force: 1<sup>st</sup> June 2010

Southampton City Council, in exercise of the powers conferred on it by Sections 18(2) and 20(2) of the Children and Young Persons Act 1922 (c.12), hereby makes the following Byelaws:

### CITATION AND COMMENCEMENT

1. These Byelaws may be cited as the Southampton City Council Byelaws on the Employment of Children 2010 and shall come into force on the first day of June 2010.

### INTERPRETATION AND EXTENT

2. In these Byelaws, unless the context otherwise requires:

“**the Authority**” means the Southampton City Council

“**child**” means a person who is not yet over compulsory school age as defined in Section 8 of the Education Act 1996;

“**cycle**” has the meaning given to it by section 192 of the Road Traffic Act 1988;

“**employment**” includes assistance in any trade or occupation which is carried on for profit, whether or not payment is received for that assistance;

“**light work**” means work which, on account of the inherent nature of the tasks which it involves and the particular conditions under which they are performed –

(a) is not likely to be harmful to the safety, health or development of children; and

(b) is not such as to be harmful to their attendance at school, their participation in work experience in accordance with Section 560 of the Education Act 1996, or their capacity to benefit from the instruction received or, as the case may be, the experience gained;

“**motor vehicle**” has the meaning given to it by Section 183 of the Road Traffic Act 1988;

“**parent**” includes any person who has for the time being parental responsibility for a child within the meaning of Section 3 of the Children Act 1989;

“**year**”, except in expressions of age, means a period of twelve months beginning with 1<sup>st</sup> January.

## **PROHIBITED EMPLOYMENT**

3. No child of any age may be employed –
  - (a) in a cinema, theatre, discothèque, dance hall or night club, except in connection with a performance given entirely by children. *(This does not prevent children taking part in performances under the provisions of a license granted in accordance with the Children and Young Persons Act 1963, and the associated Regulations);*
  - (b) to sell or deliver alcohol, except in sealed containers;
  - (c) to deliver milk;
  - (d) to deliver fuel oils;
  - (e) in a commercial kitchen;
  - (f) to collect or sort refuse;
  - (g) in any work which is more than 3 metres above ground level or, in the case of internal work, more than 3 metres above floor level;
  - (h) in employment involving harmful exposure to physical, biological or chemical agents;
  - (i) to collect money or to sell or canvass door to door;
  - (j) in work involving exposure to adult material or in situations which are for this reason otherwise unsuitable for children;
  - (k) in telephone sales and telephone canvassing;
  - (l) in any slaughterhouse or in that part of any butcher's shop or other premises connected with the killing of livestock, butchery, or the preparation of carcasses or meat for sale;
  - (m) as an attendant or assistant in a fairground or amusement arcade or in any other premises used for the purpose of public amusement by means of automatic machines, games of chance or skill, or similar devices;
  - (n) in the personal care of residents of any residential care home or nursing home;
  - (o) car washing by hand where the motor vehicle is on a highway and is stopped at traffic lights or at a junction.

## **PERMITTED EMPLOYMENT OF CHILDREN AGED 14 AND OVER**

4. A child aged 14 or over may be employed only in light work.

## **PERMITTED EMPLOYMENT OF CHILDREN AGED 13 IN LIGHT AGRICULTURAL OR HORTICULTURAL WORK**

5. A child aged 13 years may be employed on an occasional basis by their parents or guardians in light agricultural or horticultural work.

## **OTHER EMPLOYMENT OF CHILDREN AGED 13**

6. A child aged 13 may not be employed except in light work in one or more of the following specified categories:

- (a) Delivery of newspapers, journals and other printed material, subject to the provisions of Byelaw 3(i);
- (b) Shop work, including shelf stacking;
- (c) Hairdressing salons;
- (d) Office work;
- (e) Car washing by hand in a private residential setting;
- (f) In a café or restaurant;
- (g) In riding stables; and
- (h) Domestic work in hotels and other establishments offering accommodation.

## **EMPLOYMENT DURING SCHOOL HOURS**

- 7. No child shall be employed, nor shall any parent permit a child to be employed, during any period in which a child is absent from school on account of sickness.

## **EMPLOYMENT BEFORE SCHOOL**

- 8. Subject to the other provisions of these Byelaws, children may be employed for up to one hour before commencement of school hours on any day on which they are required to attend school.

## **ADDITIONAL CONDITIONS**

- 9. No child may be employed in any work out of doors unless wearing suitable clothes and shoes.
- 10. No child may be employed in any work that wholly or mainly involves the child riding a cycle unless the cycle complies with regulations made under Section 81 of the Road Traffic Act 1988 (Regulation of brakes, bells etc. on pedal cycles). *The Pedal Cycles (Construction and Use) Regulations 1983 apply for the purposes of Section 81 of the Road Traffic Act 1988 by virtue of Section 2(2) of the Road Traffic (Consequential Amendments) Act 1988.*

## **NOTIFICATION OF EMPLOYMENT AND EMPLOYMENT PERMITS**

- 11. Within one week of employing a child, the employer must send to the Authority written notification stating:
  - (a) his own name and address;
  - (b) the name, address and date of birth of the child;
  - (c) the hours and days on which the child is to be employed, the occupation in which the child is to be employed, details of the task involved and, if different from (a) above, the place of employment;
  - (d) a statement of the child's fitness to work and approval of the child to be employed, completed by the child's parent;
  - (e) details of the school at which the child is a registered pupil including the dates of the school's holidays; and

- (f) a statement to the effect that an appropriate risk assessment has been carried out by the employer.
12. Where, on receipt of a notification, the Authority is satisfied that:
- (a) The proposed employment is lawful;
  - (b) The child's health, welfare or ability to take full advantage of his education would not be jeopardised; and
  - (c) The child is fit to undertake the work for which he is to be employed
- it will issue the child with an employment permit.
13. Before issuing an employment permit a local authority may require a child to have a medical examination.
14. The employment permit will state:
- (a) the name, address and date of birth of the child;
  - (b) the hours and days on which the child is to be employed, the occupation in which the child is to be employed, details of the task involved and the place of employment.
15. A child may be employed only in accordance with the details shown on his employment permit.
16. The Authority may amend a child's employment permit from time to time on the application of an employer.
17. The Authority may at any time revoke a child's employment permit if it has reasonable grounds to believe:
- (a) that the child is being unlawfully employed; or
  - (b) that his health, welfare or ability to take advantage of his education are suffering or likely to suffer as a result of the employment.
18. A child must produce his employment permit for inspection when required to do so by an authorised officer of the Authority or a police officer.

## **REVOCATION**

19. The Byelaws with respect to the employment of children made by Southampton City Council on 15<sup>th</sup> September 1998 and confirmed by the Secretary of State on the 3<sup>rd</sup> November 1998 are hereby revoked.



The **COMMON SEAL** of Southampton City  
Council was affixed to these Byelaws on the  
XXth day of March 2010  
In the presence of :-

Mark Heath  
Solicitor to the Council  
Authorised Signatory

The foregoing byelaws are hereby confirmed  
By the Secretary of State for Children, Schools  
and Families on the        day of        2010  
and shall come into operation on 1<sup>st</sup> June 2010.

Deputy Director  
Department for Children, Schools and Families  
Signed:

Senior Civil Servant on behalf of the Secretary of State.  
Date:

## **EXPLANATORY NOTES**

(These notes are not part of the Byelaws)

These Byelaws regulate the types of occupation in which children under school leaving age may be employed (Byelaws 3-6) and other conditions of their employment. They provide for checks on a child's fitness for employment (Byelaws 12-13) and for the issue of employment permits, setting out the occupation in which a child may be employed and his hours of work (Byelaws 11 -18). Employers are obliged to notify local authorities of their child employees (Byelaw 11).

These Byelaws are not a comprehensive statement of the law relating to the employment of children and should be read in conjunction with other legislation relating to prohibited occupations, hours of work and street trading in particular.

By virtue of Section 560 Education Act 1996, enactments relating to the prohibition or regulation of the employment of children do not apply to children undertaking work experience within the meaning of the Act. "Enactment" for this purpose includes byelaws having effect under an enactment, so nothing in these Byelaws applies to a child's work experience.

The Children (performances) Regulations 1968 provide that no child taking part in a performance for which a license is required by Section 37 of the Children and Young Persons Act 1963 may be employed in any other occupation on the day or days of that performance or the following day.

## PROHIBITED AND PERMITTED EMPLOYMENT

Children aged 13 are limited to employment in the occupation listed (Byelaws 5 and 6).

Children aged 14 or over are not limited in this way, but may be able to undertake light work (Byelaw 4).

Byelaw 3 lists various occupations which are prohibited for children, even if they would constitute light work. Many more occupations or specific tasks are prohibited under legislation, including:

- (a) the Employment of Women, Children and Young Persons Act 1920, which prohibits the employment of children in any “industrial undertaking”, including mines and quarries, manufacturing industry, construction and the transport of passengers or goods by road, rail or inland waterway (Section 1(1));
- (b) the Children and Young Persons Act 1933 (Part II and Section 107) (including Section 20, under which the Local Authority does not permit the employment of young persons aged under 17 in street trading) as amended by the Children (Protection at Work) Regulations 1998, the Children (Protection at Work) Regulations 2000 and the Children (Protection at Work)(no.2) Regulations 2000;
- (c) the Agriculture (Safety, Health and Welfare Provisions) Act 1956, under which it is an offence to cause or permit a child to ride on or drive a vehicle, machine or agricultural implement (Section 7);
- (d) the Children and Young Persons Act 1963 (Part II), which restricts the employment of children and young persons and their participation in entertainment or performances;
- (e) the Offices, Shops and Railway Premises Act 1963, which provides that no young person may clean machinery if to do so would expose him/her to risk of injury (Section 18);
- (f) the Riding Establishments Act 1964, amending the Riding Establishments Act 1970 (Section 1(4A)) which provides that no child under the age of 16 may be left in management or control of a riding establishment, provide horses for hire at such an establishment or supervise instruction of others in riding at such an establishment;
- (g) the Manual Handling Operations Regulations 1992 (as amended), which prohibit children from handling any load which is likely to cause injury to them.
- (h) the Merchant Shipping Act 1995 (Section 55), by virtue of which no person under minimum school leaving age may be employed on a ship registered in the UK, except as permitted by the Regulations made under the Act;
- (i) the Education Act 1996 (Sections 558-560) which define ‘child’ for the purposes of employing children, provide power for local

- authorities to prohibit or restrict the employment of children and provide for the provision of work experience for children;
- (j) the Working Time Regulations 1998 which sets limits on the permitted hours of work for children and young persons;
  - (k) the Criminal Justice and Court Services Act 2000 (Part II) which provides general protection in relation to the employment of children and restrictions in relation to persons who may be employed to work with or in proximity to children;
  - (l) the Gambling Act 2005, which prohibits the employment of a child or young person to provide facilities for gambling, in facilities for gambling in connection with lottery or football pools, to perform any function in premises where and at any time facilities are provided for the playing of bingo or facilities for gambling are provided in accordance with a club gaming permit, in premises where gaming machines are situated and a child is required to perform a function in relation to such machines, or to perform any function in premises which have a casino, betting or adult gaming centre licence in effect (Sections 51-55);
  - (m) the Licensing Act 2003, which prohibits unaccompanied children on premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Section 145) and the unsupervised sale or supply of alcohol by children (Section 153);

It should be noted that this is not an exhaustive list and the law in relation to employment of children is regularly updated.

## **PENALTY FOR BREACH OF BYELAWS**

*If a child is employed in contravention of any of the forgoing Byelaws, the employer and any person (other than the child employed) to whom the contravention is attributable, shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale (£1,000 in 2010).*

*Note: A child who attains the age of 16 between 1 September and 31 August (inclusive) is of compulsory school age until the last Friday in June of that year. This is the only date a child is eligible to leave school even though they may have already been issued with their National Insurance Number.*

## **MAXIMUM PERMITTED WORKING HOURS**

**Employment may only take place between 7am and 7pm**

### **ALL AGES**

Mondays to Saturdays – not before 7am or after 7pm

Sundays – not before 7am or after 11am – 2 hours only

School days – 1 hour before school and 1 hour after school or 2 hours after school

### **13-15 YEARS**

Saturdays and other school holidays – 5 hours maximum daily

Not more than 25 hours per week.

### **15 YEARS PLUS**

Saturdays and other school holidays – 8 hours maximum daily

Not more than 35 hours per week

**No child shall be employed for more than 4 hours continuously  
Without taking a continuous period of not less  
Than 1 hour for rest and recreation.**

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