

# COUNCIL

Wednesday, 17th November,  
2010 at 2.00 pm

**PLEASE NOTE TIME**

Council Chamber, Civic Centre

## **Members of the Council**

The Mayor – Chair

The Sheriff – Vice-chair

Leader of the Council

Members of the Council (See overleaf)

## **Contacts**

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Council Administrator

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The agenda and papers are available via the Council's Website

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

# **PUBLIC INFORMATION**

## **Role of the Council**

The Council comprises all 48 Councillors. The Council normally meets six times a year including the annual meeting, at which the Mayor and the Council Leader are elected and committees and sub-committees are appointed, and the budget meeting, at which the Council Tax is set for the following year.

The Council approves the policy framework, which is a series of plans and strategies recommended by the Executive, which set out the key policies and programmes for the main services provided by the Council.

It receives a summary report of decisions made by the Executive, and reports on specific issues raised by the Overview and Scrutiny Management Committee.

The Council also considers questions and motions submitted by Council Members on matters for which the Council has a responsibility or which affect the City.

## **Public Involvement**

### **Representations**

At the discretion of the Mayor, members of the public may address the Council on any report included on the agenda in which they have a relevant interest.

### **Petitions**

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**

<b>2010</b>	<b>2011</b>
12 May	16 February
14 July	16 March
15 September (SPECIAL)	18 May
15 September	
17 November	

## CONDUCT OF MEETING

### **FUNCTIONS OF THE COUNCIL**

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

### **RULES OF PROCEDURE**

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

### **BUSINESS TO BE DISCUSSED**

Only those items listed on the attached agenda may be considered at this meeting.

### **QUORUM**

The minimum number of appointed Members required to be in attendance to hold the meeting is 16.

## **DISCLOSURE OF INTERESTS**

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "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 November 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 NOVEMBER, 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 Special Council and Council Meetings held on 15<sup>th</sup> September 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 requests for Deputations, Presentation of Petitions or Public Questions.

**5 EXECUTIVE BUSINESS**

Report of the Leader of the Council, attached.

**6 MOTIONS**

A) Councillor Drake to move:-

This Council urges the Executive to develop and implement a clear strategy, including the use of Empty Dwelling Management Orders, to bring empty properties in the city back into use.

B) Councillor Stevens to move:-

This Council will extract the best value from it's commercial/private partners and contractors.

C) Councillor Turner to move:-

This Council will work closely with the Police and magistrates to encourage and facilitate the use of Restorative Justice in Southampton. The Council also supports the principle of Restorative Justice and the development of a coherent programme of implementation particularly in cases involving young offender.

D) Councillor Vinson to move:-

This Council urges the City's three members of Parliament to support the Early Day Motions tabled on the subject of the present Government's decision to revoke the changes in the Use Classes Order introduced by the previous Government to assist neighbourhoods adversely affected by excessive concentrations of Houses in Multiple Occupation.

This Council also resolves to work with residents to progress, in the context of the Local Development Framework, measures to strengthen the ability to manage excessive concentrations of HMOs.

**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.

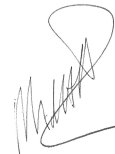
**9 LICENSING ACT 2003 - TRIENNIAL REVIEW OF STATEMENT OF LICENSING POLICY**

Report of the Solicitor to the Council seeking the adoption of a revised Licensing Policy, attached.

**10 OVERVIEW AND SCRUTINY - SUMMARY OF CALL-IN ACTIVITY**

To note that there has not been any use of the call-in procedure over the last six months.

NOTE: There will be prayers by the Mayor's Chaplain, Monsignor Vincent Harvey, accompanied by Julian Davies, from the Christian faith, 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