

# OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

Thursday, 12th July, 2012  
at 6.00 pm

## CONFERENCE ROOM 3 - CIVIC CENTRE

This meeting is open to the public

### **Members**

Councillor Moulton (Chair)  
Councillor Barnes-Andrews  
Councillor Chaloner  
Councillor Fitzhenry  
Councillor Hannides  
Councillor Lewzey  
Councillor McEwing  
Councillor Pope  
Councillor Tucker  
Councillor Vinson  
Appointed Members

Mrs U Topp, (Roman Catholic Church)  
Mr T Blackshaw, The Church of England  
(Dioceses of Winchester & Portsmouth)  
Vacancy – Primary Parent Governors  
Representative  
Vacancy – Parent Governors Representative  
Secondary Schools

### **Contacts**

Ed Grimshaw  
Democratic Support Officer  
Tel. 023 8083 2390  
Email: [ed.grimshaw@southampton.gov.uk](mailto:ed.grimshaw@southampton.gov.uk)

Suki Sitaram  
Senior Manager – Customer and Business  
Improvement  
Tel: 023 8083 2060  
Email: [suki.sitaram@southampton.gov.uk](mailto:suki.sitaram@southampton.gov.uk)

## **PUBLIC INFORMATION**

### **Role of Overview and Scrutiny**

Overview and Scrutiny includes the following three functions:

- Holding the Executive to account by questioning and evaluating the Executive's actions, both before and after decisions taken.
- Developing and reviewing Council policies, including the Policy Framework and Budget Strategy.
- Making reports and recommendations on any aspect of Council business and other matters that affect the City and its citizens.

Overview and Scrutiny can ask the Executive to reconsider a decision, but they do not have the power to change the decision themselves.

### **Overview and Scrutiny Management Committee**

The Overview and Scrutiny Management Committee holds the Executive to account, exercises the call-in process, and sets and monitors standards for scrutiny. It formulates a programme of scrutiny inquiries and appoints Scrutiny Panels to undertake them. Members of the Executive cannot serve on this Committee.

### **Southampton City Council's Priorities**

- More jobs for local people
- More local people who are well education and skilled
- A better and safer place in which to live and invest
- Better protection for children and young people
- Support for the most vulnerable people and families
- Reducing health inequalities
- Reshaping the Council for the future

### **Smoking Policy**

The Council operates a no-smoking policy in all civic buildings.

### **Mobile Telephones**

Please turn off your mobile telephone whilst in the meeting.

### **Fire Procedure**

In the event of a fire or other emergency a continuous alarm will sound and you will be advised by Council officers what action to take.

### **Access**

Access is available for disabled people. Please contact the Democratic Support Officer who will help to make any necessary arrangements.

### **Dates of Meetings: Municipal Year 2012/13**

To be discussed

## **CONDUCT OF MEETING**

### **Terms of Reference**

The general role and terms of reference for the Overview and Scrutiny Management Committee, together with those for all Scrutiny Panels, are set out in Part 2 (Article 6) of the Council's Constitution, and their particular roles are set out in Part 4 (Overview and Scrutiny Procedure Rules – paragraph 5) of the Constitution.

### **Rules of Procedure**

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

### **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

### **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 4.

## **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.

## AGENDA

**Agendas and papers are now available online via the Council's Website**

### **1 APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

To note any changes in membership of the Panel made in accordance with Council Procedure Rule 4.3.

### **2 ELECTION OF VICE - CHAIR**

To consider nominations for the appointment of Vice Chair for the Municipal Year 2012/13.

### **3 DISCLOSURE OF PERSONAL AND PREJUDICIAL INTERESTS**

In accordance with the Local Government Act 2000, and the Council's Code of Conduct adopted on 16th May 2007, Members to disclose any personal or prejudicial interests in any matter included on the agenda for this meeting.

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Democratic Support Officer prior to the commencement of this meeting.

### **4 DECLARATIONS OF SCRUTINY INTEREST**

Members are invited to declare any prior participation in any decision taken by a Committee, Sub-Committee, or Panel of the Council on the agenda and being scrutinised at this meeting.

### **5 DECLARATION OF PARTY POLITICAL WHIP**

Members are invited to declare the application of any party political whip on any matter on the agenda and being scrutinised at this meeting.

### **6 STATEMENT FROM THE CHAIR**

### **7 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

To approve and sign as a correct record the Minutes of the meetings held on 12<sup>th</sup> April and the 8<sup>th</sup> May 2012 and to deal with any matters arising, attached.

### **8 ANNUAL MEETING PROGRAMME 2012 - 2013**

Report of the Democratic Services Manager seeking approval of a revised programme of meeting dates, attached.

**9 SAFEGUARDING CHILDREN**

The report of the Cabinet Member for Children's Services and the Director of Children's Services and Learning detailing the results of the OFSTED inspection of Safeguarding and Children Looked After Services, attached.

**10 SAFE CITY PARTNERSHIP PLAN**

Report of the Community Safety Manager detailing for Committee the content of the Plan and identify any related issues or concerns, attached.

**11 FORWARD PLAN**

Report of the Senior Manager – Customer and Business Improvement detailing items requested for discussion from the current Forward Plan, attached.

**12 SHARED SERVICES**

Report of the Cabinet Member for Resources detailing the Council's developing approach to the development of shared services, attached.

**13 SCRUTINY REVIEW PROGRAMME 2012/13**

Report of the Senior Manager – Customer and Business Improvement seeking approval for a Scrutiny Review programme for 2012- 2013, attached.

Wednesday, 4 July 2012

Head of Legal, HR and Democratic Services