

# COUNCIL

Wednesday, 20th March 2013  
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**

Director of Corporate Services

Mark Heath

Tel 023 8083 2371

Email: [mark.heath@southampton.gov.uk](mailto:mark.heath@southampton.gov.uk)

Democratic Services Manager

Sandra Coltman

Tel. 023 8083 2718

Email: [sandra.coltman@southampton.gov.uk](mailto:sandra.coltman@southampton.gov.uk)

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 Noon Tucker	<b>Millbrook</b>	Furnell Laming Thorpe
<b>Bassett</b>	Hannides B Harris L Harris	<b>Peartree</b>	Keogh Lewzey Dr Paffey
<b>Bevois</b>	Burke Barnes-Andrews Rayment	<b>Portswood</b>	Claisse Norris Vinson
<b>Bitterne</b>	Letts Lloyd Stevens	<b>Redbridge</b>	McEwing Pope Whitbread
<b>Bitterne Park</b>	White Baillie Inglis	<b>Shirley</b>	Chaloner Kaur Mead
<b>Coxford</b>	Morrell Spicer Thomas	<b>Sholing</b>	Mrs Blatchford Jeffery Kolker
<b>Freemantle</b>	Moulton Councillor Parnell Shields	<b>Swaythling</b>	Mintoff Turner Vassiliou
<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**

At a meeting of the Council any Member or member of the public may present a petition which is submitted in accordance with the Council's scheme for handling petitions.

Petitions containing more than 1,500 signatures (qualifying) will be debated at a Council meeting. Petitions with less than 1,500 signatories (non-qualifying) shall be presented to the Council meeting and be received without discussion.

### **Deputations**

A deputation of up to three people can apply to address the Council. A deputation may include the presentation of a petition.

## **Questions**

People who live or work in the City may ask questions of the Mayor, Chairs of Committees and Members of the Executive.

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

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

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

**Mobile Telephones** – Please turn off your mobile telephone whilst in the meeting.

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

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

## **Dates of Meetings(Municipal Year 2012/13)**

<b>2012</b>	<b>2013</b>
16 May	16 January
11 July	13 February (Budget)
12 September	20 March
14 November	15 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

### **BUSINESS TO BE DISCUSSED**

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

### **RULES OF PROCEDURE**

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

### **QUORUM**

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

### **DISCLOSURE OF INTERESTS**

Members are required to disclose, in accordance with the Members' Code of Conduct, **both** the existence **and** nature of any "Disclosable Personal Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

#### **DISCLOSABLE PERSONAL INTERESTS**

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

(i) Any employment, office, trade, profession or vocation carried on for profit or gain.

(ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

(iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

(iv) Any beneficial interest in land which is within the area of Southampton.

(v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

(vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

(vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

- a) the total nominal value for the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

## **Other Interests**

A Member must regard himself or herself as having a, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

## **Principles of Decision Making**

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

Director of Corporate Services  
M R HEATH  
Civic Centre, Southampton, SO14 7LY

Tuesday, 12 March 2013

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

You are hereby summoned to attend a meeting of the COUNCIL to be held on WEDNESDAY, 20TH MARCH, 2013 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 14<sup>th</sup> November 2012, 16<sup>th</sup> January 2013 and 13<sup>th</sup> February 2013, 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 Pope to move:-

Energy Bill Revolution - Reducing Fuel Bills through Energy Efficiency

Southampton City Council notes:

- (i) Already 1 in 4 households in the UK are in fuel poverty, meaning they need to spend more than 10% of their income on keeping their homes warm. The problem is likely to get worse, with 1 in 3 households projected to be in fuel poverty by 2016.
- (ii) The main reasons for this crisis are that gas, oil and coal prices are high, and the UK's homes are some of the most energy inefficient in Europe – leaking heat from their doors, walls and windows.

- (iii) Cold homes are damaging the health of vulnerable members of society, including children, older people and people with disabilities. Diseases such as asthma are made worse, and people are more likely to have strokes and heart attacks. Illnesses caused by cold homes cost the NHS nearly one billion pounds each year.
- (iv) Over the next 15 years the Government will raise an average of £4 billion every year in carbon taxes through the European Emissions Trading Scheme and the Carbon Floor Price. Recycling this revenue back into households could bring 9 out of 10 homes out of fuel poverty, lower people's bills, cut carbon emissions and create jobs.

Southampton City Council therefore resolves to:

- (i) Support the Energy Bill Revolution campaign calling for the Government to recycle revenues from carbon taxes into improving the energy efficiency of UK homes.
- (ii) Notify local Members of Parliament of its support for the campaign and urge them to sign Early Day Motion 47 – “Reducing Fuel Bills through Energy Efficiency”

(b) Councillor Pope to move:-

Motion against Blacklisting

“A number of construction companies have been challenged about supporting the existence of and subscribing to construction industry ‘blacklists’, which detail covertly gathered information on construction trade unionism, militant tendencies, poor timekeeping, trouble making, etc. Blacklisting is an unacceptable practice and cannot be condoned. The GMB union is leading a national campaign aimed at forcing those who have been involved in blacklisting to apologise to those who have been affected by it.

It is understood that the construction industry blacklist was collated by the Consulting Association (a private consultancy) and was then provided at a cost to construction companies as they sought to recruit/avoid new workers. The Information Commissioner has investigated and taken action against the Consulting Association for this practice. Furthermore, the Information Commissioner has taken enforcement action against a number of construction companies based on the evidence recovered from the Consulting Association.

Owing to the concentration of construction activity in and around large cities, many of those alleged to have been discriminated against live in the country's major cities, and undoubtedly this practice has disadvantaged residents of Southampton.

Given the known impact on residents of the Southampton area reflected in the Deputation made to the Council, this Council deplores the use of blacklisting. The Council resolves to support the GMB campaign, and will seek written assurances from its partners and suppliers that they do not use blacklisting.”

(c) Councillor Pope to move:-

The Health and Social Care Act 2012 and its Impact on Services to Southampton Citizens

This Council Notes that there is little evidence to show that the Health and Social Care Act 2012 will improve the efficiency, effectiveness or value-for-money of the National Health Service. There is no credible evidence that the open competition under the Any Qualified Provider system, as promoted by the National Health Service (Procurement, Patient Choice and Competition Regulations 2013) - Statutory Instrument 257 2013, will improve the NHS. There is great alarm amongst NHS staff, patients and public - that the Act and open competition will HARM the NHS, placing almost £16m of cost on Southampton's NHS. Accordingly this Council resolves that this is an unnecessary reorganisation that the NHS does not need when it is already under huge pressures, as shown by the Francis Report, and can ill afford.

(d) Councillor Kaur to move:-

"Southampton City Council resolves to request that the Government rethinks the "bedroom tax" and wider welfare reforms coming into play within the next few months. These reforms will have dire consequences for thousands of residents within Southampton and millions nationally, impacting those that are most vulnerable in our communities. Council condemns these reforms as unfair and counterproductive, bringing an unnecessary strain onto already squeezed resources as well as voluntary organisations who are already struggling with capacity.

Therefore, Full Council resolves to write to the Secretary of State for Work and Pensions as well as our local MPs setting out our concerns. Council also calls on the Executive to note and act upon the recommendations of the welfare reform scrutiny inquiry."

(e) Councillor Vinson to move:-

"This Council expresses its concern at the dangerous increase in cycling on pavements and illegal parking on yellow lines, and calls on the Executive, in concert with other relevant authorities such as the Police, to bring forward a strategy, using the full range of its powers, to combat these issues more effectively."

(f) Councillor Smith to move:-

"This Council regrets the introduction of the charge for collections of household green waste. In light of the recent grant from Communities and Local Government (CLG) to protect weekly bin collections and to increase recycling rates, we feel this charge is untimely and counterproductive.

We therefore call on the Executive to rethink this charge to ensure recycling rates continue to increase inline with other local authorities."



(g) Councillor Claisse to move:-

“This Council regrets the decision of the Executive to increase adult home care charges and the impact this will have on the frail elderly and upon adults with disabilities in Southampton.

Council urges the Executive to reconsider its policy of across the board increases in care charges and to implement a policy that will support and take account of the needs of the most vulnerable in the City.”

**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 GAMBLING ACT 2005 LARGE CASINO - FINAL PROCEDURE NOTE AND EVALUATION CRITERIA FOR STAGE 2**

Report of the Head of Legal, HR and Democratic Services regarding the process to grant a large casino premises licence in the City, attached.

**10 LOCALISM ACT 2011 - PAY POLICY**

Report of the Head of Legal, HR and Democratic Services regarding the pay policy statement for the financial year 2013/14 as required under the Localism Act 2011, attached.

**11 ESTABLISHMENT OF FORMAL HEALTH AND WELLBEING BOARD/NEW HEALTH SCRUTINY FUNCTION REGULATIONS**

Report of the Head of Legal, HR and Democratic Services regarding the establishment of the formal Health and Wellbeing Board and new health scrutiny function regulations, attached

**12 PROPOSALS TO EXPAND THREE PRIMARY SCHOOLS IN THE CITY**

Report of the Head of Infrastructure, seeking a decision on the implementation or withdrawal of proposals to expand Bassett Green Primary, Bevois Town Primary and St Johns Primary and Nursery, attached.

**13 TRANSFER OF PUBLIC HEALTH FUNCTIONS TO SOUTHAMPTON CITY COUNCIL**

Report of the Cabinet Member for Communities, outlining the operational arrangements for the transfer of the Public Health function, including the approval of the relevant delegations and associated matters, attached.

**14 ENVIRONMENT AND TRANSPORT CAPITAL PROGRAMME 2013/14 - APPROVAL TO SPEND**

Report of the Cabinet Member for Environment and Transport regarding the Environment and Transport Capital Programme in 2013/14, attached.

**15 OVERVIEW AND SCRUTINY: SUMMARY OF CALL- IN ACTIVITY**

Report of the Director of Economic Development summarising the use of the Call-in procedure over the last six months, attached.

NOTE: The Reverend Dr Julian Davies will be leading prayers with Anas Al-korj of the Muslim community in the Mayor's Reception Room at 1.45 pm for Members of the Council and Officers who wish to attend.

A handwritten signature in black ink, appearing to read 'M R HEATH', with a large, stylized flourish at the end.

**M R HEATH**  
Director of Corporate Services