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SOUTHAMPTON CITY COUNCIL

MINUTES OF THE COUNCIL MEETING HELD ON  
19 MARCH 2014

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Present:

The Mayor, Councillor White  
The Sheriff, Councillor Mrs Blatchford  
Councillors Baillie, Barnes-Andrews, Bogle, Burke, Chaloner, Claisse, Cunio, Daunt, Fitzhenry, Furnell, Hammond, Hannides, B Harris, L Harris, Kaur, Inglis, Jeffery, Keogh (item 92 onwards), Kolker, Letts, Lloyd, Mead, McEwing, Mintoff, Morrell, Moulton, Noon, Norris, Dr Paffey, Parnell, Payne, Pope, Rayment, Shields, Smith, Spicer, Stevens (Item 92, Question 9 onwards), Thomas, Thorpe, Tucker, Turner, Vassiliou, Vinson and Whitbread

88. APOLOGIES

Apologies for Absence were submitted on behalf of Councillors Laming and Lewzey.

89. MINUTES

RESOLVED that the minutes of the Council meetings held on 20<sup>th</sup> November 2013 and 12<sup>th</sup> February 2014 be approved and signed as correct records.

90. ANNOUNCEMENTS FROM THE MAYOR AND LEADER

(i) Honorary Alderman Mrs Ivy White

Members stood for a moment's silence in memory of Honorary Alderman and former Mayor, Honorary Alderman Mrs Ivy White , who sadly passed away on 3<sup>rd</sup> March, 2014.

(ii) German Students

The Mayor welcomed to the meeting German students from the University of Hof who were observing the meeting.

(iii) Last Meeting of the Municipal Year

As this was the last meeting of the municipal year and the last meeting before the elections in May, the Mayor took the opportunity to say goodbye to those councillors who would not be standing for re-election and to those who were, but did not retain their seat. On behalf of the Council, the Mayor thanked them for their hard work and the contribution they had made during their period in office.

91. DEPUTATIONS, PETITIONS AND PUBLIC QUESTIONS

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

92. EXECUTIVE BUSINESS

The report of the Leader of the Council was submitted setting out the details of the business undertaken by the Executive.

The Leader and the Cabinet made statements and responded to Questions.

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

**1. Cost of Dental Extractions**

Question from Councillor Bogle to Councillor Shields

How many of the City's children were admitted to hospital last year for dental extractions and what was the cost of this to the local NHS?

**Answer**

Last year 414 children under the age of 16 were admitted to hospital for dental extractions under a general anaesthetic. Most were under the age of ten. Many of the older children would have had both primary and permanent teeth removed. The cost to the local NHS was £231,012 (hospital tariff of £558 for every admission).

This continues a trend that has seen approximately 500 children undergo this form of treatment for dental decay every year for at least two decades.

During this time there has been significant investment in preventive and targeted programmes following the best available evidence, but their impact has not led to a reduction in this very high level of severe dental decay in Southampton's children.

Since April of last year, the Council has become responsible for local public health improvement and for dental health improvement services and is continuing to invest in these programmes.

**2. Evening Parking Charges**

Question from Councillor Moulton to Councillor Rayment

How many parking tickets have been issued for infringements of evening parking rules since the start of 2014 and how much in cash terms do the fines total?

**Answer**

Since the evening charges were introduced on 5th January 2014, the total number of Penalty Charge Notices (PCNs) issued in the evenings is 1,853 (to 13th March 2014).

A lenient approach to enforcement has been undertaken in the first few months in order to ensure that people are not caught out by the new charges. As a result 115 have been cancelled. For a further 259 cases the council accepted a £2 payment instead of pursuing the PCN. In addition, warning notices have been issued.

Compliance rates suggest that awareness is now high and regular enforcement activity will commence.

The total income received from these PCNs is currently £27,988.80. However, not all of these PCNs have been paid to date and some will be the subject of representation and the Appeals service.

### **3. Youth Shelter Lakelands Park**

Question from Councillor Moulton to Councillor Rayment

Will the Cabinet Member please approve the removal of the youth shelter in Lakelands Park in Freemantle as it is a hangout for people drinking and residents would like it removed?

#### **Answer**

No

### **4. Percentage Planning Thresholds for HMOs**

Question from Councillor Moulton to Councillor Letts

The Administration has said that it would like to see the percentage planning thresholds equalised for HMOs. When does the Administration intend to bring about this equalisation?

#### **Answer**

The guidance on HMOs is currently being discussed as part of the on-going Scrutiny Panel A enquiry "To examine the contribution planning can make to maintaining balanced neighbourhoods and the quality of life for their residents." This process is scheduled to end in May 2014 and will agree recommendations, which will then be presented to the Administration to consider. At that stage, the Administration will consider what has been proposed and whether to accept those recommendations or to take a different approach.

### **5. Article 4 Direction**

Question from Councillor Moulton to Councillor Letts

Will the Administration introduce an Article 4 Direction to remove permitted development rights for HMO extensions?

#### **Answer**

The Council took the view that HMOs did not have permitted development rights, in line with some recent planning inspector's decisions, and challenged the Government's interpretation of the regulations. This resulted in the Government releasing new guidance to Planning Inspectors clarifying that HMOs do have permitted development rights, in line with previous Ministerial letters that reflected that view. To reverse this with an Article 4 Direction would require the Council to

demonstrate with clear evidence that the change has led to harm and there is strong justification to reverse this process. It is not considered that this can be sufficiently demonstrated. In addition, while the Council could serve an Article 4 Direction, the Government has the potential to 'call in' any such proposal and the Planning Minister has recently done that on other Article 4 Directions (trying to reverse the office to residential changes) and so there is a strong possibility it would not be agreed but take considerable Council resource to process. Lastly, if an Article 4 Direction was introduced then a year's notice is usually given and that would give the opportunity for those being considered to be built in that year.

## **6. Community Languages Service**

Question from Councillor Moulton to Councillor Jeffery

Can the Cabinet Member explain why the Administration is cutting funding from the Community Languages Service despite a pre election promise not to do so in 2012?

### **Answer**

The Councillor will be aware that Southampton City Council has managed the delivery of the Community Languages Service on behalf of Hampshire, Portsmouth and Southampton local authorities over the years.

The Community Languages Service promotes, develops and delivers the teaching of community languages. The languages have been used by children of school age from minority community groups across Hampshire, Portsmouth and Southampton.

The classes are delivered by 130 tutors who are paid an honoraria payment with a maximum payment of £15 for delivery of a two hour weekly session. Students pay a voluntary contribution towards the cost of the service.

Southampton City Council has provided the management, quality assurance and business support for the service on behalf of all three authorities. Portsmouth City Council ceased to fund Community language classes in Portsmouth from July 2013. Hampshire has now confirmed that they will cease to fund the service from July 2014, as is the case for Southampton.

When it was a three authority service it cost in excess of £100K a year with Southampton's contribution being £60K+. That is split between tutor costs (approx £23K), management/admin (approx £22K) and school rental (approx £13K). Whilst the intent was to make the service self funding, this did not prove possible with the model used. Student income based on a voluntary contribution could not give a secure business model. A trust was set up and they have been trying hard to secure grant resources but have not been successful.

I have met with the Trust and have received representations along with other Councillors about this service. It is not a statutory service that the LA is required to provide and whilst it is a service that provides well for those who engage, we are having to make difficult decisions similar to that made in both Portsmouth and Hampshire (and in many other places).

I arranged for the Trust to make a presentation to the Schools Forum as a supportive opportunity and the secondary heads and college principals represented have agreed to look at the issue of community language opportunities for young people in the City.

## **7. Debt Traps**

Question from Councillor Vinson to Councillor Letts

Will the Cabinet Member follow the example of Southwark Council by introducing a requirement for a new planning application for new betting shops, pawnbrokers and payday loan premises?

### **Answer**

At Council on 17th July 2013, a motion was agreed to investigate whether an Article 4 Direction should be served to stop the spread of betting shops, pay-day loan premises, and cheap off licences (as well as looking into other issues). At Cabinet on 17th December 2013 a six month extension was given so the issues could be considered by a cross-departmental group and this expects to report back to Cabinet by June 2014. Proposals will be considered at that time but the example of Southwark has been noted by officers considering the proposals.

## **8. Household Waste Re-use**

Question from Councillor Vinson to Councillor Rayment

What percentage of our household waste collected is re-used?

### **Answer**

Currently 84% of waste handled by the council is sent for reuse, recycling, composting and energy recovery with only 16% being land filled.

The Council has set a target to reuse, recycle, compost or recover energy from over 88% of the waste it handles by 2017.

## **9. Council Tax Collection**

Question from Councillor Vinson to Councillor Barnes-Andrews

What is the rate of in-year Council Tax collection for 2010-11, 2011-12, 2012-13 and 2013-14? What is the rate of collection for those groups affected by the reform of Council Tax Benefit? Has there been an increase in the numbers of final notices, court summonses and liability orders? Have any additional staff been employed to cope with these pressures?

### **Answer**

1. The rates of in-year Council Tax collection for 2010-11, 2011-12, 2012-13 and 2013-were:
  - 2010-11 QRC4– 95.7%
  - 2011-12 QRC4– 95.5%
  - 2012-13 QRC4– 95.5%

The collection rate for the year to date (as at the 16<sup>th</sup> March 2014) is 94.40%. This figure will increase as further income is collected during the remainder of the month

2. The collection rate for those groups affected by the reform of Council Tax Benefit:
  - For those individuals who were in receipt of Full Council Tax Benefit in 2012/13, and who now receive support through the Council Tax Reduction Scheme, the collection rate year to date is 64%
3. Has there been an increase in the numbers of final notices, court summonses and liability orders?
  - The position as at the 1<sup>st</sup> March 2014 is as follows:

<b>Documents produced</b>	<b>2012-13</b>	<b>2013-14 (as at 01.03.14)</b>
Final Notices	4,781	3,975
Second Reminder	6,487	7,799
Summonses	21,030	24,244
Liability orders	9,979	14,188

Note: Final notices' are only required where a person has a lump sum to pay. Therefore, the 'second reminder' numbers (which is prior to summons) has also been provided.

4. Have any additional staff been employed to cope with these pressures?
  - Additional resources have been employed through Capita (who collect Council Tax on our behalf) as follows:
    - i. 4 FTE Revenue Officer roles for the first two quarters of the Contract Year 7 (2013/14)
    - ii. 3 FTE Revenue Officer roles for Quarters 3 and 4 of the Contract Year 7 (2013/14)

This equates to an average of 3.5 FTE additional staff for the financial year 2013/14.

## **10. Energy Switching**

Question from Councillor Vinson to Councillor Payne

Has the Cabinet Member considered participating in the LGA's collective energy switching auctions?

### **Answer**

The Council is part of the Hampshire Switch partnership being managed by Hampshire County Council on behalf of Southampton, Portsmouth and the 11 district councils in the county. It enables consumers to band together in order to use their combined purchasing power to negotiate a better deal on their gas and electricity bills. There is also the option for consumers to switch to a 'green' tariff.

The deadline to register for the latest round of collective bargaining is March 24 and full details of the scheme can be viewed at <http://www3.hants.gov.uk/switch> .

## **11. School Exclusions**

Question from Councillor Turner to Councillor Jeffery

In the light of reports published by the Office of the Children's Commissioner, is the Cabinet member confident that all instances of Southampton schools sending children home for disciplinary reasons are recorded as formal exclusions?

### **Answer**

The Councillor will be familiar with the different types of exclusion that exist. Permanent exclusions are fortunately uncommon in Southampton. In the last published DfE tables (2011/12), there were just 11. These were all done properly, but the reason they are low is that we have a very good system of managed moves between schools. The schools all work together on this and young people move schools with support and are given the necessary change without a permanent exclusion.

Fixed term exclusions are short term, usually for a few days, often to allow parents to be met. We know that in that year 2011/2012 there were far too many fixed term exclusions compared to other authorities, particularly in secondary schools (nearly 1800). Working with all secondary schools, that issue has been tackled and I would expect that when the figures are published for 2013/14 there will be a major reduction in that number. Schools are using solutions that do not involve sending pupils off site and do not require fixed term exclusion.

The Children's Commissioner's report has expressed concern that some schools may be subverting the statutory rights that go with either exclusion, but particularly with fixed term exclusions. This is quite difficult for some authorities to measure as the reporting requirements from school to authority are quite minimal. However our relationship with schools in Southampton is sufficiently good that information is shared between schools and the LA. In the rare cases where we think a school has made a mistake in procedure, we follow that up to ensure children's rights are protected.

## **12. Effects of Recent Flooding**

Question from Councillor Turner to Councillor Payne

What is the Council doing to assist businesses forced to close for long periods or facing extensive renovation after flooding, and what measures will be taken for flood defence at affected properties?

### **Answer**

The Council is currently co-ordinating a joined up approach to administering the Flood Support Schemes applicable to businesses and householders in Southampton announced recently by Government.

Business rates relief for 3 months is available for eligible businesses flooded any time between 1 December 2013 and 31 March 2014.

The Council will also be developing a number of major flood alleviation schemes within the City over the next five years to reduce the potential for future flooding.

Where an area will not benefit from such a scheme in the near future but properties have experienced flooding during the recent adverse weather conditions they may be eligible for the Repair and Renew grant, of up to £5,000, to fund measures to improve the property's resilience or resistance to flooding over and above repairs that would normally be covered by insurance. The grant scheme will be available from 1 April 2014.

### **13. Evening Parking Charges**

Question from Councillor Smith to Councillor Rayment

How much extra revenue has the new evening parking charges generated?

#### **Answer**

<b><u>Evening Charge Income</u></b>			
	<b>On Street</b>	<b>Off Street</b>	<b>Total</b>
January	£18,066.00	£20,576.00	£38,642.00
February	£20,432.00	£26,588.00	£47,020.00

### **14. Residents' Parking Schemes**

Question from Councillor Smith to Councillor Rayment

Can you explain the mechanism for the consultation on Residents' Parking Schemes?

#### **Answer**

A survey has been printed and posted to all residents eligible for parking permits in Zones 1 – 16. The purpose the survey is therefore to understand whether there is a consensus (where appropriate by zone or by road), for the restrictions to be retained in their current form, amended or removed. This is appropriately targeted at the residents for whom the schemes were introduced.

The survey for Zones 13-15 is slightly different as these permit zones only come into effect when an event is taking place at St. Marys Stadium.

We are also surveying Medical and Business Parking Permit holders to ascertain if any separate issues are encountered by these users. Finally, a further survey has been sent to appropriate local interest groups, such as Resident Associations and Faith Groups in-order to understand the impact of permit zones on the wider community.

All the surveys can also be completed online and all responses will be independently collated and analysed by Geodata (based at the University of Southampton). We anticipate that the results will be available to the public by early June.



## **15. Green Waste Collection**

Question from Councillor Smith to Councillor Rayment

How many households are currently using the paid for green waste collection service?

### **Answer**

10,676 households are currently signed up to the green waste collection service.

## **16. Support for Residents with Dementia**

Question from Councillor Claisse to Councillor Shields

Fareham Borough Council has become the first in Hampshire to introduce a dementia-friendly high street to help residents with dementia to continue daily tasks as normally as possible. The initiative (in partnership with the mental health charity Mind, the County Council and NHS), encourages businesses to support those with dementia and train staff on how to be aware of the condition. What is the Cabinet Member's view of this and will Southampton City Council be following this initiative?

### **Answer**

I think it's an excellent idea and an initiative that I will be keen to explore with our NHS, voluntary sector and business community partners, possibly through a pilot in one of our districts/ localities.

With regard to dementia friendly communities we have started some work within the City already. For example:

- The Graylings is a supported housing complex for tenants 60 years plus which had some flats remodelled to better support residents living with dementia. The aspiration is to spread this dementia friendly community to the wider neighbourhood and to increase the use of building modifications and use of telecare on other sites.
- Growing numbers of enthusiastic dementia champions working within the voluntary sector and housing supported services who are talking to the private sector, banks and bus companies to deliver Dementia Friendly information sessions
- Introduction of 2 new Alzheimer's Society singing for the brain groups within the City and other social group/network projects
- Introduction of 'This is Me' passport across Southampton
- Community Admiral Nurses ( who work with people with dementia and their families/carers)
- Community Memory Advisors
- Roll out learning from successful Dementia Challenge Fund to establish a dementia friendly community within an acute hospital.

## **17. Personal Budgets**

Question from Councillor Claisse to Councillor Shields

How many people who receive Adult Social Care have been offered a personal budget and how many take it as a direct payment?

### **Answer**

During the 2012/13 financial year 4,510 adults and carers received self-directed support. This represented 48.6 % of all adults and carers receiving services (It should be noted that not all adults and carers receiving services would be eligible for a Personal Budget). This was an increase on the position recorded in 2011/12 (34.9%) and 2010/11 (14.3%).

The total number of clients receiving direct payments during 2012/13 was 615 representing 6.6% of all adult social care service users. Whilst this percentage is disappointingly low it is an improvement on the performance in previous years: 2011/12 (6.1%); 2010/11 (4.1%). This compares to the average performance of 15.6% in other Unitary authorities.

A snapshot on 13<sup>th</sup> March 2014 showed 2,048 adult social care clients were in receipt of a personal budget from a total number of 2,076 people who met the eligibility criteria (98.7%). Of these 337 clients (18.4%) have opted to receive their personal budget in the form of a direct payment.

Whilst there are welcome signs of steady improvement in the take-up of direct payments since 2010/11, Southampton regrettably continues to lag behind its neighbouring and statistical comparator authorities in this area and a programme of work is underway to improve this, such as retendering of Direct Payment Support Services.

## **18. Banking Arrangements**

Question from Councillor Claisse to Councillor Barnes-Andrews

Bearing in mind the recent additional controversy about the Co-op Group, does the Cabinet Member still feel comfortable retaining them as SCC's Banker?

### **Answer**

The Council's contract with the CO-OP back ends on 21<sup>st</sup> September 2014. The Council is currently acting as the lead Authority to procure a new bank together with 5 other Local Authorities. The tenders are due to be received on 9<sup>th</sup> April, and the Council will be looking to award a contract to the successful bank in May.

The CO-OP are withdrawing from the Local Government market, so will not be bidding for the contract.

As set out in the confidential appendix one 'Authority Banking Arrangements' to the Treasury Management report to Full Council 20<sup>th</sup> November 2013, due to the CO-OP's well publicised financial difficulties, the Council has already put in place alternative banking arrangements with another bank to run alongside the existing CO-OP contract, so as to reduce the Council's exposure to any financial risk with the CO-OP bank.

93. MOTIONS

**(a) Health Overview and Scrutiny Panel**

Councillor Letts moved and Councillor Barnes-Andrews seconded:

“Council resolves in accordance with Overview and Scrutiny Management Procedure Rule 3.4.2 that Councillor Bogle may serve forthwith on Health Overview and Scrutiny Panel and that the firebreak period is accordingly waived”.

UPON BEING PUT TO THE VOTE THE MOTION WAS DECLARED CARRIED

RESOLVED that the motion as submitted be approved.

**(b) Estate Agents and Letting Agency Boards**

Councillor Vinson moved and Councillor Turner seconded:

“This Council recognises the concerns of residents in many parts of the city at the forest of ‘to let’, ‘for sale’ and ‘sold by’ boards and posters, left in place for considerable periods of time, which is blighting neighbourhoods.

Council notes that, in the age of the internet, such signs are no longer the principal means of attracting tenants.

Council therefore urges the Executive to make full use of the powers available to curb the excessive display of such signs, including consideration of the adoption of a Regulation 7 Direction under the Town and Country Planning (Control of Advertisements) Regulations, and a rigorous Lettings Board Code as adopted by Leeds City Council and others”.

UPON BEING PUT TO THE VOTE THE MOTION WAS DECLARED CARRIED

RESOLVED that the motion as submitted be approved.

NOTE: Councillor Fitzhenry declared a Disclosable Pecuniary Interest in the above matter, as a Letting Agency Proprietor, and left the meeting during the consideration of the matter.

**(c) Central Government Grant**

The Mayor considered representations on the appropriateness of the Motion and having heard representations from all the Group Leaders and having taken advice from the Monitoring Officer, under Council Procedure rules, the Mayor ruled that the Motion should not be considered and would therefore be withdrawn from the agenda.

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

It was noted that no questions to the Chairs of Committees or the Mayor had been received.

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

It was noted that the following changes had been made:

- (i) That Councillor Thorpe had been replaced by Councillor Letts on the Governance Committee;
- (ii) That Councillor Thorpe had replaced Councillor Chaloner and Richard Wharton had replaced Tony Blackshaw as the Church of England (Diocesan of Winchester and Portsmouth) representative on the Overview and Scrutiny Management Committee;
- (iii) That Councillor Jeffery had replaced Councillor Bogle on the Health and Wellbeing Board; and
- (iv) That Councillor Bogle had replaced Councillor Chaloner on the Health Overview and Scrutiny Panel.

96. REVISION TO CONSTITUTION - VOTING BY MEMBERS ON BUDGETS

The report of the Head of Legal and Democratic Services was submitted concerning revision of the Constitution (copy of report circulated with the agenda and appended to signed minutes).

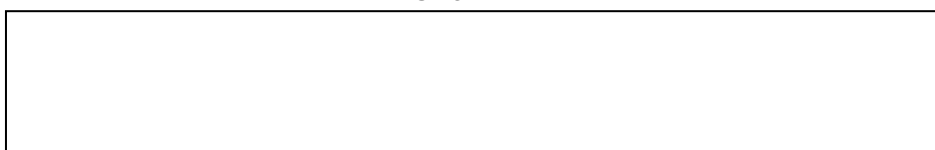
RESOLVED that the Council's Constitution – Council Procedure Rules be revised to record the way members vote on budget decision matters in accordance with the Local Authorities (Standing Orders)(England)(Amendment) Order 2014.

97. PAY POLICY STATEMENT FINANCIAL YEAR 2014-2015

The report of the Head of Strategic Human Resources was submitted detailing the Annual Pay Policy for the financial year 2014/15 (copy of report circulated with agenda and appended to signed minutes).

RESOLVED that the Southampton City Council Pay Policy Statement for 2014/15 be approved.

Chair



4<sup>th</sup> June 2014