

---

SOUTHAMPTON CITY COUNCIL

MINUTES OF THE COUNCIL MEETING HELD ON  
17 MARCH 2010

---

Present:

The Mayor, Councillor Mizon  
The Sheriff, Councillor Cunio  
Councillors Baillie, Ball, Barnes–Andrews, Baston, Beckett, Mrs Blatchford, Bogle, 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, Parnell, Payne, Rayment, Samuels, Slade, Smith, Stevens, Thomas, Walker, Wells, White, Willacy, P. Williams and Dr R. Williams (item 91 onwards).

87. APOLOGIES

It was noted that apologies for absence had been received from Councillors Burke and Sollitt.

88. MINUTES

RESOLVED that the minutes of the Council Meetings held on 20<sup>th</sup> January and 17<sup>th</sup> February 2010 be approved and signed as correct records.

89. ANNOUNCEMENTS FROM THE MAYOR AND LEADER

Last meeting of 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 would, 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.

90. DEPUTATIONS, PETITIONS AND PUBLIC QUESTIONS

- (i) The Council received a deputation from Mr Keith Sydenham concerning the volume of traffic and the two danger points and accident blackspots within the top end of Sholing Road from the junction of Merrydale/Peartree Road up to the junction of Peartree Avenue.
- (ii) The Council received a deputation from Mr Andy Gravell concerning the proposed loss of open space in the Old Town (lower High Street/Porters Lane area).

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

1. Question from Councillor Richard Williams to Councillor Samuels

Can the Leader state how, and by when the 'Connecting Communities' Programme money allocated to Southampton CC by Central Government is to be spent in the areas identified for its allocation?

Answer

'Connecting Communities' funding was allocated to Southampton City Council in December 2009, for work in three areas of the City identified by the Department of Communities and Local Government. It will promote greater resident and tenant participation and involvement in decision making, increase youth engagement, promote awareness of responses to issues of concern already being delivered in those areas by enhancing already planned activities, promotional campaigns and events in the three areas. The funding will be spent by the end of August 2010. Exact details will be forwarded to Members by email.

2. Question from Councillor Richard Williams to Councillor Samuels and Councillor Moulton

As a result of further investigations into the impacts of the proposed mileage rate reduction to 40p will the administration follow the Labour Group's approach and withdraw this proposed saving from their 2010 - 11 budget?

Answer

The current public finances mean that we all have to make savings, so it is sensible to pursue the potential of moving to a 40p mileage rate; especially as this is the recognised rate before tax is paid. The advice that has been given is that any change in the system, will be complicated and we will need to review and discuss the matter with the Staff and Trade Unions. We are therefore in no rush to implement. In relation to Members, any change would involve recalling the Independent Remuneration Panel, and therefore, as Leader, I have urged my political group colleagues to claim only 40p, should they feel it appropriate to claim, but that is a matter for them individually.

3. Question from Councillor Richard Williams to Councillor Samuels and Councillor Moulton

Will the Leader / Cabinet Member for Resources and Workforce Planning support the call for a Council wide investigation into the environmental and financial impact of asking large numbers of low paid staff to travel high mileages in their own cars on Council business?

Answer

This matter is being investigated and will be implemented if needed. The environmental issues are part of the investigation and will be taken account of. Cycle allowances are an example of ways of encouraging individuals to become more environmentally friendly and any reduction in mileage rates would also be a further way of encouraging this.

4. Question from Councillor McEwing to Councillor Samuels

Can the Leader of the Council advise Members of the decision process that is followed when officers decide to organise ward-based events?

Answer

The invitation of ward councillors to public meetings taking place within their wards is a long standing tradition within the Council, which is governed by paragraph 12.1 of the Officer / Member Protocol as follows:-

“Whenever a public meeting is organised by the Council to consider a local issue, all the Members representing the Ward or Wards affected should as a matter of course, be invited to attend the meeting. Similarly, whenever the Council undertakes any form of consultative exercise on a local issue, the Ward Members should be notified at the outset of the exercise.”

5. Question from Councillor Payne to Councillor Moulton

Did the Cabinet Member give his approval to the current recruitment of seven new marketing and communications officers and could he inform the Council what their total annual wage bill is likely to be?

Answer

The restructuring of the Communications function was approved by Cabinet at its meeting on 1st June 2009, following endorsement by the Overview and Scrutiny Management Committee at their meeting on 21<sup>st</sup> May 2009. Prior briefings had already taken place with all Party Leaders and the reconfiguration realised savings of £100K in the mini-budget and a further £25K in the February 2010 Budget.

6. Question from Councillor Bogle to Councillor Moulton

What is the decision regarding the Lower High Street redevelopment proposed sale of land and what options are now being considered?

Answer

No decision has as yet been taken in relation to Lower High Street. In due course the matter will need to be considered by Cabinet. However, in the meantime, the objections made to the loss of open space are being considered by the relevant Officers to assess how people's concerns can be mitigated. Discussions will also take place with the newly formed Friends of Town Quay Park group to examine options for the site. Following this the Council will be in a better position to decide how it wishes to move forward.

7. Question from Councillor Baston to Councillor Dean

Can the Cabinet Member for Environment and Transport assure Council that declarations of Areas of Restraint will be in place in time for the Council to make full use of the new powers under the revised Use Classes Order which came into force in April?

Answer

The Council has not seen the details of the proposed changes to the Use Classes order as they have not yet been published.

It is understood that the new powers will require planning permission to change the use of an existing dwelling to a House of Multiple Occupation (HMO) for 3 or more occupants. The threshold is currently set at 6 people. This therefore gives the Council more control over such changes. Planning applications will be assessed against policies in the Core Strategy (particularly CS16) and the Local Plan Review (particularly H4).

Introducing areas of restraint for HMO's would require a new policy and this will be considered in the Southampton Development Plan and City Centre Action Plan, both currently in their early stages of production.

The Core Strategy commits the Council to consider such forms of control within the context of

- the potential harm that such uses might cause to the character and enjoyment of a neighbourhood; and
- the contribution that HMOs make to meeting housing needs (students and others).

Any such policy must be based on sound evidence, be able to demonstrate that it is the most reasonable approach when compared with the alternatives, and must have been subject to public consultation.

#### 8. Question from Councillor Baston to Hannides

Will the Cabinet Member for Leisure, Culture and Heritage explain why the Council, having been forced to release the Classification of the Art Gallery collection as a result of a Freedom of Information request, is now asserting copyright in order to prevent disclosure of information within the document.

#### Answer

The Council responded to the FOI request setting out the detailed reasons using the standard template response which incorporates statements in respect of copyright material taking into account the Freedom of Information Act and the Re-use of Public Sector Information Regulations 2005. Consequently there was no specific assertion of copyright over and above that which are included in all responses to FOI requests.

#### 9. Question from Councillor Barnes-Andrews to Councillor Moulton

Are there any circumstances where the Cabinet Member would authorise the disposal of the Rope Walk site for less than the market value?

#### Answer

A report to Cabinet on 15<sup>th</sup> March 2010 made the recommendations to either:

1. agree to dispose of the site at Rope Walk, Derby Road to facilitate the provision of a community facility and retention of the community garden by negotiated agreement;
2. agree disposal for affordable housing use; or
3. agree disposal on the open market.

The Administration's favoured position is option 1 (above) as this was the preferred outcome from the consultation event.

#### 10. Question from Councillor Letts to Councillor Holmes

When will the Primary School Review begin again?

#### Answer

The Primary Review has been continuing since the decision last year on the city centre/Freemantle area and has taken the form of ongoing discussion between headteachers and officers.

I will be bringing a report to initiate pre-statutory consultation on June 7th outlining the next step in the Primary Review.

The report will contain recommendations to go to pre-statutory consultation on expanding a number of schools in the primary sector in order to accommodate the expected increase in pupil numbers for September 2011 and beyond.

11. Question from Councillor Letts to Councillor Hannides

How much was spent on the process for outsourcing Southampton's Council-run leisure facilities?

Answer

The expenditure to date on 2 project areas (Sport and Recreation Package 2, Municipal Golf Course) has been £272,842 against an original budget of £716,000. With further expenditure required on the projects between now and anticipated handover of 1 September 2010, it is forecasted that the project will expend a budget of £619,000.

92. MOTIONS

(a) Fluoridisation of Water - Referendum

Councillor Smith moved and Councillor Moulton seconded:-

"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."

UPON BEING PUT TO THE VOTE THE MOTION WAS DECLARED CARRIED

RESOLVED that the motion be approved.

NOTE: Councillor Mrs Damani declared a personal interest in the above matter, in view of her employment in the Health Authority and withdrew from the meeting during the consideration of the matter.

(b) Review of Chipperfield Bequest

Councillor Bogle moved and Councillor Baston seconded:-

"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."

UPON BEING PUT TO THE VOTE THE MOTION WAS DECLARED LOST

RESOLVED that the motion be not approved.

(c) Affordable Homes

Councillor Letts moved and Councillor Payne seconded:-

"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.”

Amendment moved by Councillor P Williams and seconded by Councillor Dean:

### AMENDMENT

Insert in first line after “housing waiting list”:

“and welcomes the work the Council has done in attracting the necessary investment in to deliver affordable housing in Southampton.”

Add at end of first paragraph:

“The Council does believe that the Government should have done more, in the good times, to prevent this issue arising across the South. Key failures include:

- Allowing the tax on Council tenants to get out of control, reducing our capacity to deliver estate regeneration and making it hard to reverse; and
- A complete failure to agree a long term funding mechanism for estate regeneration.”

In the second paragraph delete all after “government elected this year” and replace with:

“to get the economy back on track, make home ownership more affordable and by implication improve the delivery and prioritisation of new affordable housing.”

In the third paragraph delete “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.”

Replace with:

“the need for a more localised approach for the delivery of housing rather than centralised national targets.”

AMENDED MOTION TO READ:

Council notes the large size of the housing waiting list and welcomes the work the Council has done in attracting the necessary investment in to deliver affordable housing in Southampton. Council notes the recent coverage in the Echo showing that buying your own property outright remains beyond the reach of many Southampton families. The Council does believe that the Government should have done more, in the good times, to prevent this issue arising across the South. Key failures include:

- Allowing the tax on Council tenants to get out of control, reducing our capacity to deliver estate regeneration and making it hard to reverse; and
- A complete failure to agree a long term funding mechanism for estate regeneration.

Council calls upon the government elected this year to get the economy back on track, make home ownership more affordable and by implication improve the delivery and prioritisation of new affordable housing.

Council calls on the Leader of the Council to communicate the need for a more localised approach for the delivery of housing rather than centralised national targets.

UPON BEING PUT TO THE VOTE THE AMENDMENT WAS DECLARED CARRIED

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

RESOLVED that the motion as amended be approved.

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

It was noted that no questions had been received.

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

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

95. BYELAWS ON THE EMPLOYMENT OF CHILDREN 2010

The report of the Solicitor to the Council was submitted seeking authorisation for the Solicitor of the Council to make and seal the Byelaws for the Employment of Children 2010 (copy of report circulated with agenda and appended to signed minutes).



RESOLVED:

- (i) That the Solicitor to the Council be authorised to make and seal the Byelaws for the Employment of Children 2010 as attached at Appendix 1 to the report ('the Byelaws').
- (ii) That the Solicitor to the Council be authorised to give at least one month's 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) That the Solicitor to the Council be authorised, 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) That the Solicitor to the Council be authorised to take any action or decision necessary to give effect to, conducive to or calculated to facilitate the recommendations in the report and the bringing into force of the Byelaws.