Overview and Scrutiny Management Committee

Thursday, 22nd September 2011
at 5.00 pm

Committee Rooms 1 and 2 - Civic Centre

This meeting is open to the public

Members

Councillor Barnes-Andrews (Chair)
Councillor Vinson (Vice-Chair)
Councillor Fitzgerald
Councillor B Harris
Councillor Kolker
Councillor Mead
Councillor Morrell
Councillor Stevens
Councillor Walker
Councillor Dr R Williams

Appointed Members

Mr J Bettridge, (Parent Governor Representative)
Mrs U Topp, (Roman Catholic Church)
Mrs M Bishop, (Primary Parent Governors)
Vacancy – Primary Parent Governors Representative
Vacancy – Church of England Representative

Contacts

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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 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
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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 2011/12

2011	2012
2 June	12 January
30 June	9 February
28 July	8 March
25 August	12 April
22 September	
20 October	
17 November	
15 December	

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.

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.

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

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 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.

3 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.

4 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.

5 STATEMENT FROM THE CHAIR

6 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

To approve and sign as a correct record the Minutes of:

- Scrutiny Panel A on 3rd February 2011; and
- Overview and Scrutiny Management Committee on 28th July 2011.

and to deal with any matters arising, attached.

7 FORWARD PLAN

Report of the Head of Corporate Policy and Performance

- detailing items requested for discussion from the current Forward Plan;and
- seeking the Committee's indication as to what items will be required for discussion scheduled for the period October 2011 to January 2012,

attached.

Appendix: Forward Plan – Parking Standards Supplementary Planning Document

Report of the Cabinet Member for Environment and Transport / Head of Planning and Sustainability detailing the forthcoming Cabinet decision, attached.

8 FIRST QUARTER PERFORMANCE MONITORING FOR 2011/12

Report of the Head of Corporate Policy and Performance detailing the First Quarter performance monitoring for 2011/12, attached.

9 MONITORING SCRUTINY RECOMMENDATIONS

Report of the Head of Policy and Performance, detailing actions and monitoring progress of the recommendations of the Panel, attached.

10 WELFARE REFORMS: POTENTIAL IMPACT ON RESIDENTS IN SOUTHAMPTON

Report of the Head of Corporate Policy and Performance detailing the potential impacts of the plan Central Government welfare reforms, attached.

BIG SOCIETY SCRUTINY INQUIRY : FROM 6:00 PM

11 INTRODUCTION TO THE BIG SOCIETY INQUIRY

Report of the Director – Economic Development setting out an introduction to issues relating to the national Big Society programme and the local response, attached.

12 THE BIG SOCIETY – NATIONAL AGENDA AND LOCAL RESPONSE

Report of the Director – Economic Development providing an overview of national initiatives and an update on local initiatives that contribute to the Big Society agenda, attached.

Wednesday, 14 September 2011

HEAD OF LEGAL AND DEMOCRATIC SERVICES