

# COUNCIL

Wednesday, 14th September, 2011  
at 2.00 pm

**PLEASE NOTE VENUE**  
**The Guildhall**

## **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)

Chief Democratic and Members' Services Officer

Sandra Coltman

Tel. 023 8083 2718

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

The Agenda, Reports and Appendices are available via the Council's Website

<b>WARD</b>	<b>COUNCILLOR</b>	<b>WARD</b>	<b>COUNCILLOR</b>
<b>Bargate</b>	Bogle Noon Willacy	<b>Millbrook</b>	Furnell Thorpe Wells
<b>Bassett</b>	Hannides B Harris L Harris	<b>Peartree</b>	Drake Jones Dr Paffey
<b>Bevois</b>	Burke Barnes-Andrews Rayment	<b>Portswood</b>	Capozzoli Claisse Vinson
<b>Bitterne</b>	Fuller Letts Stevens	<b>Redbridge</b>	Holmes McEwing Pope
<b>Bitterne Park</b>	Baillie White P Williams	<b>Shirley</b>	Matthews Kaur Mead
<b>Coxford</b>	Morrell Thomas Walker	<b>Sholing</b>	Mrs Blatchford Fitzgerald Kolker
<b>Freemantle</b>	Ball Moulton Parnell	<b>Swaythling</b>	Osmond 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**

<b>2011</b>	<b>2012</b>
18 May	15 February
13 July	14 March
14 September	16 May
16 November	

## **CONDUCT OF MEETING**

### **FUNCTIONS OF THE COUNCIL**

The functions of the Council are set out in Article 4 of Part 2 of the Constitution

### **RULES OF PROCEDURE**

The meeting is governed by the Council 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 16.

## **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.

/continued.....

## **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.

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

Tuesday, 6 September 2011

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

You are hereby summoned to attend a meeting of the COUNCIL to be held on WEDNESDAY, 14TH SEPTEMBER, 2011 in THE GUILDHALL 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 Meeting held on 13<sup>th</sup> July 2011, 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.

The following petitions have been received containing 1,500 signatures. Under the Council's Procedure Rules they are qualifying petition which must be debated at Council.

- (i) "We the undersigned petition the Council to reverse its endorsement of the Strategic Health Authority's scheme to fluoridate the City's water supply. We also ask that when it assumes responsibility for public health, the Council will not implement a fluoridation scheme."
- (ii) "We the undersigned petition the council to save specialist education services for deaf children; a post has been cut that will have a devastating impact on deaf children when they return to school this September. Deaf children are already among the most vulnerable and disadvantaged children in the UK today. Deafness is not a learning disability. Evidence shows that with the right support, deaf children can achieve as well as other children. Specialist support services offer a vital lifeline to deaf children and their families; by providing support to parents or carers, directly teaching deaf children, advising mainstream teachers and so much more. This is unfair and unacceptable. We the undersigned call on Southampton City to recruit to this post as a matter of urgency; protect services and ensure all deaf children in Southampton have a fair chance to achieve. Speak out for the 165 deaf children now supported by the equivalent of just one full time teacher."

**5 EXECUTIVE BUSINESS**

Report of the Leader of the Council, attached.

**6 MOTIONS**

A) Councillor Dr R Williams to move

Following the serious disturbances across many English cities Council calls on the Executive to write to the City's MPs, Prime Minister and the Home Secretary to call for a stop in the implementation of Police and Crime Commissioners which would cost, in Hampshire and the IOW alone, nearly £2,000,000 for the election of such an individual.

B) Council Vinson to move

This Council urges the Executive, in discussion with Southampton's two universities, to explore the adoption of a threshold for the numbers of students living in private accommodation in the community, linking future expansion in student numbers to the provision of addition purpose-built accommodation through the planning process, along the lines in force in Oxford.

**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 MEMBERS' ALLOWANCE SCHEME**

Report of the Acting Head of Legal and Democratic Services concerning the Independent Remuneration Panel recommendations following its review of the Members' Allowance Scheme, attached.

**10 CITY PLAN**

Report of the Leader of the Council seeking approval for the City Plan, attached.

**11 THE GENERAL FUND CAPITAL PROGRAMME 2010/11 TO 2013/14**

Report of the Cabinet Member for Resources, Leisure and Culture updating Council on any major changes in the overall General Fund Capital Programme, attached.

**12 EXCLUSION OF THE PRESS AND PUBLIC - CONFIDENTIAL PAPERS INCLUDED IN THE FOLLOWING ITEM**

To move that in accordance with the Council's Constitution, specifically the Access to Information procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect of any consideration of the confidential appendices to item number 14.

Appendices 1 and 2 are considered to be confidential, the confidentiality of which is based on category 3 of paragraph 10.4 of the Council's Access to Information Procedure Rules. It is not in the public interest to disclose this because doing so would impact on the integrity of a commercial procurement process and the Council's ability to achieve 'Best value' in line with its statutory duties.

**13 MEETING THE CARE QUALITY COMMISSION'S STANDARDS IN COUNCIL CARE HOMES**

Report of the Cabinet Member for Adult Social Care and Health regarding the expenditure required to meet the Care Quality Commission's Standards in Council Care Homes, attached.

NOTE: There will be prayers by the Reverend Dr Julian Davies, Church of England, and by Jeff Lynn from the Baha'i faith, in the Mayor's Parlour at 1.30 pm for Members of the Council and Officers who wish to attend.



**M R HEATH**  
Director of Corporate Services