

# **Governance Committee**

Monday, 14th November,  
2016 at 5.00 pm

## **PLEASE NOTE TIME OF MEETING**

Conference Room 3 - Civic Centre

This meeting is open to the public

### **Members of the Committee**

Councillor Barnes-Andrews (Chair)  
Councillor Inglis  
Councillor Jordan  
Councillor Noon  
Councillor O'Neill  
Councillor Parnell  
Councillor Keogh (Vice-Chair)

### **Contacts**

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## **PUBLIC INFORMATION**

### **Role of the Governance Committee**

Information regarding the role of the Committee's is contained in Part 2 (Articles) of the Council's Constitution.

#### [02 Part 2 - Articles](#)

It includes at least one Councillor from each of the political groups represented on the Council, and at least one independent person, without voting rights, who is not a Councillor or an Officer of the Council.

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

### **Public Representations**

At the discretion of the Chair, members of the public may address the meeting on any report included on the agenda in which they have a relevant interest. Any member of the public wishing to address the meeting should advise the Democratic Support Officer (DSO) whose contact details are on the front sheet of the agenda

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

- .Jobs for local people
- Prevention and early intervention
- Protecting vulnerable people
- Affordable housing
- Services for all
- City pride
- A sustainable Council

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

**Mobile Telephones:-** Please switch your mobile telephones to silent whilst in the meeting

**Use of Social Media:-** The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting. By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public.

Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so.

Details of the Council's Guidance on the recording of meetings is available on the Council's website.

**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.

#### **Dates of Meetings: Municipal Year 2016/17**

<b>2016</b>	<b>2017</b>
6 June	13 February
25 July	24 April
14 November	
12 December	

## **CONDUCT OF MEETING**

### **Terms of Reference**

The terms of reference of the Governance Committee are contained in Part 3 of the Council's Constitution.

[03 - Part 3 - Responsibility for Functions](#)

### **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 3.

## **DISCLOSURE OF INTERESTS**

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

### **DISCLOSABLE PECUNIARY 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 of 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 an, '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.

## AGENDA

### **1 APOLOGIES**

To receive any apologies.

### **2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS**

In accordance with the Localism Act 2011, and the Council's Code of Conduct, Members to disclose any personal or pecuniary interests in any matter included on the agenda for this meeting.

### **3 STATEMENT FROM THE CHAIR**

### **4 MINUTES OF PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

(Pages 1 - 2)

To approve and sign as a correct record the Minutes of the meeting held on 25<sup>th</sup> July 2016 and to deal with any matters arising, attached.

### **5 ANNUAL REPORT ON THE MEMBERS CODE OF CONDUCT (Pages 3 - 8)**

Report of the Service Director Legal and Governance detailing the Annual Report on the Members Code of Conduct, attached.

### **6 REVISION TO THE CONSTITUTION - QUESTIONS AT COUNCIL (Pages 9 - 14)**

Report of the Leader of the Council reviewing the current process and criteria for submitting Questions by Members at full Council, attached.

### **7 REVISION TO THE CONSTITUTION - PARTNERSHIPS CODE (Pages 15 - 24)**

Report of the Service Director, Legal and Governance reviewing and updating the Partnerships Code in the Council's Constitution, attached.

### **8 SOUTHAMPTON CITY COUNCIL COMPLAINTS REPORT 2015/16 (Pages 25 - 44)**

Report of the Service Director Legal and Governance regarding the complaints from 2015/16, attached.

### **9 TREASURY MANAGEMENT STRATEGY AND REVIEW OF PRUDENTIAL LIMITS MID YEAR REPORT 2016/17 (Pages 45 - 74)**

Report of the Service Director Finance and Commercialisation detailing the Treasury Management activities and performance for 2016/17 against the approved Prudential Indicators for external debt and Treasury Management and to approve any changes as a result of activity to date and updates to the Capital Programme, attached.

**10 LOCAL APPOINTMENT OF EXTERNAL AUDITORS** (Pages 75 - 88)

Report of the Service Director Finance and Commercialisation summarising changes to the arrangements for appointing External Auditors at conclusion of the 2017/18 audits, attached.

**11 ANNUAL GOVERNANCE STATEMENT 2015-16 : STATUS REPORT**  
(Pages 89 - 96)

Report of the Service Director of Finance and Commercialisation detailing the status of the agreed actions to address the 'significant governance issues' identified in the 2015-16 Annual Governance Statement, attached.

**12 INTERNAL AUDIT - PROGRESS REPORT** (Pages 97 - 122)

Report of Chief Internal Auditor providing an update of progress against the 2016/17 internal audit plan and the status of 'live' reports, attached.

**13 EXTERNAL AUDIT - ANNUAL AUDIT LETTER 2015/16** (Pages 123 - 148)

Report of Chief Internal Auditor detailing the 2015/16 annual audit letter and communicating the key issues arising from the work of the external auditor to Members, external stakeholders including members of the public, attached.

**14 PARIS SYSTEM UPDATE**

To receive a presentation from the Service Director Finance and Commercialisation providing an update on the PARIS system and associated issues.

Friday, 4 November 2016

Service Director, Legal and Governance