

COUNCIL

Wednesday, 11th July, 2012
at 2.00 pm

PLEASE NOTE TIME

Council Chamber, Civic Centre

Members of the Council

The Mayor – Chair

The Sheriff – Vice-chair

Leader of the Council

Members of the Council (See overleaf)

Contacts

Head of Legal, HR and Democratic Services
Richard Ivory
Tel. 023 8083 2794
Email: Richard.ivory@sothampton.gov.uk

Democratic Services Manager
Sandra Coltman
Tel. 023 8083 2718
Email: sandra.coltman@southampton.gov.uk

The agenda and papers are available via the Council's Website

WARD	COUNCILLOR	WARD	COUNCILLOR
Bargate	Bogle Noon Tucker	Millbrook	Furnell Laming Thorpe
Bassett	Hannides B Harris L Harris	Peartree	Keogh Lewzey Dr Paffey
Bevois	Burke Barnes-Andrews Rayment	Portswood	Claisse Norris Vinson
Bitterne	Letts Lloyd Stevens	Redbridge	McEwing Pope Whitbread
Bitterne Park	White Baillie Inglis	Shirley	Chaloner Kaur Mead
Coxford	Morrell Spicer Thomas	Sholing	Mrs Blatchford Jeffery Kolker
Freemantle	Moulton Parnell Shields	Swaythling	Mintoff Turner Vassiliou
Harefield	Daunt Fitzhenry Smith	Woolston	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(Municipal Year 2012/13)

2012	2013
16 May	13 February (Budget)
11 July	20 March
12 September	15 May
14 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, 3 July 2012

TO: ALL MEMBERS OF THE SOUTHAMPTON CITY COUNCIL

You are hereby summoned to attend a meeting of the COUNCIL to be held on WEDNESDAY, 11 JULY, 2012 in the COUNCIL CHAMBER, CIVIC CENTRE 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 16th May 2012 and the Extraordinary Meeting of the Council held on 25th June, 2012, 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.

5 EXECUTIVE BUSINESS

Report of the Leader of the Council, attached.

6 MOTIONS

(a) Councillor Hannides to move:-

This Council deplores the closure of Oaklands Pool. The Labour Executive is, therefore, urged to:-

- (i) reconsider its decision,
- (ii) invest in this much valued community facility; and
- (iii) ensure the pool is reopened as soon as possible.

(b) Councillor Moulton to move:-

This Council believes that all Councillors should follow the Councillors' Code of Conduct and believes that Councillors should be honest and should at all times avoid the appearance of dishonesty in their activities as a Councillor.

In particular senior councillors such as Cabinet Members and the Leader should take special care to ensure that they carry out their roles in a fit and proper manner.

Council agrees that should it come to light that a Cabinet Member or the Leader of the Council has lied and done so publicly, making use of Council resources, then this would be a resignation matter.

(c) Councillor Vinson to move:-

This Council is concerned at the number of poorly maintained Houses in Multiple Occupation in the City.

In the best interests of tenants and neighbourhoods this Council therefore urges the Executive to bring forward an Additional Licensing scheme, similar to those adopted by Oxford, Leeds, Croydon, Haringey, Hounslow, Cardiff and others, as soon as practicable.

(d) Councillor Furnell to move:-

This Council is in full support of local residents concerned by the proposals for a major biomass plant in the docks and therefore urges the Executive to undertake a referendum amongst those immediately affected in the Freemantle and Millbrook wards as soon as is practicably possible in order to influence the final decision of the Secretary of State and with minimal use of scarce Council resources.

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 CHANGES TO EXISTING REVENUE AND CAPITAL BUDGETS

Report of the Cabinet Member for Resources, seeking approval of changes to existing revenue and capital budgets, attached.

10 STATEMENT OF ACCOUNTS FOR 2011/12

Report of the Cabinet Member for Resources concerning the Financial Statements for 2011/12, attached.

11 GENERAL FUND REVENUE OUTTURN FOR 2011/12

Report of the Cabinet Member for Resources concerning the General Fund Revenue Outturn for 2011/12, attached

12 GENERAL FUND CAPITAL OUTTURN FOR 2011/12

Report of the Cabinet Member for Resources, concerning the General Fund Capital Outturn for 2011/12, attached.

13 HOUSING REVENUE ACCOUNT AND CAPITAL OUTTURN FOR 2011/12

Report of the Cabinet Member for Housing and Leisure Services, concerning the Housing Revenue Account and Capital Outturn for 2011/12, attached.

14 REVIEW OF PRUDENTIAL LIMITS AND TREASURY MANAGEMENT OUTTURN 2011/12

Report of the Head of Finance (Chief Financial Officer), concerning the treasury management activities for 2011/12, attached.

15 COLLECTION FUND OUTTURN 2011/12

Report of the Cabinet Member for Resources, concerning the actual payments made to and from the collection fund during the 2011/12 financial year, attached.

16 'PLATFORM FOR PROSPERITY' - PLATFORM ROAD IMPROVEMENT SCHEME - PROJECT APPROVALS

Report of the Cabinet Member for Environment and Transport seeking approval to deliver the Platform for Prosperity - Platform Road Improvement Scheme, attached.

17 LOCALISM ACT 2011 - REVISED STANDARDS ARRANGEMENTS

Report of the Head of Legal, HR and Democratic Services regarding the changes to the standards regime brought about by the Localism Act 2011 and the new Code of Conduct as recommended by the Standards and Governance Committee, attached.

18 LICENSING OF SEXUAL ENTERTAINMENT VENUES

Report of the Head of Legal, HR and Democratic Services regarding amendments to the Local Government (Miscellaneous Provisions) Act 1982", and proposed new licensing provisions, attached.

**COUNCIL WILL ADJOURN AT THIS POINT FOR A MEETING OF THE
CHIPPERFIELD TRUST**

19 CHIPPERFIELD TRUST GOVERNANCE

Report of the Head of Legal, HR and Democratic Services seeking approval for changes the governance of the Chipperfield Trust, attached.

OVERVIEW AND SCRUTINY BUSINESS

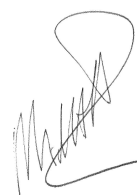
20 OVERVIEW AND SCRUTINY: SUMMARY OF CALL- IN ACTIVITY

Report of the Director of Economic Development summarising the use of the Call-in procedure over the last six months.

21 OVERVIEW AND SCRUTINY: ANNUAL REPORT 2011 / 2012

Report of the Senior Manager – Customer and Business Improvement detailing the Overview and Scrutiny Annual Report 2011 / 2012 in accordance with the Council's Constitution, attached.

NOTE: There will be prayers by Reverend Hockett in the Mayor's Reception Room at 1.45 pm for Members of the Council and Officers who wish to attend.



M R HEATH
Director of Corporate Services