

# Public Document Pack

## Cabinet

Tuesday, 19th May, 2020  
at 4.30 pm

**PLEASE NOTE:** this will be a 'virtual meeting', a link to which will be available on Southampton City Council's website at least 24hrs before the meeting

This meeting is open to the public

### Members

Leader – Councillor Hammond  
Adult Care - Councillor Fielker  
Aspiration, Children & Lifelong Learning –  
Councillor Paffey  
Healthier and Safer City – Councillor Shields  
Resources - Councillor Barnes-Andrews  
Green City & Environment – Councillor Leggett  
Homes & Culture - Councillor Kaur  
Place and Transport - Councillor Rayment

(QUORUM – 3)

### Contacts

Cabinet Administrator  
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## **BACKGROUND AND RELEVANT INFORMATION**

### **The Role of the Executive**

The Cabinet and individual Cabinet Members make executive decisions relating to services provided by the Council, except for those matters which are reserved for decision by the full Council and planning and licensing matters which are dealt with by specialist regulatory panels.

### **The Forward Plan**

The Forward Plan is published on a monthly basis and provides details of all the key executive decisions to be made in the four month period following its publication. The Forward Plan is available on request or on the Southampton City Council website, [www.southampton.gov.uk](http://www.southampton.gov.uk)

### **Implementation of Decisions**

Any Executive Decision may be “called-in” as part of the Council’s Overview and Scrutiny function for review and scrutiny. The relevant Overview and Scrutiny Panel may ask the Executive to reconsider a decision, but does not have the power to change the decision themselves.

**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.

### **Municipal Year Dates (Tuesdays)**

<b>2019</b>	<b>2020</b>
18 June	21 January
16 July	11 February
20 August	18 February (Budget)
17 September	17 March
15 October	21 April (Cancelled)
19 November	19 May
17 December	

### **Executive Functions**

The specific functions for which the Cabinet and individual Cabinet Members are responsible are contained in Part 3 of the Council’s Constitution. Copies of the Constitution are available on request or from the City Council website, [www.southampton.gov.uk](http://www.southampton.gov.uk)

### **Key Decisions**

A Key Decision is an Executive Decision that is likely to have a significant:

- financial impact (£500,000 or more)
- impact on two or more wards
- impact on an identifiable community

### **Procedure / 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.

**Fire Procedure** – In the event of a fire or other emergency, a continuous alarm will sound and you will be advised, by officers of the Council, of what action to take.

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

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

Southampton: Corporate Plan 2020-2025 sets out the four key outcomes:

- Communities, culture & homes - Celebrating the diversity of cultures within Southampton; enhancing our cultural and historical offer and using these to help transform our communities.
- Green City - Providing a sustainable, clean, healthy and safe environment for everyone. Nurturing green spaces and embracing our waterfront.
- Place shaping - Delivering a city for future generations. Using data, insight and vision to meet the current and future needs of the city.
- Wellbeing - Start well, live well, age well, die well; working with other partners and other services to make sure that customers get the right help at the right time

## **CONDUCT OF MEETING**

### **TERMS OF REFERENCE**

The terms of reference of the Cabinet, and its Executive Members, are set out in Part 3 of the Council's Constitution.

### **RULES OF PROCEDURE**

The meeting is governed by the Executive Procedure Rules as set out in Part 4 of the Council's Constitution.

### **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.

### **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.

## **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.

## EXECUTIVE BUSINESS

### 3 STATEMENT FROM THE LEADER

### 4 RECORD OF THE PREVIOUS DECISION MAKING (Pages 1 - 4)

Record of the decision making held on 17<sup>th</sup> March 2020, attached.

### 5 MATTERS REFERRED BY THE COUNCIL OR BY THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE FOR RECONSIDERATION (IF ANY)

There are no matters referred for reconsideration.

### 6 REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (IF ANY)

There are no items for consideration

### 7 EXECUTIVE APPOINTMENTS 2020/21 (Pages 5 - 18)

To consider the report of the Service Director, Legal and Business Operations seeking approval for the Executive Appointments in the 2020/21 Municipal Year.

Monday, 11 May 2020

Service Director – Legal and Business Operations

1     "  
2     "

SOUTHAMPTON CITY COUNCIL  
EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 17 MARCH 2020

Present:

Councillor Rayment	-	Cabinet Member for Place and Transport
Councillor Fielker	-	Cabinet Member for Adult Care
Councillor Kaur	-	Cabinet Member for Homes and Culture
Councillor Leggett	-	Cabinet Member for Green City and Environment
Councillor Shields	-	Cabinet Member for Healthier and Safer City
Councillor Andrews	Barnes-	Cabinet Member for Resources

Apologies: Councillor Dr Paffey

60. CONCESSIONARY FARES SCHEME 2020/21

DECISION MADE: (CAB 19/20 26394)

On consideration of the report of the Cabinet Member for Place and Transport, Cabinet agreed the following:-

- (i) To agree to reimburse bus operators in line with the Department for Transport Concessionary Fares Guidance and the methodology as detailed in appendix 1. This will use the Reimbursement Calculator published by the Department for Transport to determine the reimbursement rate for each operator.
- (ii) To agree the local enhancements above the statutory minimum, which is to allow concessionary travel from 0900 rather than 0930 and between 2300 and 0030 for Southampton residents.

61. LOCAL PLACEMENT PLAN - CHILDREN'S RESIDENTIAL CARE

DECISION MADE: (CAB 19/20 26571)

On consideration of the report of the Cabinet Member for Aspiration, Children and Lifelong Learning, the Cabinet agreed the following together with recommendations from Overview and Scrutiny Committee on 12<sup>th</sup> March 2020 detailed in (iii) and (iv):-

- (i) To approve the Local Placement Plan business case (appendix 1).
- (ii) To delegate authority to Executive Director Children & Families service, following consultation with Cabinet member for Aspiration, Children and Lifelong Learning, to take necessary steps required to implement the proposals in (i) above
- (iii) That, to aid the discussion at Cabinet and Council, the forecast 2019/20 expenditure figure of £6.3m is utilised, rather than the 2018/19 actual figure

of £4.6m, as this provides a more accurate reflection of current and future residential placement costs for the Council.

- (iv) That, whilst recognising that the principle of accommodating Southampton's looked after children in placements within the city is supported by the Committee, it is recommended that, prior to the Cabinet decision, Finance are asked to model the future residential care placement costs to provide greater certainty that the proposal reflects value for money.

62. LOOKED AFTER CHILDREN AND CARE LEAVERS PLACEMENTS SUFFICIENCY STRATEGY 2020-2025

DECISION MADE: (CAB 19/20 26582)

On consideration of the report of the Cabinet Member for Aspiration, Children and Lifelong Learning, Cabinet agreed the following:-

- (i) To approve the Council's Placement Commissioning Sufficiency Statement and Strategy 2020-2025.

63. POTENTIAL DEREGISTRATION OF THREE RESIDENTIAL CARE HOMES

DECISION MADE: (CAB 19/20 26376)

On consideration of the report of the Cabinet Member for Adult Care, Cabinet agreed the following:-

- (i) To delegate authority to the Executive Director of Communities, Culture and Homes that following consultation with the Executive Director, Finance & Commercialisation and pending successful agreement with NHS England (NHSE) and Clarion Housing Group the three homes transfer to the Housing Revenue Account (HRA).
- (ii) To delegate authority to the Director of Quality and Integration following consultation with the Executive Director Wellbeing – Health and Adults to work with relevant partners and stakeholders to deregister the three homes to Supported Living pending the outcome of recommendation (i).
- (iii) To note the consultation summary and Equality Safety Impact Assessment (ESIA) both of which are appendices to this report.

64. SOUTHAMPTON CITY HEALTH AND CARE STRATEGY 2020 - 2025

DECISION MADE: (CAB 19/20 26580)

On consideration of the report of the Cabinet Member for Healthier and Safer City, Cabinet agreed the following:-

- (i) To recommend the Southampton City Health and Care Strategy, as set out in Appendix 1, for approval.



65. TRANSPORT FOR THE SOUTH EAST GOVERNANCE PROPOSAL

DECISION MADE: (CAB 19/20 26337)

On consideration of the report of the Cabinet Member for Place and Transport, Cabinet agreed the following:-

- (i) To note the content of the proposal to establish a sub-national transport body for the South East to be known as Transport for the South East (TfSE), as set out in this report.
- (ii) To endorse the proposal to establish TfSE as the sub-national transport body for the South East and the suite of powers as set out in the report.

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# Agenda Item 7

<b>DECISION-MAKER:</b>	<b>CABINET</b>		
<b>SUBJECT:</b>	<b>EXECUTIVE APPOINTMENTS 2020/21</b>		
<b>DATE OF DECISION:</b>	<b>19 MAY 2020</b>		
<b>REPORT OF:</b>	<b>SERVICE DIRECTOR, LEGAL AND BUSINESS OPERATIONS</b>		
<b><u>CONTACT DETAILS</u></b>			
<b>AUTHOR:</b>	<b>Name:</b>	Judy Cordell	Tel: 023 8083 2766
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<b>Director</b>	<b>Name:</b>	Richard Ivory	Tel: 023 8083 2794
	<b>E-mail:</b>	Richard.ivory@southampton.gov.uk	

<b>STATEMENT OF CONFIDENTIALITY</b>	
None.	
<b>BRIEF SUMMARY</b>	
Under the City Council’s democratic arrangements it is a requirement that appointments to all organisations and bodies which relate to executive functions are determined by the Executive.	
Although the work of the bodies/organisations listed in the Appointments Register covers all aspects of city life and Council activities and therefore affects all wards, the decision to appoint to them is of administrative affect only.	
<b>RECOMMENDATIONS:</b>	
	(i) That the executive appointments for the 2020/21 Municipal Year be approved as set out in the revised Register, which will be circulated prior to the meeting; and
	(ii) That all appointments be for one year save where the terms of reference and or constitution of the body or organisation concerned specify the duration of an appointment or where the decision on any nomination by the City Council to their membership is reserved to the body or organisation concerned to determine the appointment or continuation of appointments, in light of any changes in City Council Administration.
<b>REASONS FOR REPORT RECOMMENDATIONS</b>	
1.	Member appointments are required to a number of statutory and best practice bodies, as well as a number of external organisations with which the Council has links.
2.	Under the constitution or terms of reference in respect of some outside organisations appointments are in some cases specified as having a term of office/appointment longer than one year or are nominations, the final decision on appointment lying with the body itself. In such cases when a change of Administration occurs and the appointment term has not expired and is of significance to the incoming administration that member/appointee should be

	encouraged to step down in favour of a new appointee from the incoming administration but noting that the final decision in some cases lies with the organisation or outside body concerned.
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
3.	No other options are presented, it is a matter for the Cabinet to determine whether it wishes to approve the revised appointments and be represented on all the bodies set out in the attached revised Register of Appointments.
<b>DETAIL (Including consultation carried out)</b>	
4.	The executive appointments set out in the appendix to this report have been the subject of consultation and agreement with all political groups represented on the City Council.
5.	After Annual Council, numerous appointments to a variety of statutory, best practice and external organisations and bodies which require City Council Member representation need to be made by the Cabinet.
6.	Appointments are categorised into groups developed by the Service Director, Legal and Governance as follows:- a) Statutory Partnership; b) Non-Statutory Partnership; c) Informal Groups; d) Appointments and/or Financial Commitments to Outside Bodies; e) Commercial Partnerships; f) Commercial or Contractual Agreements; and g) Legally Defined Arrangements.
<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
7.	The cost of travel and subsistence costs for Members meeting the commitment of serving as a representative on an executive appointment are met from existing budgets.
<b><u>Property/Other</u></b>	
8.	None.
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
9.	The Local Government Acts 1972 and 2000 and the Localism Act 2011.
<b><u>Other Legal Implications:</u></b>	
10.	None.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
11.	None.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
12.	Cabinet approval of the appointments listed in the Register of Appointments appended to this report are in line with the City Council's Policy Framework.

<b>KEY DECISION?</b>	<b>No</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	None
<u>SUPPORTING DOCUMENTATION</u>	
<b>Appendices</b>	
1.	Revised Register of Appointments 2020/21 – to be circulated prior to the meeting.

**Documents In Members' Rooms**

1.	None.
2.	

**Equality Impact Assessment**

<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>	<b>No</b>
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**Data Protection Impact Assessment**

<b>Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.</b>	<b>No</b>
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**Other Background Documents**

**Other Background documents available for inspection at:**

<b>Title of Background Paper(s)</b>	<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>
1.	
2.	

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