

# Cabinet

**Tuesday, 18th March, 2014  
at 5.00 pm**

## **Council Chamber - Civic Centre**

This meeting is open to the public

### **Members**

Councillor Letts, Leader of the Council (Leader)  
Councillor Barnes-Andrews, Cabinet Member for Resources  
Councillor Jeffery, Cabinet Member for Change  
Councillor Kaur, Cabinet Member for Communities  
Councillor Tucker, Cabinet Member for Economic Development and Leisure  
Councillor Rayment, Cabinet Member for Environment and Transport  
Councillor Shields, Cabinet Member for Health and Adult Social Care  
Councillor Payne, Cabinet Member for Housing and Sustainability  
Councillor Chaloner, Cabinet Member for Safeguarding Services

(QUORUM – 3)

### **Contacts**

Cabinet Administrator  
Judy Cordell  
Tel: 023 8083 2766  
Email: [judy.cordell@southampton.gov.uk](mailto:judy.cordell@southampton.gov.uk)

Head of Legal and Democratic Services  
Richard Ivory  
Tel: 023 8083 2794  
Email: [richard.ivory@southampton.gov.uk](mailto:richard.ivory@southampton.gov.uk)

## **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 turn off your mobile telephone whilst in the meeting.

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

- **Economic:** Promoting Southampton and attracting investment; raising ambitions and improving outcomes for children and young people.
- **Social:** Improving health and keeping people safe; helping individuals and communities to work together and help themselves.
- **Environmental:** Encouraging new house building and improving existing homes; making the city more attractive and sustainable.
- **One Council:** Developing an engaged, skilled and motivated workforce; implementing better ways of working to manage reduced budgets and increased demand.

### **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

Decisions to be discussed or taken that are key

### **Procedure / Public Representations**

Reports for decision by the Cabinet (Part A of the agenda) or by individual Cabinet Members (Part B of the agenda). Interested members of the public may, with the consent of the Cabinet Chair or the individual Cabinet Member as appropriate, make representations thereon.

**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.

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

| <b>2013</b> | <b>2014</b> |
|-------------|-------------|
| 21 May      | 21 January  |
| 18 June     | 18 February |
| 16 July     | 18 March    |
| 20 August   | 15 April    |
| 15 October  |             |
| 19 November |             |
| 17 December |             |

## 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.

### **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 for 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

**Agendas and papers are now available via the Council's Website**

### **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.

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.

## **EXECUTIVE BUSINESS**

### **3 STATEMENT FROM THE LEADER**

### **4 RECORD OF THE PREVIOUS DECISION MAKING**

Record of the decision making held on 21 January 2014 and 4 February 2014, 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**

To deal with any executive appointments, as required.

## **ITEMS FOR DECISION BY CABINET**

### **8 REQUEST FOR VARIATION OF HACKNEY CARRIAGE FARES**

To consider the report of the Head of Legal and Democratic Services detailing two requests for the variation of hackney carriage fares.

### **9 ENVIRONMENT AND TRANSPORT CAPITAL PROGRAMME 2014/15 - APPROVAL TO SPEND**

Report of the Cabinet Member for Environment and Transport, seeking approval to spend and to provide details of the Environment and Transport capital programme 2014/15, attached.

### **10 IMPLEMENTATION OF THE SUSTAINABLE DRAINAGE SYSTEM APPROVING BODY**

Report of the Cabinet Member for Housing and Sustainability detailing the operational arrangements for and seeking the delegation of authority to the Head of Planning Transport and Sustainability to establish and implement the statutory function, attached.

### **11 PROPOSED CHANGES TO THE HOUSING ALLOCATIONS POLICY**

Report of the Cabinet Member for Housing and Sustainability portfolio in respect of proposed changes to the Council's housing allocations policy, attached.

### **12 REPAIRS TO THE CIVIC CENTRE CLOCK TOWER**

Report of the Cabinet Member for Resources seeking financial approval for Clock Tower Repairs, attached.

This report is submitted for consideration as a general exception under paragraph 15 of the Access to Information procedure Rules in Part 4 of the Council's Constitution.

The matter requires a decision to facilitate the repair of the Civic Centre Clock Tower. The urgency is linked to the need to prevent further damage to the Clock Tower and for these reasons the decision cannot be deferred for inclusion in the next Forward Plan for decision following 28 clear days notice.

### **13 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 report and appendices to the following Item.

Confidential report and appendices contain information deemed to be exempt from general publication based on Category 5 (legal professional privilege) and Category 3

(financial and business affairs of the Authority) of paragraph 10.4 of the Council's Access to Information Procedure Rules. It is not in the public interest to disclose this information because the overriding principle in relation to legal professional privilege favours maintaining openness of communication between lawyer and client as a fundamental principle in relation to the administration of justice. Such communications would only be disclosed in very limited circumstances where a strong argument in favour of release outweighed the primary principle of privilege. The release of such privileged advice would undermine the Council's ability to take timely and appropriate confidential legal advice in the future. The financial information contained in this report is not in the public interest to disclose as it would prejudice the Council's ability to meet its statutory duties in relation to Best Value if the information was released into the public domain and undermine the Council's ability to reach appropriate settlement arrangements in due course.

**14 \*PAST PRACTICE IN ASSESSING CONTRIBUTIONS FOR ADULT SOCIAL CARE NON RESIDENTIAL CARE**

Confidential Report of Director, People detailing a review of the implications of past practice in assessing contributions for adult social care non residential care and the proposed response, attached.

Monday, 10 March 2014

Head of Legal and Democratic Services

This page is intentionally left blank



# Agenda Item 4

## SOUTHAMPTON CITY COUNCIL EXECUTIVE DECISION MAKING

### RECORD OF THE DECISION MAKING HELD ON 21 JANUARY 2014

#### Present:

|                           |   |
|---------------------------|---|
| Councillor Letts          | Leader of the Council                               |
| Councillor Barnes-Andrews | Cabinet Member for Resources                        |
| Councillor Jeffery        | Cabinet Member for Change                           |
| Councillor Kaur           | Cabinet Member for Communities                      |
| Councillor Tucker         | Cabinet Member for Economic Development and Leisure |
| Councillor Rayment        | Cabinet Member for Environment and Transport        |
| Councillor Shields        | Cabinet Member for Health and Adult Social Care     |
| Councillor Payne          | Cabinet Member for Housing and Sustainability       |

Apologies: Councillor Chaloner

#### 80. EXECUTIVE APPOINTMENTS

Cabinet approved the appointment of Councillor Paffey to Schools Forum replacing Councillor Lloyd.

#### 81. CABINET RESPONSE TO RECOMMENDATIONS OF SCRUTINY PANEL ON APPRENTICESHIPS

DECISION MADE: (Ref: CAB 13/14 11969)

On consideration of the report of the Cabinet Member for Economic Development and Leisure Services, Cabinet agreed the following:

- (i) To approve all recommendations from the Scrutiny Panel B Apprenticeships Inquiry, for implementation through a Southampton Apprenticeship Action Plan, to be funded using existing budget and new European grant income, as set out in Appendix 1.
- (ii) To agree the establishment of a city-wide Apprenticeships Steering Group, chaired by the Cabinet Member for Economic Development and Leisure

#### 82. ESTABLISHMENT OF SOLENT TRANSPORT

DECISION MADE: (Ref: CAB 13/14 11991)

On consideration of the report of the Cabinet Member for Environment and Transport, Cabinet agreed to ratify the creation of a new proposed Joint Committee, named 'Solent Transport', to replace the existing joint committees of Transport for South Hampshire Isle of Wight (TfSHIoW) and the Solent Local Transport Body (LTB).

83. USE OF RIGHT TO BUY RECEIPTS TO PROVIDE AFFORDABLE HOMES  
DECISION MADE: (Ref: CAB 13/14 11989 )

On consideration of the report of the Cabinet Member for Housing and Sustainability and having received representations from a Member of the Council, Cabinet agreed the following:

- (i) To add, in accordance with Financial Procedure Rules, a sum of £1,628,000 to the Housing and Sustainability Portfolio General Fund Capital Programme for a Registered Provider Grants scheme to be funded from Right to Buy receipts.
- (ii) To approve, in accordance with Financial Procedure Rules, capital expenditure of £1,628,000, phased £800,000 in 2014/15 and £828,000 in 2015/16, to award grants to Registered Providers to help fund new affordable housing in the City.
- (iii) To delegate authority to the Director of Place, following consultation with the Chief Financial Officer, the Head of Legal and Democratic Services, the Senior Head of Property and Procurement and the Cabinet Member for Housing and Sustainability to:
  - (a) finalise the bidding criteria for the grant funding;
  - (b) decide successful bidder(s) for the grant funding; and
  - (c) enter into a grant agreement with the successful Registered Provider(s)

84. SCHEME APPROVAL HOUSING REVENUE ACCOUNT (HRA) PROGRAMME  
PROJECT APPROVAL FOR ECO CONTRACTS AND LIFT PROJECTS 2013/14 AND  
2014/15

DECISION MADE: (Ref: CAB 13/14 12039)

On consideration of the report of the Cabinet Member for Housing and Sustainability, Cabinet agreed the following:

- (i) To approve, in accordance with Financial Procedure Rules, capital expenditure of £1,027,000, phased £329,000 in 2014/15 and, £698,000 in £2015/16, on the Lift Refurbishment scheme provision for which exists within the Well Maintained Communal Facilities section of the HRA Capital Programme.
- (ii) To recommend that Council approve, in accordance with Financial Procedure Rules, capital expenditure of £9,376,000, phased £528,000 in 2013/14, £4,209,000 in 2014/15 and £4,639,000 in £2015/16, provision for which exists within the Warm and Energy Efficient section of the HRA Capital Programme, as detailed in the table below.

|                                  | 2013/14    | 2014/15      | 2015/16      | Total        |
|----------------------------------|------------|--------------|--------------|--------------|
|                                  | 000s       | 000s         | 000s         | 000s         |
| <b>Warm and Energy Efficient</b> |            |              |              |              |
| External Cladding (Tower Blocks) | 528        | 1,228        | 1,458        | 3,214        |
| External Cladding (PRC Houses)   | -          | 1,975        | 1,975        | 3,950        |
| External Cladding (Flats)        | -          | 1,006        | 1,206        | 2,212        |
| <b>Total</b>                     | <b>528</b> | <b>4,209</b> | <b>4,639</b> | <b>9,376</b> |

85. ETHICAL PROCUREMENT POLICY  
DECISION MADE: (Ref: CAB 13/14 11539)

On consideration of the report of the Cabinet Member for Resources and having received representations from Members of the Council, Cabinet agreed the following:

- (i) That the Council approves the Ethical Procurement Policy and that this applies to all new procurements with effect from 1<sup>st</sup> February 2014
- (ii) That the Council approves the changes to the pre qualification questionnaire and the new term and condition and that these apply to all new procurements with effect from 1<sup>st</sup> February 2014.



SOUTHAMPTON CITY COUNCIL  
EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 4 FEBRUARY 2014

Present:

|                           |   |
|---------------------------|---|
| Councillor Letts          | Leader of the Council                               |
| Councillor Barnes-Andrews | Cabinet Member for Resources                        |
| Councillor Jeffery        | Cabinet Member for Education and Change             |
| Councillor Kaur           | Cabinet Member for Communities                      |
| Councillor Tucker         | Cabinet Member for Economic Development and Leisure |
| Councillor Rayment        | Cabinet Member for Environment and Transport        |
| Councillor Payne          | Cabinet Member for Housing and Sustainability       |
| Councillor Chaloner       | Cabinet Member for Children's Safeguarding          |

Apologies: Councillor Shields

86. CORPORATE REVENUE FINANCIAL MONITORING FOR THE PERIOD TO THE END OF DECEMBER 2013

On consideration of the report of the Cabinet Member for Resources, Cabinet agreed the following:

- i) To note the current General Fund revenue position for 2013/14 as at Month 9 (December), which is a forecast under spend at year end of almost £3.0M against the budget approved by Council on 13 February 2013, as outlined in paragraph 4. This can be compared against the forecast under spend at Month 6 of £1.2M which is an improvement of approaching £1.8M.
- ii) Note that the baseline forecast over spend for portfolios is just over £3.7M.
- iii) Note that portfolios plan to take remedial action to manage a number of the corporate and key issues highlighted in this report and that the financial impact is reflected in the forecast position.
- iv) Note that further remedial action has been maintained to rigorously control staff resource costs and to continue the moratorium on all non essential expenditure for the remainder of the financial year.
- v) Note that the Risk Fund includes £4.7M to cover further service related risks, (following the allocation of £1.0M to portfolios), and that the estimated draw at Month 9 is £3.9M to cover expenditure which is included within the baseline forecast portfolio over spend of £3.7M. The portfolio position after the draw from the Risk Fund is an under spend of £159,800.
- vi) Note that the Risk Fund has been reviewed and it has been assumed that £301,600 of the Fund will not be required in 2013/14.
- vii) Note that it has been assumed that the remaining contingency, which stands at £410,700, will be fully utilised by the end of 2013/14.
- viii) Note the forecast includes an approved carry forward of £200,000 for Central Repairs & Maintenance as agreed by Full Council.

- ix) Note the forecast does not include the impact of potential carry forwards which at Month 9 total £308,000 and which, if approved by Full Council as part of the Outturn report to be presented in July 2014, would be a draw on balances.
- x) Note the forecast level of balances, which will not fall below the revised minimum level of £5.5M in the medium term based on the current forecast.
- xi) Note the performance to date with regard to the delivery of the agreed savings proposals approved for 2013/14 as detailed in Appendix 10.
- xii) Note the performance against the financial health indicators detailed in Appendix 11.
- xiii) Note the performance outlined in the Quarterly Treasury Management Report attached as Appendix 12.
- xiv) Note the current HRA budget monitoring position for 2013/14, as at Month 9 (December) which is a forecast over spend at year end of £246,800 against the budget approved by Council on 13 February 2013, as outlined in paragraph 46. This can be compared against the forecast over spend at Month 6 of £384,500 which is an improvement of £137,700.

87. GENERAL FUND REVENUE BUDGET 2014/15 TO 2016/17

DECISION MADE: (Ref: CAB 13/14 12036)

On consideration of the report of the Cabinet Member for Resources, Cabinet agreed the following:

- a) To note the position on the estimated outturn and revised budget for 2013/14 as set out in paragraphs 28 to 43.
- b) To note the position on the forecast roll forward budget for 2014/15 as set out in paragraphs 44 to 72.
- c) To note and approve the arrangements made by the Leader, in accordance with the Local Government Act 2000, for the Cabinet Member for Resources to have responsibility for financial management and budgetary policies and strategies, and that the Cabinet Member for Resources will, in accordance with the Budget & Policy Framework Rules as set out in the Council's Constitution, be authorised to finalise the Executive's proposals in respect of the Budget for 2014/15, in consultation with the Leader, for submission to Full Council on 12 February 2014.
- d) Recommends that Full Council:
  - i) Notes the budget consultation process that was followed as outlined in Appendix 1 and notes that this year's process took into consideration feedback from last year on how to improve the process.
  - ii) Notes that the consultation feedback has been taken into consideration by the Cabinet and has informed their final budget proposals.
  - iii) Notes the Equality and Safety Impact Assessment process that was followed as set out in paragraphs 25 to 27 and the details contained in Appendix 2 which reflect the feedback received through the consultation process.
  - iv) Approves the revised estimate for 2013/14 as set out in Appendix 3.
  - v) Accepts grants which total £3.6M (£3.35M from the Cabinet Office and £250,000 from the Department for Work & Pensions) to support unemployed adults and young people into employment as part of the

- City Deal and approves in accordance with financial procedure rules revenue expenditure for the delivery of the programme over a period of three years.
- vi) Approves the Council to act as Lead Accountable Body for the administration of the grant funding which totals £3.6M across the Solent LEP area.
  - vii) Delegates authority to the Assistant Chief Executive to undertake such actions necessary to enable the successful delivery of the programme.
  - viii) Notes the position on the forecast roll forward budget for 2014/15 as set out in paragraphs 44 to 72.
  - ix) Approves the revenue pressures and bids as set out in set out in Appendix 4 and 5 respectively.
  - x) Approves the efficiencies, income and service reductions as set out in Appendix 6.
  - xi) Approves the General Fund Revenue Budget as set out in Appendix 7, which assumes a council tax increase of 2.0%.
  - xii) Delegates authority to the Chief Financial Officer to action all budget changes arising from the approved pressures, bids, efficiencies, income and service reductions and incorporate any other approved amendments into the General Fund estimates.
  - xiii) Approves the allocation of up to £500,000 from the Organisational Development Fund which is part of the Strategic Reserve to fund the resourcing requirements to complete the Pay & Allowances Review.
  - xiv) Notes that after taking these items into account, there is an estimated General Fund balance of £6.5M at the end of 2017/18 as detailed in paragraph 106.
  - xv) Delegates authority to the Chief Financial Officer, in consultation with the Director of Corporate Services, to do anything necessary to give effect to the recommendations in this report.
  - xvi) Sets the Council Tax Requirement for 2014/15 at £73,472,200.
  - xvii) Notes the estimates of precepts on the Council Tax collection fund for 2014/15 as set out in Appendix 9.
  - xviii) Delegates authority to the Chief Financial Officer to implement any variation to the overall level of Council Tax arising from the final notification of the Hampshire Fire and Rescue Authority precept and the Police and Crime Commissioner for Hampshire precept.
  - xix) Notes the Medium Term Forecast as set out in Appendix 10.
  - xx) Authorises the Chief Executive and Chief Officers to pursue the development of the options for efficiencies, income and service reductions as set out in Appendix 6 for the financial years 2015/16 and 2016/17 and continue to develop options to close the remaining projected gaps in those years.

88. THE GENERAL FUND CAPITAL PROGRAMME 2013/14 TO 2016/17  
 DECISION MADE: (Ref: CAB 13/14 12262)

On consideration of the report of the Cabinet Member for Resources, Cabinet agreed to recommend the following to Council:

- i) To approve the revised General Fund Capital Programme, which totals £132.5M (as detailed in paragraph 4) and the associated use of resources.



- ii) To note the changes to the programme as summarised in Appendix 2 and described in detail in Appendix 3.
- iii) To note the slippage and re-phasing as described in detail in Appendix 3.
- iv) To add £2,652,000 to the Environment & Transport Capital Programme in 2014/15 for the Roads Programme, funded by direct revenue financing.
- v) To add £350,000 to the Environment & Transport Capital Programme in 2014/15 for the purchase of compact sweepers, funded by Council Resources.
- vi) To note that the revised General Fund Capital Programme is based on prudent assumptions of future Government Grants to be received, and that announcements made as part of the Comprehensive Spending Review for 2015/16 and the provisional local government finance settlement have been appropriately reflected in the proposed programme presented for approval.
- vii) To note that additional temporary borrowing taken out in 2010/11 and 2011/12 due to cash flow issues, now totalling £9.4M, is expected to be repaid by the end of 2014/15 when anticipated capital receipts are finally forecast to be received.
- viii) To note that in addition to the forecast capital receipts that are assumed as a key element of funding the capital programme presented for approval, there may be additional receipts which will flow from the sale of assets. It was anticipated that towards the end of 2013/14 it would be possible to better estimate the amount and timing of any forecast additional receipts but this cannot be completed until the disposal programme which is currently under review is finalised.
- ix) To note the financial and project issues which are set out in paragraphs 29 to 34 and detailed in Appendix 3 for each Portfolio.

89. HOUSING REVENUE ACCOUNT BUDGET REPORT AND BUSINESS PLAN  
 DECISION MADE: (Ref: CAB 13/14 12033)

On consideration of the report of the Cabinet Member for Resources, Cabinet agreed to recommend the following to Council:

- i) To thank the Tenant Resource Group for their input to the capital and revenue budget setting process and to note their endorsement of the recommendations set out in this report and also the broad support for the proposals received at the Tenants' Winter Conference.
- ii) To approve the following to calculate the dwelling rent increase from 1 April 2014:
  - That the standard increase applied to all dwelling rents should be 3.7% (RPI plus 0.5% as set out in paragraph 9), equivalent to an average increase of £2.91 per week; and
  - That dwelling specific rent restructuring adjustments should be made to give an additional increase in average rent levels of 3.25% (£2.55 per week), subject to the total increase from both elements not exceeding £10.00 per week for any individual property (as set out in paragraph 16).
- iii) To approve, based on the calculation set out in recommendation (ii) above, that with effect from the 1 April 2014, the current average weekly dwelling rent



figure of £78.53 should increase by 6.95%, which will equate to an average increase of £5.46 per week.

- iv) To note that the actual total increase in individual rents will vary by property as explained in paragraph 17.
- v) To note the following weekly service charges from 1 April 2014 based on a full cost recovery approach:
  - Digital TV £0.42 (unchanged from 2013/14)
  - Concierge £1.20 (unchanged from 2013/14)
  - Tower Block Warden charge £4.97 (unchanged from 2013/14)
- vi) To approve that the proposed service charges for supported accommodation, as set out in paragraph 33 of this report, should be used as the basis for consultation with tenants.
- vii) To note that a new cleaning charge for walk up blocks of £0.91 per week, approved in the February 2013 budget report, will be introduced from 1 April 2014.
- viii) To note that the charges for garages and parking spaces for 2014/15 will be increased by 3.2% in line with the increase in RPI used in the calculation of the increase in average rents.
- ix) To approve the Housing Revenue Account Revenue Estimates as set out in the attached Appendix 1.
- x) To approve the principle that the HRA Business Plan should have minimum 'borrowing headroom' of £6M, at the time of its annual approval by Council, as detailed in paragraph 8 of this report.
- xi) To approve the revised Housing Revenue Account Capital Programme set out in Appendix 2 and to note the key variances and issues in Appendix 3.
- xii) To approve the 30 year Business Plans for revenue and capital expenditure set out in Appendices 4 and 5 respectively.
- xiii) To note the HRA Business Plan assumptions set out in Appendix 6.
- xiv) To note that rental income and service charge payments will continue to be paid by tenants over a 48 week period.



# Agenda Item 8

|                               |  |                                       |                                  |
|-------------------------------|--|---------------------------------------|----------------------------------|
| <b>DECISION-MAKER:</b>        | <b>CABINET</b>   |                                       |                                  |
| <b>SUBJECT:</b>               | <b>REQUEST FOR VARIATION OF HACKNEY CARRIAGE FARES</b> |                                       |                                  |
| <b>DATE OF DECISION:</b>      | <b>18 MARCH 2014</b>                                   |                                       |                                  |
| <b>REPORT OF:</b>             | <b>HEAD OF LEGAL AND DEMOCRATIC SERVICES</b>           |                                       |                                  |
| <b><u>CONTACT DETAILS</u></b> |  |                                       |                                  |
| <b>AUTHOR:</b>                | <b>Name:</b>   | <b>Phil Bates</b>                     | <b>Tel:</b> <b>023 8083 3523</b> |
|                               | <b>E-mail:</b>   | <b>phil.bates@southampton.gov.uk</b>  |                                  |
| <b>Director</b>               | <b>Name:</b>   | <b>Director of Corporate Services</b> | <b>Tel:</b> <b>8083 2371</b>     |
|                               | <b>E-mail:</b>   | <b>mark.heath@southampton.gov.uk</b>  |                                  |

## **STATEMENT OF CONFIDENTIALITY**

None

## **BRIEF SUMMARY**

Cabinet is asked to consider two requests for the variation of the table of fares for the hire of hackney carriages and to determine whether to proceed to public consultation.

## **RECOMMENDATIONS:**

- (i) To consider and determine two requests for the variation of the table of fares for the hire of hackney carriages in Southampton
- (ii) If Cabinet is minded to vary the table of fares, to authorise the Head of Legal and Democratic Services to advertise any proposed variation in the table of fares and that subject to consideration of any objections by Cabinet resulting from the advertisement, the variation shall come into effect on 14 April 2014 or as soon as possible thereafter

## **REASONS FOR REPORT RECOMMENDATIONS**

1. The table of fares for the hire of hackney carriages in Southampton was last revised with effect from 17 May 2013.
2. With effect from 1 March 2014, Associated British Ports (ABP) has decided that it wishes to levy a charge of £1.00 to the driver for each hackney carriage hired from a Southampton cruise terminal to enable it to fund a taxi marshal scheme and thereby improve standards at the docks for its cruise passengers. For this charge to be lawfully recovered from the hirer, the table of fares must provide for it.
3. A request has also been received for additional variations to the table of fares from Mr. C. Johnson, on behalf of "the Southampton's Combined Taxi Trade". It is understood that this body comprises, Southampton UNITE Cab Branch,

Southampton Trade Association and Southampton Hackney Association, representing elements of the Southampton taxi trade.

4. The submission of requests for the variation of hackney carriage fares is not reserved to any particular group or individual and proposals can be submitted at any time. The council has discretion in determining whether or not to proceed to consult on any such proposal.

#### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

5. The council has discretion under section 65 of the Local Government (Miscellaneous Provisions) Act 1976 to set the fares for the hiring of hackney carriages within the city.
6. The alternative is for the council not to set a table of fares, but to allow individual drivers and proprietors to negotiate individual charges; no request has been made for consideration to be given to this course of action, and the option is not currently considered to be appropriate.

#### **DETAIL (Including consultation carried out)**

7. With effect from 1 March 2014 Associated British Ports has provided marshals to assist the movement of passengers to and from cruise ships attended by hackney carriages. To cover the costs of this, hackney carriage drivers are charged £1.00 by ABP to collect a fare from a cruise ship in Southampton docks. To allow drivers the opportunity to recover their costs it has been requested that an allowance is made in the table of fares to allow the fee to be recovered from the passenger.  
  
Separately, the trade request seeks to justify a general increase in the rates of fares for distance on the basis of the costs of running motor vehicles have increased significantly above the changes on the retail prices index and consumer prices index in the past 12 months.  
  
The table of fares for hackney carriages, last varied by the council with effect from 17 May 2013, is set out in appendix 1
8. The request from Mr. C. Johnson, on behalf of “the Southampton’s Combined Taxi Trade” is set out as appendix 2
9. A draft table of fares showing the effects of both proposals is set out in appendix 3.
10. It is important to note that the table of fares relates only to the hire of hackney carriages licensed by the council for the part of any hiring within the city, and charges may only be made in accordance with the table of fares. The basis for any additional charge for any part of a journey outside the city boundaries must be agreed with the passenger before the commencement of the journey. Charges for that part of such a journey cannot be controlled by the table of fares, but must be the subject of a contract between the vehicle proprietor or their agent and the hirer, agreed before the commencement of the journey.
11. The existing and proposed tariffs represent the maximum fares that may be lawfully charged for the hire of hackney carriages within Southampton. It should be noted that any proprietor or driver of a licensed hackney carriage might lawfully charge lower fares if they so wish, but may not exceed the tariffs set by the council or make any charge for an item not appearing on the

table of fares

12. In considering the request, matters relating to any aspect of the private hire trade cannot be considered, because, as a matter of law, fares for the hire of private hire vehicles cannot be regulated. Fares for the hire of private hire vehicles must be agreed with passengers before the commencement of each journey. Many proprietors and drivers of private hire vehicles choose to follow the hackney carriage table of fares in charging their customers, but a significant proportion choose not to do so.
13. The effect of the first proposal is to vary the fares by adding to the fare chart: "Cruise terminals – if hired from a marshalled cruise terminal rank, per hiring: £1.00."
14. In summary, the effect of the Combined Taxi Trade's proposals is to vary the initial fares as follows: (figures in parentheses refer to the charge for more than four passengers):
15.
  - for a day-time hiring from £2.60 to £2.80 (£4.60 to £4.80)
  - for a night-time hiring from £3.45 to £3.70 (£5.45 to £5.70)
  - for a day-time hiring on Sundays, Bank Holidays and 1<sup>st</sup> January from £3.60 to £3.80 (£5.60 to £5.80)
  - for a hiring at Christmas from £3.90 to £4.20 (£5.90 to £6.20)
  - for a hiring at New Year from £5.20 to £5.60 (£7.20 to £7.60)
16. It is proposed that for all hirings the basis of calculation of fares for distance travelled will remain at 110 metres/120 yards up to the first 330 metres/361 yards) (previously 440 metres/481 yards) but that thereafter, the distance increment will reduce from 200 metres/219 yards to 195 metres/213 yards.
17. The proposals retain the current monetary increments in fares for each distance travelled as follows:
 

|            |       |           |       |
|------------|-------|-----------|-------|
| Daytime    | £0.20 | Christmas | £0.30 |
| Night-time | £0.25 | New Year  | £0.40 |
18. There are no proposals to alter the basis for the calculation of fares by time ("waiting time") currently set at 36 seconds.
19. No proposal is made to alter the additional charge of £2.00 per hiring where more than four passengers are carried.
20. These proposals would result in the following variations in fares for the example distances travelled:

| Miles<br>(Km)              | 1<br>(1.6 km) | 3<br>(4.8 km) | 5<br>(8 km)  | 10<br>(16.1 km) | Time<br>(hour) |
|----------------------------|---------------|---------------|--------------|-----------------|----------------|
| Current daytime rate       | £4.40         | £7.60         | £11.00       | £19.00          | £20.00         |
| Proposed (1-4 passengers)  | £4.60         | £8.00         | £11.20       | £19.40          | £20.00         |
| <i>Percentage increase</i> | <i>4.35%</i>  | <i>5.00%</i>  | <i>1.79%</i> | <i>2.06%</i>    | <i>0.00%</i>   |
| Current night-time rate    | £5.70         | £9.70         | £13.95       | £23.95          | £25.00         |
| Proposed (1-4 passengers)  | £5.95         | £10.20        | £14.20       | £24.45          | £25.00         |

| Percentage increase | 4.20% | 4.90% | 1.76% | 2.04% | 0.00% |
|---------------------|-------|-------|-------|-------|-------|
|---------------------|-------|-------|-------|-------|-------|

21. The average fare paying journey for a Southampton licensed hackney carriage is reputed to be just over three miles.
22. The last variation in hackney carriage fares took effect from 17 May 2013. The Office for National Statistics (ONS) indicates that, for the 12 months including January 2014, the increase in the Consumer Prices Index (CPI) was 1.9% and that for the Retail Prices Index (RPI) was 2.8%. The ONS indicates in "Consumer price Inflation, January 2014" that the formulae used to calculate the RPI do not meet the international standards.
23. There is no proposal to alter the basis of the fares charged for Sunday, Bank and public holiday journeys (commencing between 06:00 am and 11:00 pm), save that the underlying daytime rate (Tariff 1) is proposed to increase. Equally, No proposals have been made to alter the basis for the calculation Christmas tariff, which is 1 ½ times the daytime rate or the basis for the calculation of the New Year tariff which is twice the daytime rate, which is proposed to increase. No proposals have been submitted to amend the £70.00 soiling charge or the additional charge for crossing the Itchen Bridge which amounts to a sum equivalent to the toll paid.
24. Additional charges for facilities for the payment of fares by debit and credit cards cannot lawfully be demanded of the hirer of the hackney carriage without provision for such a charge being in the table of fares. The provision for such charges in the table of fares complies with the requirements of the Consumer Rights (Payment Surcharges) Regulations 2012.
25. In order to give effect to a variation in the table of fares, beyond the charge for cruise passenger hirings, individual hackney carriage proprietors would need to have their taximeters re-set, at an approximate minimum cost of £20.00 - £25.00 per meter, payable by the proprietors of the vehicles.
26. This report represents the first step in a process of determining the proposals. The council has discretion in varying the table of fares, and need not be bound by the request submitted on behalf of the trade. In addition, the council cannot fetter its discretion by agreeing future fare structures or formulae for their calculation. The legislation prescribes a procedure which consists of a determination of the request to vary of the table of fares and the advertisement of the proposal in a newspaper circulating in the area. A minimum period of 14 days must be allowed from the date of the advertisement for the receipt of written representations and objections. It is recommended that a period of 14 days be given for objections. Objections may be made by anyone, and are not limited to those involved in the hackney carriage trade in the city. If objections are made and not withdrawn, Cabinet must consider them and determine whether to confirm the varied table of fares, with or without modifications, and set a date for any varied table of fares to come into effect. If Cabinet is minded to vary the table of fares, any objections will be reported back following advertisement for consideration, but, if no objections are received, the Head of Legal and Democratic Services recommends that any variation should come into force on the 14 April 2014 or as soon as possible thereafter.
27. Following the determination of any objections or, if none are received, before

the new table of fares is implemented, arrangements will need to be made by the Licensing Team and the suppliers of taximeters and their agents for the variation to be effected and fare charts printed. This represents:-

- 18 March 2014. consideration and initial decision
- 28 March 2014 newspaper advertisement (Hampshire Independent)
- 11 April 2014 close of objection period (14 days)
- 15 April 2014 new table of fares in force, if no objections made
- 15 April 2014 consideration by Cabinet of any objections
- 28 April 2014 amended table of fares (if any) in force following objections

28. The officers' view is that the first request, in respect of the ABP charges, is reasonable. Although the trade's request appears to be acceptable in principle, it fails to take the opportunity to propose structural alterations to the somewhat complex table of fares so as to provide clarity for passengers as to the lawful charges which may be made for hire of hackney carriages.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

29. The work involved for the Licensing Team in bringing a variation of the table of fares into effect, the statutory advertisement of the proposals and printing of fare charts for hackney carriages must be contained within existing resources and budgets and charged against the income arising from hackney carriage licences. There is no power to make a separate charge for this process.
30. There are no capital costs associated with this proposal.

### **Property/Other**

31. None.

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

32. Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 gives the council power to determine hackney carriage fares.
33. The Local Authorities (Functions and Responsibilities) (England) Regulations 2000 (as amended) indicate that setting of hackney carriage fares is a matter for the executive. This position has previously been unclear until clarified by recent case law.
34. Section 17 of the Crime and Disorder Act 1998 places the council under a duty to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area.
35. The Human Rights Act 1998 requires UK legislation to be interpreted in a manner consistent with the European Convention on Human Rights. It is unlawful for the council to act in a way that is incompatible (or fail to act in a way that is compatible) with the rights protected by the Act. Any action undertaken by the council that could have an effect upon another person's

Human Rights must be taken having regard to the principle of Proportionality - the need to balance the rights of the individual with the rights of the community as a whole. Any action taken by the council which affect another's' rights must be no more onerous than is necessary in a democratic society. The matter set out in this report must be considered in light of the above obligations.

**Other Legal Implications:**

- 36. The council would be acting beyond its powers if it were to seek to fetter its discretion by fixing the period of review for fares or by fixing a particular formula for any future variations of fares. However, this does not preclude individuals or a trade association from making requests for variation, or from producing whatever evidence they think fit in support of any proposal.
- 37. The prime purpose in licensing hackney carriages and associated regulation, such as the setting of fares for the hire of hackney carriages, is the protection of the public, not to provide employment or guarantee income for individuals involved in the trade.
- 38. If no objections are made to the proposals following the advertisement, the varied table of fares could come into force at the end of the period specified in the Notice mentioned above, or if objections were made, on such other date as may be fixed. This must be no later than two months after the last date for making objections.

**POLICY FRAMEWORK IMPLICATIONS**

- 39. The decision to determine the application in the manner set out in this report is not contrary to the council's policy framework.

**KEY DECISION?** No

|                                    |                |
|------------------------------------|----------------|
| <b>WARDS/COMMUNITIES AFFECTED:</b> | Not applicable |
|------------------------------------|----------------|

**SUPPORTING DOCUMENTATION**

**Appendices**

|    |  |
|----|--|
| 1. | Current table of fares   |
| 2. | Request from Mr. C. Johnson, on behalf of "the Southampton's Combined Taxi Trade". |
| 3. | Draft table of fares, taking into account all proposals.                           |

**Documents In Members' Rooms**

|    |      |
|----|------|
| 1. | None |
| 2. |      |

**Equality Impact Assessment**

|  |    |
|--|----|
| Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out. | No |
|--|----|



**Other Background Documents**

**Equality Impact Assessment and Other Background documents available for inspection online (see link below):**

Title of Background Paper(s)

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

|    |  |                |
|----|--|----------------|
| 1. | <a href="#">Consumer Price Inflation, January 2014</a> | Not applicable |
| 2. |  |                |





# MAXIMUM TABLE OF FARES inclusive of VAT where applicable

**Passengers are only obliged to pay the fare shown on the meter except where a surcharge for journeys ending outside the city has been agreed before the hiring commences**

**The driver must carry an assistance dog at no extra charge – Equality Act 2010, section 168**

**Any complaints about the hiring of this vehicle or the conduct of the driver should be sent in writing to the Licensing Team at the address below, if possible quoting the vehicle and driver licence numbers**

## **TARIFF 1 – Daytime – for any hiring begun after 6.00 a.m. and before 11.00 p.m. except as in Tariffs 3, 4 and 5 below**

- |   |              |
|---|--------------|
| (a) For the first 110 metres (120.3 yards) or part thereof:   | <b>£2.60</b> |
| (b) For the each subsequent 110 metres (120.3 yards) or part thereof to a maximum total distance travelled of 440 metres (481.2 yards): | <b>£0.20</b> |
| (c) For each subsequent 200 metres (218.7 yards) or part thereof thereafter:  | <b>£0.20</b> |
| (d) Waiting Time – For each period of thirty-six seconds or part thereof:   | <b>£0.20</b> |

## **TARIFF 2 – Night-Time – for any hiring begun after 11.00 p.m. and before 6.00 a.m. except as in Tariffs 4 and 5 below**

- |   |              |
|---|--------------|
| (a) For the first 110 metres (120.3 yards) or part thereof:   | <b>£3.45</b> |
| (b) For the each subsequent 110 metres (120.3 yards) or part thereof to a maximum total distance travelled of 440 metres (481.2 yards): | <b>£0.25</b> |
| (c) For each subsequent 200 metres (218.7 yards) or part thereof thereafter:  | <b>£0.25</b> |
| (d) Waiting Time – For each period of thirty-six seconds or part thereof:   | <b>£0.25</b> |

## **TARIFF 3 – Sundays, Bank and Public Holidays**

Except as in Tariff 4 below, for any hiring begun after 6.00 a.m. and before 11.00 p.m. on a Sunday, Good Friday, a Bank or Public Holiday, or 1st January, Tariff 1 above plus a surcharge, per hiring, of: **£1.00**

## **TARIFF 4 – Christmas**

For any hiring begun after 11.00 p.m. on the 24th December and before 6.00 a.m. on the 27th December: **One and a half times the rate of Tariff 1**

## **TARIFF 5 – New Year's Eve**

For any hiring begun after 11.00 p.m. on the 31st December and before 6.00 a.m. on the 1st January: **Twice the rate of Tariff 1**

## **Additional Charges**

**MORE THAN 4 PASSENGERS** – If more than four passengers are carried, **£2.00** per hiring

**CARD PAYMENT** – If payment is made by credit or debit card, a sum not exceeding that permitted by law shall be added to the fare

**ITCHEN BRIDGE TOLLS** – If a toll is payable for crossing the Itchen Bridge, a sum equivalent to the toll paid

**SOILING CHARGE** – If the hackney carriage is soiled by a passenger or an animal: **£70.00**

Licensing Team, PO Box 1767, Southampton SO18 9LA  
licensing@southampton.gov.uk – www.southampton.gov.uk/licensing

RICHARD IVORY  
Head of Legal, HR & Democratic Services

17th May 2013

This page is intentionally left blank

**Southampton's Combined Taxi Trade's Proposed Variation of the Hackney Carriage Table of Fares for 2014**

February 2014

Southampton's Combined Taxi Trade that represents the Southampton Trade Association (STA), Southampton Hackney Association (SHA) and the Unite Union Cab Section is requesting the following increase to the Southampton City Council Table of Fares.

Although the Consumer Price Index (CPI) stated in December 2013 inflation was at 2% and the Retail Price Index (RPI) stated in December inflation was at 2.7% and that may be the case across certain selected items for the general public, for anyone running motor vehicle the picture is somewhat different. For the Taxi Trade the main concerns that effect its survival are items such as fuel, insurance, licensing, servicing and the replacement costs of the vehicles themselves. Of those items the only category that has reduced slightly is the fuel costs and although this is a major part of the Taxi Trade's expenses, this reduction has been more than over taken by increasing cost in all the other categories. For example insurance costs have increased by 7.5% over the last year and servicing costs by 9.5%.

The Taxi Trade being more in touch with the general public realise that the strain on the public's finances is still high for everyone but it still needs to maintain the standards expected of it. Therefore a small increase is necessary to keep pace with current costs.

The tariff variation the Combined Taxi Trade is proposing will increase the overall cost of a journey by no more than 3% no matter how far the journey travels. The Taxi Trade also feel that the travelling public will understand the need for a small increase because of the pressure on the drivers. This fare variation has been constructed to make only a small change to the current tariff structure and all taximeters should be able to make the changes easily.

The proposed increase to the structure is that the initial displayed fare during the Day Time Tariff (Tariff 1) should be increased by 0.20p to £2.80 followed by a reduced three 110 metre drops of £0.20 and then every subsequent £0.20p drop after the first 330 metres would also be reduced by 5 metres to 195 metres. The Night Time Tariff (Tariff 2) would follow the same drop sequence and measurements and the initial displayed fare would also be increased by £0.25p to £3.70 and each subsequent drop remains at £0.25.

The current waiting time will not change as well as the Sunday and Bank Holiday Tariffs. The Trade also propose that the current Tariff for Christmas and New Year will also remain the same as well as the soiling charge and the multi seat vehicle charge over 4 passengers.

There is a cost to increase the tariffs in the taximeters and prices do vary but we estimate that cost can be recouped in between 10 to 12 days as the increase on the average 3 mile journey is 22p and most drivers will do at least 10 journeys per day.

Yours sincerely

Mr C Johnson  
Chairman  
On behalf of the Southampton's Combined Taxi Trade

This page is intentionally left blank



**Proposed MAXIMUM TABLE OF FARES** inclusive of VAT where applicable

**Passengers are only obliged to pay the fare shown on the meter except where a surcharge for journeys ending outside the city has been agreed before the hiring commences**

**The driver must carry an assistance dog at no extra charge – Equality Act 2010, section 168**

**Any complaints about the hiring of this vehicle or the conduct of the driver should be sent in writing to the Licensing Team at the address below, if possible quoting the vehicle and driver licence numbers**

**TARIFF 1 – Daytime – for any hiring begun after 6.00 a.m. and before 11.00 p.m. except as in Tariffs 3, 4 and 5 below**

- (a) For the first 110 metres (120.3 yards) or part thereof: **£2.60**
- (b) For the each subsequent 110 metres (120.3 yards) or part thereof to a maximum total distance travelled of 330 metres (360.9 yards): **£0.20**
- (c) For each subsequent 195 metres (213.3 yards) or part thereof thereafter: **£0.20**
- (d) Waiting Time – For each period of thirty-six seconds or part thereof: **£0.20**

**TARIFF 2 – Night-Time – for any hiring begun after 11.00 p.m. and before 6.00 a.m. except as in Tariffs 4 and 5 below**

- (a) For the first 110 metres (120.3 yards) or part thereof: **£3.45**
- (b) For the each subsequent 110 metres (120.3 yards) or part thereof to a maximum total distance travelled of 330 metres (360.9 yards): **£0.25**
- (c) For each subsequent 195 metres (213.3 yards) or part thereof thereafter: **£0.25**
- (d) Waiting Time – For each period of thirty-six seconds or part thereof: **£0.25**

**TARIFF 3 – Sundays, Bank and Public Holidays**

Except as in Tariff 4 below, for any hiring begun after 6.00 a.m. and before 11.00 p.m. on a Sunday, Good Friday, a Bank or Public Holiday, or 1st January, Tariff 1 above plus a surcharge, per hiring, of: **£1.00**

**TARIFF 4 – Christmas**

For any hiring begun after 11.00 p.m. on the 24th December and before 6.00 a.m. on the 27th December: **One and a half times the rate of Tariff 1**

**TARIFF 5 – New Year’s Eve**

For any hiring begun after 11.00 p.m. on the 31st December and before 6.00 a.m. on the 1st January: **Twice the rate of Tariff 1**

**Additional Charges**

**MORE THAN 4 PASSENGERS** – If more than four passengers are carried, per hiring:

**CARD PAYMENT** – If payment is made by credit or debit card, a sum not exceeding that permitted by law shall be added to the fare:

**ITCHEN BRIDGE TOLLS** – If a toll is payable for crossing the Itchen Bridge, a sum equivalent to the toll paid

**CRUISE TERMINALS** – if hired from a marshalled cruise terminal rank, per hiring:

**SOILING CHARGE** – If the hackney carriage is soiled by a passenger or an animal:

Licensing Team, PO Box 1767, Southampton SO18 9LA  
 licensing@southampton.gov.uk – www.southampton.gov.uk/licensing

RICHARD IVORY  
 Head of Legal and Democratic Services

[date of implementation]

Agenda Item 8  
 Appendix 3

This page is intentionally left blank



# Agenda Item 9

|                               |   |  |                           |
|-------------------------------|---|--|---------------------------|
| <b>DECISION-MAKER:</b>        | CABINET   |  |                           |
| <b>SUBJECT:</b>               | ENVIRONMENT AND TRANSPORT CAPITAL PROGRAMME 2014/15 – APPROVAL TO SPEND |  |                           |
| <b>DATE OF DECISION:</b>      | 18 MARCH 2014   |  |                           |
| <b>REPORT OF:</b>             | CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT                            |  |                           |
| <b><u>CONTACT DETAILS</u></b> |   |  |                           |
| <b>AUTHOR:</b>                | <b>Name:</b>  | <b>John Harvey</b>   | <b>Tel:</b> 023 8083 3927 |
|                               | <b>E-mail:</b>  | <a href="mailto:John.harvey@southampton.gov.uk">John.harvey@southampton.gov.uk</a> |                           |
| <b>Director</b>               | <b>Name:</b>  | <b>Stuart Love</b>   | <b>Tel:</b> 023 8091 7713 |
|                               | <b>E-mail:</b>  | <a href="mailto:Stuart.love@southampton.gov.uk">Stuart.love@southampton.gov.uk</a> |                           |

## STATEMENT OF CONFIDENTIALITY

Not applicable

## BRIEF SUMMARY

This report seeks approval to spend and provides details of the Environment and Transport Capital Programme in 2014/15

## RECOMMENDATIONS:

- (i) To approve capital variations to the Environment and Transport Capital Programme, totalling £1,176,000 in 2014/15, as detailed in Appendix 4.
- (ii) To approve the addition of £620,000 to the Environment and Transport Capital Programme for the Highways Improvements (Developers) scheme, to be funded from S106 developer contributions, as detailed in Appendix 4.
- (iii) To approve, in accordance with Financial Procedure Rules, capital expenditure of £6,176,000 in 2014/15, as detailed in Appendix 2, from the total Environment and Transport Capital Programme of £24,517,000.
- (iv) To note the detail of the projects within the Environment and Capital Programme for 2014/15 to be approved by this report, as set out in Appendix 3.
- (v) To note the intervention levels for highways maintenance defects in Appendix 5 and agree that these should be retained.

## REASONS FOR REPORT RECOMMENDATIONS

1. Financial Procedure Rules require that approval to spend is secured to enable the delivery of the Council's Capital Programme each year.
2. The details of the projects are included to provide Members with relevant information.

3. To amend the funding allocations in response to the latest Transport Asset Management priorities for road surfacing projects and to enhance the Eastern Cycle Route project.
4. It is good practice to review maintenance defect intervention levels regularly to confirm they are appropriate.

### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

5. The proposed programme is fully funded and is based on available funding levels.
6. A smaller programme than that proposed would undermine the essential support for the ongoing development of the City, fail to meet the objectives set out in the Local Transport Plan (LTP3), or deliver any noticeable improvement in the basic highway infrastructure.

### **DETAIL (Including consultation carried out)**

7. The Environment and Transport Capital Programme for 2013/14 included the delivery of a number of high profile highway infrastructure schemes such as:
  8.
    - Platform Road Phase 1 including new access into Dock gate 4 (P4P)
    - Phase 1 of Bridge Maintenance works to key infrastructure (B2P)
    - Completion of Saltmarsh Road cycle junction
    - Commencement of Station Quarter Public Realm improvements
    - Implementation of a “slips and trips” initiative across the City
    - Completion of Redbridge roundabout improvements
    - 6.5 miles of road surfacing improvements
  9. The Council is continuing to invest in the highway and Public Realm Infrastructure of the City to help offset the continuing deterioration of the City’s roads and footways.
  10. The Transport Asset Management Plan (TAMP) and Local Transport Plan (LTP3) have provided the priority for highways spend and the supporting transportation policies. Individual consultation will be undertaken on each project using the agreed consultation strategy.
  11. The overall programme proposed for 2014/15 totals £24,517,000.
  12. Appendix 1 shows how the programme is funded.
  13. Appendix 2 shows the Block Headings and the proposed spend by scheme, showing where approvals to spend are sought.
  14. Appendix 3 shows scheme descriptions and individual projects to be approved as part of this report.
  15. Appendix 4 shows the details of the variations and additions to the programme. These are explained in the following paragraphs.
  16. A sum of £432,000 of revenue resources is to be added to the Principal, Classified and Road Improvements schemes and will go towards delivering surfacing projects on Millbrook Roundabout slip road, Northam Road and Thomas Lewis Way. Funding for this will be from unallocated Highways

Risk Fund and from Unclassified Roads. The Unclassified Roads programme will be unaffected. This virement will result in a balanced Transport Asset Management Plan driven programme designed to maximise the life of the highways assets. Details of the individual surfacing projects are shown in Appendix 3.

17. A sum of £150,000 of Government Grant is to be added to the Cycling Initiatives scheme and will go towards delivering further phases of the Eastern Corridor Cycle Route including elements of Central Bridge and Terminus Terrace where innovative solutions are required. Funding for this will be from unallocated LSTF Government Grant for Smart Ticketing, which can be used for other initiatives within the LSTF funded “A better connected South Hampshire” programme. The smart ticketing programme will be unaffected.
18. A sum of £160,000 of LTP Government Grant is to be added to the Other Highways (£100,000) and Highways Drainage (£60,000) and will go towards delivering low cost highways improvements and treatment of drainage problems on the network. Funding for this will be from Unclassified Roads. The Unclassified Roads programme will be unaffected following receipt of lower target costs from the council’s partner. The same volume of work will be delivered.
19. A sum of £434,000 of LTP Government Grant is to be added to Improved Safety (£110,000), Cycling Improvements (£208,000) and City Centre Improvements (£116,000) and will go towards road safety engineering and match funding LSTF cycle improvements as well funding city centre enhancement schemes such as south of station. Funding for this will be from unallocated projects within area based schemes and public transport.
20. A sum of £620,000 of external contributions (S106) is to be added to the Highways Improvements Developers scheme to deliver developer contribution funded low cost minor works in 2014/15.
21. The very strong link between the level of highway maintenance investment and overall road condition means that this report provides the opportunity to review the intervention levels for road maintenance defects. It is good practice for the Council to review these intervention levels each year and these are attached at Appendix 5. It is not proposed to amend these intervention levels which are a cornerstone of the Highways Service Partnership with Balfour Beatty Living Places.
22. The Environment and Transport Portfolio Capital Board has an overarching responsibility for the delivery of the Environment and Transport Capital Programme whilst individual Boards manage the interface for delivery with the partner contractors, review progress and performance and reports exceptions.
23. All Projects in the programme are managed through the corporate Project Management System, “PM Connect” which facilitates the financial and timely delivery of individual projects within the overall programme. All projects will have an approved Project Initiation Document including authority to deliver, prior to commencement of any works.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

24. The Capital Programme for Environment and Transport Portfolio in 2014/15 will be £24,517,000. This is £620,000 higher than the budget approved by Council on 12<sup>th</sup> February 2014, due to the addition of S106 developer contributions. A number of virements between schemes are also recommended, as set out in Appendix 4.
25. This capital expenditure can be fully funded as detailed in Appendix 1.
26. Some of this expenditure has been previously approved as indicated by the 'status of approval' column in Appendix 2.
27. This report seeks Cabinet approval to spend for capital expenditure of £6,176,000 in 2014/15, in accordance with Financial Procedure Rules and as detailed in Appendix 3.
28. Subject to no increase in maintenance levels, the ongoing revenue consequences of these schemes can be accommodated within existing budgets.

### **Property/Other**

29. There are no property implications as a result of this report.

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

30. Each Capital scheme will be delivered in accordance with a variety of Highways and Environmental legislation, including but not limited to:- the Highways Act 1980, Road Traffic Regulation Act 1994, Traffic Management Act 2004, and s.1 Localism Act 2011.

### **Other Legal Implications:**

31. Procurement of Schemes will be carried out in accordance with the Council's procurement strategy, existing and newly procured partnership contracts and in accordance with National and European procurement legislation and directives. Design and implementation of schemes will take into account the provisions of s.17 Crime and Disorder Act 1998 and the impact of schemes on individuals and communities will be assessed against Human Rights Act 1998 and Equalities legislation provisions.

## **POLICY FRAMEWORK IMPLICATIONS**

32. The Capital Programme is compatible with the objectives of the Community Strategy.
33. The City Council is a Local Transport Authority as laid down in the Transport Act 2000 and the Council's relevant Policy Framework is the City of Southampton Local Transport Plan (LTP3).
34. The importance of the condition of the highway network in terms of defects, as well as its ability to assist in providing high quality transport for all modes, cannot be understated in terms of providing an indication of the health and vitality of the City. Increased investment by the Council can only signal to

businesses and residents that Southampton is a location to invest and commit to. Getting this message clearly across to key stakeholders in the City will be a priority once the programme is approved.

**KEY DECISION?** Yes

|                                    |     |
|------------------------------------|-----|
| <b>WARDS/COMMUNITIES AFFECTED:</b> | All |
|------------------------------------|-----|

**SUPPORTING DOCUMENTATION**

**Appendices**

|    |   |
|----|---|
| 1. | Environment & Transport Capital Programme – Sources of Funding 2014/15            |
| 2. | Environment & Transport Capital Programme – Approval to spend 2014/15             |
| 3. | Environment & Transport Capital Programme – Description of Schemes 2014/15        |
| 4. | Variations and additions to the Environment & Transport Capital Programme 2014/15 |
| 5. | Highways intervention levels for defects  |

**Documents In Members' Rooms**

|    |   |
|----|---|
| 1. | The City of Southampton Local Transport Plan (LTP3)     |
| 2. | The City of Southampton Transport Asset Management Plan |

**Equality Impact Assessment**

|  |                       |
|--|-----------------------|
| Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out. | Yes (for each scheme) |
|--|-----------------------|

**Other Background Documents**

**Equality Impact Assessment and Other Background documents available for inspection at:**

| Title of Background Paper(s) | Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable) |
|------------------------------|--|
|------------------------------|--|

|    |      |  |
|----|------|--|
| 1. | None |  |
|----|------|--|

This page is intentionally left blank

# Agenda Item 9

Appendix 1

**Environment & Transport Capital Programme**  
**Sources of Funding 2014/15**

| <b>FUNDING STREAM</b>        | <b>APPROVAL TO SPEND SOUGHT - CAPITAL FUNDING 2014/15</b> | <b>PREVIOUS APPROVAL TO SPEND CAPITAL FUNDING 2014/15</b> | <b>CAPITAL EXPENDITURE APPROVAL NOT SOUGHT 2014/15</b> | <b>TOTAL CAPITAL FUNDING 2014/15</b> |
|------------------------------|---|---|--|--------------------------------------|
|                              | <b>£000</b>   | <b>£000</b>   | <b>£000</b>  | <b>£000</b>                          |
| <b>LTP Government Grants</b> | 2,887   | 3,326   | 186  | 6,399                                |
| <b>Council Borrowing</b>     | 0   | 42  | 0  | 42                                   |
| <b>S106 Contributions</b>    | 805   | 2,341   | 0  | 3,146                                |
| <b>Government Grants</b>     | 0   | 12,386  | 0  | 12,386                               |
| <b>Revenue</b>               | 2,484   | 0   | 60   | 2,544                                |
| <b>Total Funding 2014/15</b> | <b>6,176</b>  | <b>18,095</b>   | <b>246</b>   | <b>24,517</b>                        |

This page is intentionally left blank



# Agenda Item 9

## Appendix 2

### ENVIRONMENT AND TRANSPORT CAPITAL PROGRAMME SCHEMES APPROVAL TO SPEND 2014/15

| BLOCK   | SCHEMES HEADING                       | CAPITAL EXPENDITURE<br>2014/15<br>£000 | APPROVAL TO SPEND<br>SOUGHT IN THIS REPORT<br>£000 | APPROVAL TO SPEND<br>NOT YET SOUGHT<br>£000 | STATUS OF APPROVAL<br>A/ U |
|---|---------------------------------------|--|--|---|----------------------------|
| Active Travel   | Cycling Improvements                  | 1,175                                  | 150  | 0   | A/U                        |
|   | <b>Active Travel Total</b>            | <b>1,175</b>                           | <b>150</b>   | <b>0</b>                                    |                            |
| <i>(schemes that promote walking and cycling as active modes of travel)</i>                     |                                       |  |  |   |                            |
| Improved Safety   | Improved Safety                       | 505                                    | 355  | 0   | A/U                        |
|   | <b>Improved Safety Total</b>          | <b>505</b>                             | <b>355</b>   | <b>0</b>                                    |                            |
| <i>(schemes designed to specifically reduce road traffic accidents and improve road safety)</i> |                                       |  |  |   |                            |
| Public Transport  | Public Transport                      | 4,114                                  | 202  | 186   | A/U                        |
|   | <b>Public Transport Total</b>         | <b>4,114</b>                           | <b>202</b>   | <b>186</b>                                  |                            |
| <i>(schemes and initiatives to promote public transport usage)</i>                              |                                       |  |  |   |                            |
| Travel Planning   | Smarter Travel Choices                | 242                                    | 80   | 0   | A/U                        |
|   | <b>Travel Planning Total</b>          | <b>242</b>                             | <b>80</b>  | <b>0</b>                                    |                            |
| <i>(schemes to influence travel behaviour)</i>  |                                       |  |  |   |                            |
| Accessibility   | Accessibility                         | 266                                    | 155  | 0   | A/U                        |
|   | <b>Accessibility Total</b>            | <b>266</b>                             | <b>155</b>   | <b>0</b>                                    |                            |
| <i>(schemes designed to improve access to services around the City)</i>                         |                                       |  |  |   |                            |
| Highways Other  | Other Highways                        | 100                                    | 100  | 0   | U                          |
|   | Highways Drainage                     | 60                                     | 60   | 0   | U                          |
|   | <b>Highways Other Total</b>           | <b>160</b>                             | <b>160</b>   | <b>0</b>                                    |                            |
| <i>(schemes to improve the highway that do not easily fall into other categories)</i>           |                                       |  |  |   |                            |
| Bridges   | Bridges to Prosperity                 | 3,020                                  | 0  | 0   | A                          |
|   | <b>Bridges Total</b>                  | <b>3,020</b>                           | <b>0</b>   | <b>0</b>                                    |                            |
| <i>(schemes to inspect, maintain and improve the Councils 200+ structures)</i>                  |                                       |  |  |   |                            |
| Roads   | Classified Roads                      | 1,195                                  | 1,082  | 0   | A/U                        |
|   | Unclassified Roads                    | 1,440                                  | 1,240  | 0   | A/U                        |
|   | Principal Roads                       | 1,411                                  | 1,411  | 0   | U                          |
|   | Highways Improvements Developers      | 620                                    | 620  | 0   | U                          |
|   | Highways Maintenance Risk Fund        | 60                                     | 0  | 60  | U                          |
|   | Roads Improvements                    | 60                                     | 60   | 0   | U                          |
|   | <b>Roads Total</b>                    | <b>4,786</b>                           | <b>4,413</b>                                       | <b>60</b>                                   |                            |
| <i>(schemes to improve the network and infrastructure of the highway)</i>                       |                                       |  |  |   |                            |
| Network Management  | ITS                                   | 1,109                                  | 336  | 0   | A/U                        |
|   | <b>Network Management Total</b>       | <b>1,109</b>                           | <b>336</b>   | <b>0</b>                                    |                            |
| <i>(schemes designed to keep the city moving)</i>   |                                       |  |  |   |                            |
| Public Realm  | Platform for Prosperity               | 5,926                                  | 0  | 0   | A                          |
|   | North Of Station                      | 1,563                                  | 0  | 0   | A                          |
|   | Centenary Quay                        | 1,234                                  | 0  | 0   | A                          |
|   | City Centre Improvements              | 335                                    | 325  | 0   | A/U                        |
|   | <b>Public Realm Total</b>             | <b>9,058</b>                           | <b>325</b>   | <b>0</b>                                    |                            |
| <i>(schemes to improve the environment and street scene of the city)</i>                        |                                       |  |  |   |                            |
| General Environment   |                                       |  |  | 0   |                            |
|   | Itchen Bridge Toll Automation Project | 40                                     | 0  | 0   | A                          |
|   | Crematorium Major Works               | 42                                     | 0  | 0   | A                          |
| <b>General Environment Total</b>  | <b>82</b>                             | <b>0</b>                               | <b>0</b>   |   |                            |
| <i>(major environment projects)</i>   |                                       |  |  |   |                            |
| <b>TOTAL</b>  |                                       | <b>24,517</b>                          | <b>6,176</b>                                       | <b>246</b>                                  |                            |

#### Key:

U - Unapproved - at present this scheme has not been approved to spend  
A - Approved - previously approved capital expenditure

This page is intentionally left blank

**ENVIRONMENT AND TRANSPORT CAPITAL PROGRAMME**  
**DESCRIPTION OF SCHEMES 2014/15**

| SCHEME HEADING                | CAPITAL EXPENDITURE TO APPROVE BY SCHEME 2014/15<br>£000 | COMPRISING THESE INDIVIDUAL PROJECTS   | DESCRIPTION OF SCHEME   |
|-------------------------------|--|--|---|
| Cycling Improvements          | 150  | Cycling - Cycle Parking On Street<br>Threefield Lane Cycle Link<br>Thomas Lewis Way Cycle Facilities | Measures to promote cycling, deliver improvements on site and ensure that quality monitoring is carried out.                                  |
| <b>Active Travel Total</b>    |  |  |   |
| Improved Safety               | 355  | Road Safety Partnership<br>Improved Safety - Engineering 2014/15<br>Improved Safety - Promotion etc  | Contribution to the Road safety Partnership, engineering measures and safety promotion activities.  |
| <b>Improved Safety Total</b>  |  |  |   |
| Public Transport              | 202  | Traveline (PTI 2005)<br>Southampton Strategic Bus Partnership  | Development of information services<br>Bus corridor improvements  |
| <b>Public Transport Total</b> |  |  |   |
| Smarter Travel Choices        | 80   | School Travel Incentives<br>Travel Planning - Site Specific Advice                                   | Measures to ensure safety around schools and promote sustainable travel choices.<br>Incentives for business to produce voluntary travel plans |
| <b>Travel Planning Total</b>  |  |  |   |
| Accessibility                 | 155  | Minor Schemes Programme<br>Legible Cities Phase 5  | Spend linked to Council priorities<br>Continued roll-out of Legible City signing in areas of the city centre not yet covered by the network   |
| <b>Accessibility Total</b>    |  |  |   |

**ENVIRONMENT AND TRANSPORT CAPITAL PROGRAMME**  
**DESCRIPTION OF SCHEMES 2014/15**

| SCHEME HEADING              | CAPITAL EXPENDITURE TO APPROVE BY SCHEME 2014/15<br>£000 | COMPRISING THESE INDIVIDUAL PROJECTS  | DESCRIPTION OF SCHEME   |
|-----------------------------|--|---|---|
| Other Highways              | 100  | Other Minor Works   | Spend linked to Council priorities<br>These works will be to resolve areas identified as having drainage problems either through highway inspection or via the Surface Water Management Plan report.                        |
| Highways Drainage           | 60   | Highways Drainage   |   |
| <b>Highways Other Total</b> |  |   |   |
| Principal Roads             | 1,411  | Northam Road (Part 1) (Railway Bridge Area)<br>Northam Road (Part 2) (Britannia Road junction)<br>St Andrews Road (Targeted Structural Patching (Inbound & Outbound))<br>The Avenue (Outbound approach to lights at Banister Road to Winn Road)<br>Thomas Lewis Way (Stoneham Way to Dukes Road)<br>Romsey Road (Approach to Redbridge Lane)<br>Charlotte Place Roundabout (Targeted Structural Patching around full extent)<br>Inner Avenue (Southcliffe Road to Rockstone Place)<br>Scrim lead projects - To improve surface skidding resistance for all users. A cost effective method as opposed to resurfacing<br>Waterproofing project - To improve surface integrity from the damaging effects of water ingress. A cost effective method to prolong the life of a road surface<br>Millbrook Roundabout (Slip road outside KFC) | The road programme continues to reflect the need to maintain the structural integrity of the City wide highway network. The programme has been designed in line with the Transport Asset Management Plan (TAMP) principles. |
| Classified Roads            | 1,082  | Princes Street (Northam Road to Millbank Street)<br>Test Lane (Gover Road to Railway Bridge)<br>Lords Hill Way (Coxford Road to Lords Hill Centre West)<br>Mousehole Lane (O/s 124-110 Mousehole Lane (Inbound))<br>Athelstan Road (Peartree Avenue to Chine Avenue)<br>Newtown Road (Tickleford Drive to City Olive Road (Aldermoor Road to Coxford Road)<br>Regents Park Road (Various location along   |   |

**ENVIRONMENT AND TRANSPORT CAPITAL PROGRAMME**  
**DESCRIPTION OF SCHEMES 2014/15**

| SCHEME HEADING | CAPITAL<br>EXPENDITURE<br>TO APPROVE BY<br>SCHEME 2014/15 | COMPRISING THESE INDIVIDUAL PROJECTS   | DESCRIPTION OF SCHEME |
|----------------|---|--|-----------------------|
|                | £000  |  |                       |
|                |   | Warren Avenue (Warren Crescent to Jessamine Road)<br>Chapel Road (Elm Street to train crossing)<br>Banister Road (Land Rover Garage to Archers Road/Carlton Rd Jctn) |                       |

**ENVIRONMENT AND TRANSPORT CAPITAL PROGRAMME**  
**DESCRIPTION OF SCHEMES 2014/15**

| SCHEME HEADING     | CAPITAL EXPENDITURE TO APPROVE BY SCHEME 2014/15 | COMPRISING THESE INDIVIDUAL PROJECTS  | DESCRIPTION OF SCHEME  |
|--------------------|--|---|--|
|                    | £000   |   |  |
| Unclassified Roads | 1,240  | Ashmead Road (Romsey Road to Rownhams Road)<br>Atherfield Road (Lower Brownhill Road to Green Lane)<br>Bourne Avenue (Wilton Road to Twyford Avenue)<br>Bramshott Road (Kingsclere Avenue to Crookham Road)<br>Branksome Avenue (Wilton Road to Twyford Avenue)<br>Brean Close (Windbury Road to end of cul-de-Bridlington Avenue (Wilton Road to St James Road)<br>Cedar Avenue (Branston Road to Janson Road)<br>Colebrook Avenue (Wilton Road to St James Road)<br>Colne Avenue (Green Lane to Lowerbrownhill Road)<br>Commercial Road (West Marlands Road to Havelock Road)<br>Crookham Road (Burghclere Road to Sparsholt Road)<br>Cunard Avenue (Gurney Road to Janson Road)<br>Dawlish Avenue (Bridlington Avenue to Eastbourne Avenue)<br>Dolton Road (Rownhams Road to Kennedy Road)<br>Falkland Road (Clifton Road to Tillbrook Road)<br>Freshfield Square (Freshfield Road to end of cul-de-sac)<br>Hawkey Green (Kingsclere Avenue to Burghclere Road)<br>Henstead Road (Devonshire Road to Bedford Place)<br>Holkham Close (Atherfield Road to end of cul-de-sac)<br>Kennedy Road (Rownhams Road to Romsey Road)<br>Lancaster Road (Romsey Road to Dolton Road)<br>Lawnside Road (Clifton Road to end of cul-de-Link Road (Kennedy Road to Lancaster Road)<br>Malmesbury Place (Malmesbury Road to dead end)<br>Redbridge Hill (Romsey Road to Wimpson Lane)<br>Reynolds Road (Janson Road to Bramston Road) | <p>The road programme continues to reflect the need to maintain the structural integrity of the City wide highway network. The programme has been designed in line with the Transport Asset Management Plan (TAMP) principles.</p> |

**ENVIRONMENT AND TRANSPORT CAPITAL PROGRAMME**  
**DESCRIPTION OF SCHEMES 2014/15**

| SCHEME HEADING | CAPITAL EXPENDITURE TO APPROVE BY SCHEME 2014/15 | COMPRISING THESE INDIVIDUAL PROJECTS  | DESCRIPTION OF SCHEME   |
|----------------|--|---|---|
|                | £000   |   |   |
|                |  | Rosewall Road (Dolton Road to Link Road)<br>Rylandes Court (Rownhams Road to end of cul-de-sac)<br>Saxholm / Bassett Dale (Bassett Heath Avenue to Saxholm Way)<br>Seafield Road (Atherfield Road to Colne Avenue)<br>Selsey Close (Atherfield Road to end of cul-de-sac)<br>Tetney Close (Atherfield Road to end of cul-de-sac)<br>Tiilbrook Road (Prince of Wales Avenue to Lansdowne Road)<br>Vale Drive (Witts Hill to Summit Way)<br>Windbury Road (Atherfield Road to Colne)<br>Hayburn Road (Full extent)<br>Carlton Road (Full extent)<br>Pedestrian Enhancements (2014/15) | ⇒ A package of measures to reduce potential slips and trips across the network. |

**ENVIRONMENT AND TRANSPORT CAPITAL PROGRAMME**  
**DESCRIPTION OF SCHEMES 2014/15**

| SCHEME HEADING   | CAPITAL EXPENDITURE TO APPROVE BY SCHEME 2014/15<br>£000 | COMPRISING THESE INDIVIDUAL PROJECTS                       | DESCRIPTION OF SCHEME  |
|--|--|--|--|
| Highways Improvements Developers<br>Roads Improvements | 620<br>60  | Highways Improvements Developers<br>Road Restraint Systems | ⇒ To allow developer contribution funded low cost minor works.<br>⇒ To allow the delivery of low cost minor works improvements.  |
| <b>Roads Total</b>                                     |  |  |  |
| ITS  | 336  | LTP Monitoring<br>Micro Simulation<br>Congestion Reduction | ⇒ Service level agreement with HCC to carry out surveys and maintain permanent traffic counters.<br>} A package of Integrated Transport Schemes to monitor traffic movements, build computer models of traffic movements and |
| <b>Network Management Total</b>                        |  |  |  |
| City Centre Improvements                               | 325  | Civic Centre Place   | } These projects will enhance the City Centre through the development and implementation of high quality public realm improvements.  |
| <b>Public Realm Total</b>                              |  |  |  |

6,176



# Agenda Item 9

## Appendix 4

### VARIATIONS & ADDITIONS TO THE ENVIRONMENT AND TRANSPORT CAPITAL PROGRAMME 2014/15

| Block | Scheme No | Scheme Description | 2014/15                 | 2014/15             | 2014/15                                 | 2014/15         | 2014/15                       |
|-------|-----------|--------------------|-------------------------|---------------------|---|-----------------|-------------------------------|
|       |           |                    | LTP Govt Grants<br>£000 | Govt Grants<br>£000 | External Contributions<br>S 106<br>£000 | Revenue<br>£000 | Total Funding 2014/15<br>£000 |

| <b>Variations to the Capital Programme</b> |       |                          |             |             |          |             |               |
|--|-------|--------------------------|-------------|-------------|----------|-------------|---------------|
| <b>Increases</b>                           |       |                          |             |             |          |             |               |
| Roads                                      | C7921 | Principal Roads          |             |             |          | 211         | 211           |
| Roads                                      | C8000 | Classified Roads         |             |             |          | 161         | 161           |
| Roads                                      | C8400 | Road Improvements        |             |             |          | 60          | 60            |
| Roads                                      | C7191 | Other Highways           | 100         |             |          |             | 100           |
| Roads                                      | C8200 | Highways Drainage        | 60          |             |          |             | 60            |
| Improved Safety                            | C7151 | Improved Safety          | 110         |             |          |             | 110           |
| Active Travel                              | C7131 | Cycling Improvements     | 208         | 150         |          |             | 358           |
| Public Realm                               | C8900 | City Centre Improvements | 116         |             |          |             | 116           |
|  |       |                          | <b>594</b>  | <b>150</b>  | <b>0</b> | <b>432</b>  | <b>1,176</b>  |
| <b>Reductions</b>                          |       |                          |             |             |          |             |               |
| Roads                                      | C9200 | Highways Risk Fund       |             |             |          | -265        | -265          |
| Roads                                      | C8100 | Unclassified Roads       | -160        |             |          | -167        | -327          |
| Area Based Schemes                         | C7111 | Area Based Schemes       | -276        |             |          |             | -276          |
| Public Transport                           | C7141 | Public Transport         | -158        | -150        |          |             | -308          |
|  |       |                          | <b>-594</b> | <b>-150</b> | <b>0</b> | <b>-432</b> | <b>-1,176</b> |

|                               |          |          |          |          |          |
|-------------------------------|----------|----------|----------|----------|----------|
| <b>Net Capital Variations</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> |
|-------------------------------|----------|----------|----------|----------|----------|

| <b>Additions to the Capital Programme - funded by additional S. 106 developer contributions</b> |       |                                  |          |          |            |            |
|---|-------|----------------------------------|----------|----------|------------|------------|
| Roads   | C9120 | Highways Improvements Developers |          |          | 620        | 620        |
| <b>Total Additions to the Capital Programme</b>   |       |                                  | <b>0</b> | <b>0</b> | <b>620</b> | <b>620</b> |

| <b>Memo: Following capital variation &amp; addition this revises the capital schemes as below</b> |       |                                  |     |       |     |     |       |
|---|-------|----------------------------------|-----|-------|-----|-----|-------|
| Roads   | C7921 | Principal Roads                  | 478 |       |     | 933 | 1,411 |
| Roads   | C8000 | Classified Roads                 | 480 |       |     | 715 | 1,195 |
| Roads   | C8100 | Unclassified Roads               | 664 |       |     | 776 | 1,440 |
| Roads   | C8400 | Road Improvements                |     |       |     | 60  | 60    |
| Roads   | C7191 | Other Highways                   | 100 |       |     |     | 100   |
| Roads   | C8200 | Highways Drainage                | 60  |       |     |     | 60    |
| Roads   | C9200 | Highways Risk Fund               |     |       |     | 60  | 60    |
| Roads   | C9120 | Highways Improvements Developers |     |       | 620 |     | 620   |
| Improved Safety   | C7151 | Improved Safety                  | 505 |       |     |     | 505   |
| Active Travel   | C7131 | Cycling Improvements             | 638 | 537   |     |     | 1,175 |
| Public Transport  | C7141 | Public Transport                 | 388 | 3,556 | 170 |     | 4,114 |
| Area Based Schemes  | C7111 | Area Based Schemes               |     |       |     |     | 0     |
| Public Realm  | C8900 | City Centre Improvements         | 150 |       |     | 185 | 335   |

This page is intentionally left blank

## Current intervention levels for carriageway and footway defects

| Type                                 | Where      | Dimensions | Make safe | Permanent repair           |
|--------------------------------------|------------|------------|-----------|----------------------------|
| <b>Carriageway and cycleways</b>     |            |            |           |                            |
| Cat 1                                | Everywhere | ↑ 75mm     | 24hr      | 28 days                    |
| Cat 2                                | Everywhere | 40 – 75mm  | -         | Up to 6 months (programme) |
| <b>Footways and pedestrian areas</b> |            |            |           |                            |
| Cat 1                                | Everywhere | ↑ 40mm     | 24hr      | 28 days                    |
| Cat 2                                | Everywhere | 20 – 40mm  | -         | Up to 6 months (programme) |

*The Provider regularly reviews the routine maintenance regime including Hazard Mitigation Periods, Permanent Repair Periods and definitions of Category 1 Defects and Category 2 defects in light of Good Industry Practice, Codes of Practice and other developments. The Provider proposes to the Employer changes to the same that better manage the Area Network and its integrity and minimise the risk of third party claims*

## SCC Current Safety Inspection Frequency

| Feature  | Category                                    | Frequency   |
|----------|---|---|
| Roads    | Classified                                  | 12 driven inspections per year<br>2 walked inspections per year |
|          | Unclassified                                | 2 walked inspections per year                                   |
| Footways | City Centre and identified shopping centres | 12 walked inspections per year<br>2 walked inspections per year |
|          | All other footways                          |   |
| Cycleway | Part of carriageway                         | As carriageway  |
|          | Part of footway                             | As footway  |
|          | Cycle trails                                | 1 walked inspection per year                                    |

This page is intentionally left blank

|                               |   |                                      |                           |
|-------------------------------|---|--------------------------------------|---------------------------|
| <b>DECISION-MAKER:</b>        | <b>CABINET</b>  |                                      |                           |
| <b>SUBJECT:</b>               | IMPLEMENTATION OF THE SUSTAINABLE DRAINAGE SYSTEMS APPROVING BODY |                                      |                           |
| <b>DATE OF DECISION:</b>      | 18 MARCH 2014   |                                      |                           |
| <b>REPORT OF:</b>             | CABINET MEMBER FOR HOUSING AND SUSTAINABILITY                     |                                      |                           |
| <b><u>CONTACT DETAILS</u></b> |   |                                      |                           |
| <b>AUTHOR:</b>                | <b>Name:</b>  | <b>Bernadine Maguire</b>             | <b>Tel:</b> 023 8083 2403 |
|                               | <b>E-mail:</b>  | bernadine.maguire@southampton.gov.uk |                           |
| <b>Director</b>               | <b>Name:</b>  | <b>Stuart Love</b>                   | <b>Tel:</b> 023 8091 7713 |
|                               | <b>E-mail:</b>  | stuart.love@southampton.gov.uk       |                           |

|                                     |
|-------------------------------------|
| <b>STATEMENT OF CONFIDENTIALITY</b> |
| NONE                                |

## **BRIEF SUMMARY**

This report outlines the requirements and operational arrangements for the Sustainable Drainage System (SuDS) Approving Body and seeks the delegation of authority to the Head of Planning, Transport and Sustainability to establish and implement the statutory function. The common commencement date, postponed from April 2014, has yet to be formally announced but it is anticipated to be later in 2014.

## **RECOMMENDATIONS:**

- (i) That the details of the requirements and operational arrangements for the SuDS Approving Body set out in this report be noted;
- (ii) That authority be delegated to the Head of Planning, Transport and Sustainability to undertake any actions and make any arrangements necessary for the implementation of the SuDS Approving Body.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. To enable the new SuDS Approving Body function to be delivered within the timescales required by the Department for Environment, Food and Rural Affairs (Defra).

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. An alternative option is to do nothing. However, this option was rejected as the SuDS Approving Body will become a statutory function for upper tier authorities and failing to make provision for the Authority to be able to discharge its new function could incur legal, financial and reputational implications.

## **DETAIL (Including consultation carried out)**

3. SuDS are an alternative to conventional piped drainage systems, designed to mimic natural drainage in order to control the peak flow rate and volume of

surface water runoff from a site through interception, attenuation and infiltration (where feasible), helping to reduce flood risk. There are a wide range of different SuDS features which are outlined in more detail in Appendix 1.

4. Schedule 3 of the Flood and Water Management Act (2010) introduces a new statutory requirement for a SuDS Approving Body (SAB) to be established in unitary and county councils to manage surface water within future development. The SAB will be required to approve drainage proposals within new developments, where the drainage will have to meet National Standards for the design, construction, operation and maintenance of SuDS. The SAB will also have to adopt and maintain approved SuDS which serve more than one property.

5. ***Phasing arrangements***

Once commenced, the requirement for SAB approval will apply only to works which constitute major planning applications as set out in The Town and Country Planning (Development Management Procedure) (England) Order 2010. The requirement for SAB approval will apply to minor planning applications three years after initial commencement.

6. ***Transitional arrangements***

For existing Outline Consents in place on the date of commencement all reserved matters will have to be discharged within one calendar year. After a year the requirement for SAB approval will apply to all works which are not exempt.

Developments that were already granted full planning permission before commencement or a valid planning application had been submitted before commencement are exempt from requiring SAB approval.

7. There are two SAB approval routes:

- (i) With planning application (where planning permission required).
- (ii) A freestanding application direct to SAB (whether or not planning permission is required).
  - ⇒ SAB will be a statutory consultee to planning process.
  - ⇒ SAB decision **independent** of planning decision.
  - ⇒ Applicant *may* be charged a non-performance bond which can be used if the drainage system has not been constructed according to the approved proposals or it is unlikely to be completed. Defra may issue guidance for calculating the amount required for a non-performance bond.
  - ⇒ SAB must consult with the statutory consultees where an application may impact upon that consultee (Defra propose setting a time limit of 21 days for response).

8. Further details on the approval, appeals, enforcement and adoption processes are outlined in Appendix 2.

9. It is anticipated that the common commencement date for the SAB role, yet to be formally announced by Defra, will be later in 2014. Hence, it is advantageous for the Authority to be in a position to commence preparatory

work now to allow sufficient time to establish the SAB prior to commencement. This will help to ensure SAB approvals can take place in an efficient manner so as not to obstruct the wider planning process.

10. The main tasks required to establish the SAB include, but may not be limited to, the following:
  - Develop local guidance to support the National Standards
  - Recruitment of the relevant technical expertise
  - Source appropriate software to manage the application process
  - Source appropriate software to manage the process for future maintenance of adopted SuDS
  - Establish the required finance systems and processes
  - Develop standard forms, letters and templates
  - Staff training/briefings
  - Liaison with the development industry and statutory consultees
  - Publicity/communications

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

11. Ongoing delivery of the SAB role is anticipated to be cost neutral. There will be a chargeable fee for drainage applications, with a national fee structure set for the first three years. Using the average number of planning applications received over the last four financial years and assuming the average size of a large major site as 4 hectares and a major site as 0.5 hectares; it is estimated that the SAB would initially have an annual income of approximately £35,750. It has been indicated that the SAB will also be able to charge fees for inspections which will generate an additional revenue income of up to approximately £10,000.
12. Additional staff resources will be required to enable the SAB to operate. Based on the average number of planning applications received over the last four financial years (conservative figures), it is estimated that the following staff resources will be required, considering the phased approach for major applications only for the first three years of commencement:
  - Drainage engineer
  - Admin support
  - Input from other expertise, such as ecology, landscape architecture, maintenance operator and legal, as required (sourced from existing Council departments or outside sources)

Ongoing staff revenue costs, including other expertise input requirements, are estimated at approximately £45,000 per annum.

13. Costs for the first year following commencement will also include initial set up costs of approximately £25,000, which will be resourced from current revenue budgets where money has already been identified to cover this cost. If any funding is made available nationally to help support these set-up costs the

Council will endeavour to recover these where possible.

14. The mechanism for funding the maintenance of future adopted SuDS has yet to be finalised and communicated by Defra. It is likely that the SAB role will not be commenced until the charging mechanism for future maintenance is agreed. It will be the Council's aim to ensure fees charged for SuDS maintenance cover the authority's costs to avoid a negative impact on the general revenue fund. Defra have stated the fee structure will be set with the intention it will cover all the costs. The preferred approach for delivery of the maintenance of future adopted SuDS is to develop the required skills within the Council's existing grounds maintenance teams.
15. Depending on the final date for commencement of the SAB role and the lead in time provided, it may be necessary to adopt an interim system for provision of the drainage expertise, other than direct recruitment. Joint proposals with neighbouring SABs will also be explored.

#### **Property/Other**

16. There are no identified property implications within the Council's own estate arising from implementation of the SAB. Should property implications be identified as implementation develops, these will be brought to members after consultation with relevant interested parties.

#### **LEGAL IMPLICATIONS**

##### **Statutory power to undertake proposals in the report:**

17. Schedule 3 of the Flood and Water Management Act 2010 and associated secondary legislation, once progressed through Parliament in 2014.

##### **Other Legal Implications:**

18. The SAB will be required to take on the responsibility for the future management and maintenance of adopted SuDS which could present potential liability implications. Rigorous approval, adoption, inspection and maintenance procedures will be developed to provide a robust system to minimise any potential liability issues.
19. If other legal issues surface during development and implementation of the SAB, these will be addressed accordingly as they arise.

#### **POLICY FRAMEWORK IMPLICATIONS**

19. There are no identified policy framework implications. The use of SuDS on development sites is encouraged within existing Local Plan documents to enable surface water to be sufficiently managed to reduce the potential flood risk to the site and surrounding area.

**KEY DECISION?** Yes

**WARDS/COMMUNITIES AFFECTED:**

ALL

#### **SUPPORTING DOCUMENTATION**



**Appendices**

|    |               |
|----|---------------|
| 1. | SuDS features |
| 2. | SAB overview  |

**Documents In Members' Rooms**

|    |      |
|----|------|
| 1. | None |
|----|------|

**Equality Impact Assessment**

|  |    |
|--|----|
| Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out. | No |
|--|----|

**Other Background Documents**

**Equality Impact Assessment and Other Background documents available for inspection at:**

Title of Background Paper(s)

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

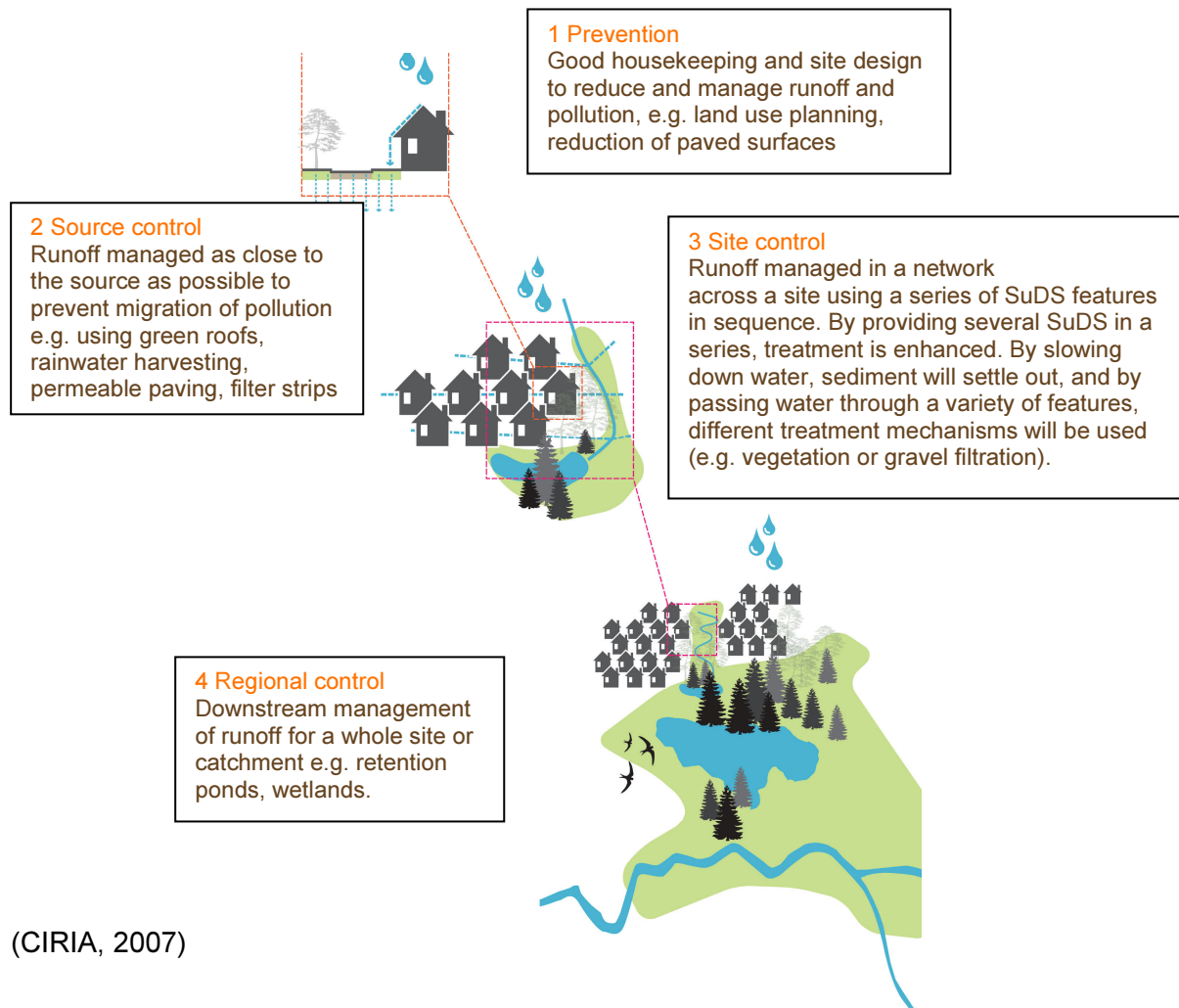
|    |      |  |
|----|------|--|
| 1. | None |  |
|----|------|--|

This page is intentionally left blank

**APPENDIX 1** (extract from SuDS Masterplanning Guidance developed in partnership by the South East upper tier authorities)



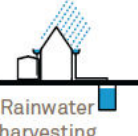

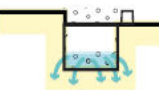











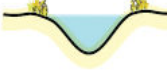





### What are Sustainable Drainage Systems (SuDS)?

SuDS should not be thought of as individual items, but as an interconnected system, where water slowly flows from where it falls to a soakage area or discharge point through a series of features that help to treat, store, re-use, convey and celebrate water (through incorporation of features into landscape design) . An important concept for the SuDS designer to follow is known as the ‘treatment train’.



By passing water through several stages of treatment, sediment and other pollutants will be removed more effectively, and maintenance costs are reduced as this minimises the risk of downstream SuDS features becoming clogged or blocked. The designer can use the treatment train to create green corridors and links, add opportunities for engagement and education and to match delivery of SuDS to phasing of development. There are a wide variety of sustainable drainage systems which can be linked together in sequence, so that a designer can tailor surface water management to the local context. The following table presents common types of SuDS, their most suitable setting and their typical land take.

## Typical SuDS features

|  | Description  | Setting   | Required area  |
|--|--|---|--|
| <br>Green roofs           | A planted soil layer is constructed on the roof of a building to create a living surface. Water is stored in the soil layer and absorbed by vegetation.  | <br>Building            | Building integrated.   |
| <br>Rainwater harvesting  | Rainwater is collected from the roof of a building or from other paved surfaces and stored in an overground or underground tank for treatment and reuse locally. Water could be used for toilet flushing and irrigation.   | <br>Building            | Water storage (underground or above ground).                           |
| <br>Soakaway              | A soakaway is designed to allow water to quickly soak into permeable layers of soil. Constructed like a dry well, an underground pit is dug filled with gravel or rubble. Water can be piped to a soakaway where it will be stored and allowed to gradually seep into the ground.                  | <br>Open space          | Dependant on runoff volumes and soils.                                 |
| <br>Filter Strip          | Filter strips are grassed or planted areas that runoff is allowed to run across to promote infiltration and cleansing.   | <br>Open space          | Minimum length 5 metres.   |
| <br>Permeable paving     | Paving which allows water to soak through. Can be in the form of paving blocks with gaps between solid blocks or porous paving where water filters through the block itself. Water can be stored in the sub-base beneath or allowed to infiltrate into ground below.                               | <br>Street/open space  | Can typically drain double its area.                                   |
| <br>Bioretention area   | A vegetated area with gravel and sand layers below designed to channel, filter and cleanse water vertically. Water can infiltrate into the ground below or drain to a perforated pipe and be conveyed elsewhere. Bioretention systems can be integrated with tree-pits or gardens.                 | <br>Street/open space | Typically surface area is 5-10% of drained area with storage below.    |
| <br>Swale               | Swales are vegetated shallow depressions designed to convey and filter water. These can be 'wet' where water gathers above the surface, or 'dry' where water gathers in a gravel layer beneath. Can be lined or unlined to allow infiltration.   | <br>Street/open space | Account for width to allow safe maintenance typically 2-3 metres wide. |
| <br>Hardscape storage   | Hardscape water features can be used to store run-off above ground within a constructed container. Storage features can be integrated into public realm areas with a more urban character.   | <br>Open space        | Could be above or below ground and sized to storage need.              |
| <br>Pond / Basin        | Ponds can be used to store and treat water. 'Wet' ponds have a constant body of water and run-off is additional, while 'dry' ponds are empty during periods without rainfall. Ponds can be designed to allow infiltration into the ground or to store water for a period of time before discharge. | <br>Open space        | Dependant on runoff volumes and soils.                                 |
| <br>Wetland             | Wetlands are shallow vegetated water bodies with a varying water level. Specially selected plant species are used to filter water. Water flows horizontally and is gradually treated before being discharged. Wetlands can be integrated with a natural or hardscape environment.                  | <br>Open space        | Typically 5-15% of drainage area to provide good treatment.            |
| <br>Underground storage | Water can be stored in tanks, gravel or plastic crates beneath the ground to provide attenuation.  | <br>Open space        | Dependant on runoff volumes and soils.                                 |



BIORETENTION AREA



WETLAND



SWALE



GREEN ROOF



HARDSCAPE STORAGE



POND



## **Designing SuDS to deliver benefits**

Well-designed SuDS rarely function with only a single purpose (e.g. water attenuation). By using SuDS as part of an urban design toolkit and keeping water management above ground where possible, SuDS can be used to enhance their surrounding environment and provide a host of additional benefits. The following paragraphs outline a range of typical benefits that SuDS can be designed to provide.

### *Attenuation*

Storing and slowly releasing runoff is one of the primary benefits SuDS offer. Rather than spilling off quickly into sewers or watercourses, increasing the risk of flooding and erosion, SuDS act as a sponge, soaking up excess water, storing it in plants, soils and constructed voids, before slowly releasing back into the surrounding environment through infiltration, plant up-take or controlled discharge. Areas with less permeable soils can incorporate SuDS features that are designed to hold and manage water on or near the surface for controlled discharge or re-use.

### *Water treatment*

Pollution typically found in runoff including sediment, oils, metals, fertilizer, pesticides, and rubbish can be harmful to watercourses and coastal waters. The soils, gravels and vegetation present in many forms of SuDS act as filters, removing many pollutants before returning cleansed water to the natural environment.

### *Infiltration*

SuDS can be used to first cleanse rainwater runoff then to promote infiltration into the ground to replenish groundwater, thereby letting water infiltrate which would have been prevented from soaking into the ground by impermeable development areas. This also helps to prevent soils from drying out.

### *Water reuse*

South East England is a water stressed region. Many SuDS features can be used locally to capture, treat and manage water for re-supply of cleansed water to buildings or landscapes. Rainwater harvesting can be installed at a range of scales, from individual property scale to site-wide scale, by storing treated runoff at the end of a SuDS treatment train. Re-using rainwater for non-potable purposes such as irrigation and toilet flushing will help reduce potable water demand and deliver Code for Sustainable Homes, BREEAM and other sustainability targets.

### *Biodiversity and Habitat*

SuDS can be designed to include a range of natural processes for managing and filtering surface water runoff. The inclusion of plants, trees, and other vegetation is often advantageous to slow and store water while providing filtration. These can be designed to support local biodiversity aims. SuDS treatment trains can be used to develop ecological corridors at the same time. They can also incorporate a range of vegetation species, ranging from wetland plantings to more common garden varieties. SuDS should be designed to complement and improve the ecology of the area, however consideration should be given to the effects of both species selection and maintenance requirements on the ability of existing habitats to continue functioning effectively.

### *Amenity*

SuDS that integrate greenery or water features can improve the visual character of a development, and in doing so they can also increase property values. Access to green space, views of high quality public realm and street trees have all been shown to increase the resale value of properties. This is particularly the case in urban areas where these elements are not as common. Views of green space and water have been shown to increase

commercial rents between 15 and 35%, while a view of a natural environment or high quality public realm can increase residential property values by as much as 15%<sup>1</sup>.

#### *Education*

SuDS present an opportunity to educate and engage communities about water management and to grow a greater appreciation and respect for urban water. If schools incorporate SuDS on their premises, they can be viewed as a valuable learning and play opportunity for students and children.

#### *Open space*

Designing green space and public realm with SuDS that work well when both wet and dry can provide valuable community recreational space as well as important environmental infrastructure. Sports pitches, squares, courtyards, playgrounds, landscapes around buildings, urban parks, green corridors and woodlands are all popular types of open space which can be integrated with SuDS. SuDS can also contribute to development targets for open space where they are designed to be multi-functional.

#### *Character*

SuDS can be used to enhance and influence the character of development and its surroundings. As with all good design, SuDS design should respond to context, complementing the approach taken to landscape character and urban design. More rural areas often call for SuDS with a more natural feel and soft edges. Similarly, SuDS with hard edges and straight lines can be more appropriate in built up areas.

#### *Microclimate*

The inclusion of water and/or vegetation in the urban environment can help to regulate local temperatures and to mitigate the urban heat island effect. SuDS can be used to naturally irrigate trees and green areas, which help to provide shade, regulate heat and filter air.

---

<sup>1</sup>Whitehead, Tim, Simmonds, David and Preston, John (2006) The effect of urban quality improvements on economic activity. *Journal of Environmental Management*, 80, (1), 1-12.

This page is intentionally left blank



### **APPENDIX 2 - SuDS Approving Body (SAB) Overview**

Schedule 3 of the Flood & Water Management Act (2010) introduces a new service to be established to manage surface water within future development. The Act:

- Establishes a SuDS Approving Body (SAB) in unitary and county councils.
- Requires SAB approval for drainage in new developments and redevelopments, before construction can commence.
- The proposed drainage system will have to meet new National Standards for design, construction, operation and maintenance of SuDS.
- Water companies, Environment Agency, Internal Drainage Boards, British Waterways and highway authorities will all be statutory consultees to the SAB.
- Requires the SAB to adopt and maintain approved SuDS that serve more than one property.
- Amends S106 of Water Industry Act 1991 to make the right to connect surface water to public sewers **conditional** on the SAB approving the drainage system as meeting the National Standards.

### ***Implementation***

Defra propose implementing a common commencement date which is anticipated to be within 2014 (final date is subject to various high level clearances and approval of secondary legislation by Parliament).

Transitional arrangements mean SAB approval will not be required for the first 12 months for:

- Developments that were already granted full planning permission before commencement; or
- Developments with one or more reserve matters where an application for approval of the reserve matter(s) is made; or
- A valid planning application had been submitted before commencement.

Phased implementation arrangements will make SAB approval a requirement for large major and major developments only for the first 3 years. After 3 years the requirement would be extended to include minor developments.

### ***Fees***

Defra are proposing to set a national fee structure for approving applications for the first 3 years (thereafter the SAB may be required to set its own fees):

£350 for each application plus (up to a maximum limit of £7500):

- For every 0.1ha up to 0.5ha - £70
- For every 0.1ha between 0.5ha and 1ha - £50
- For every 0.1ha between 1ha and 5ha - £20
- For every 0.1ha above 5ha - £10

Defra also propose to make provision for fees for:

- Applications to vary approval
- Applications that are resubmitted to the SAB
- Discount where 2+ applications setting out alternative proposals are submitted together
- Applications that require approval of more than one SAB because the construction area spans more than one SAB area
- Circumstances under which application fees must be refunded

Where the SAB approves an application subject to a condition that inspection(s) of the drainage system are undertaken, Defra are proposing that the SAB may charge an inspection fee based on cost recovery in relation to work done by the SAB.

Defra estimate that the application fees should fund the required number of full time equivalents needed to fulfil the SAB role.

### **Approval Process**

Two approval routes:

1. With planning application (where planning permission required).
2. A freestanding application direct to SAB (whether or not planning permission is required).
  - ⇒ SAB will be a statutory consultee to planning process.
  - ⇒ SAB decision **independent** of planning decision.
  - ⇒ Applicant *may* be charged a non-performance bond (Defra might issue guidance for calculating the amount required for a non-performance bond).
  - ⇒ SAB has powers to grant approval subject to conditions.
  - ⇒ SAB must consult with the statutory consultees where an application may impact upon that consultee (Defra propose setting a time limit of 21 days for response).

There will only be one stage of application to the SAB which must include all the required details to enable the SAB to check against the National Standards.

The SAB must determine an application for approval within 12 weeks for major development and within 7 weeks for all other development. Pre-application discussions are strongly encouraged but are not compulsory. In all cases the SAB and applicant may agree to extend the timeframe provided the specified timescales have not expired. Should the SAB fail to meet these timescales, the SAB will remain obligated to make a decision and notify the applicant of that decision. However, if the applicant so wishes, the application will be deemed to have been refused for the purposes of an appeal, allowing an applicant to make an appeal.

The SAB may impose conditions upon any approval and it will have the power to condition design, construction, operation and maintenance. However, discharge of conditions is not a formalised process. Inspection, inspection fees and bonds are not automatic and they will have to be imposed by condition. It is recommended that the SAB institutes a formal process for the discharge of conditions.

### **National Standards**

The National Standards are being developed to provide developers and SABs with a consistent framework for drainage design, giving certainty and flexibility for their construction.

### **Appeals**

Government proposes to mirror planning and provide for three types of appeal procedures, that is; written representation, hearing and inquiry.

There will be no cost to developers when making appeals, although this will be kept under review. It is proposed to include provision to enable the Minister to award costs to any party involved in the appeal in cases where a hearing or inquiry is held, or scheduled but subsequently cancelled at a later stage.

Defra propose that an appeal must be made within 6 months of the SAB's decision or within 6 months of when the decision was due. (Where the SAB does not determine an application for approval within the timescales specified, or any longer time agreed between the SAB and developer, it will be considered a 'deemed refusal' for the purposes of the appeal.)

The main proposed appeals provisions are outlined in Figure 2 below.

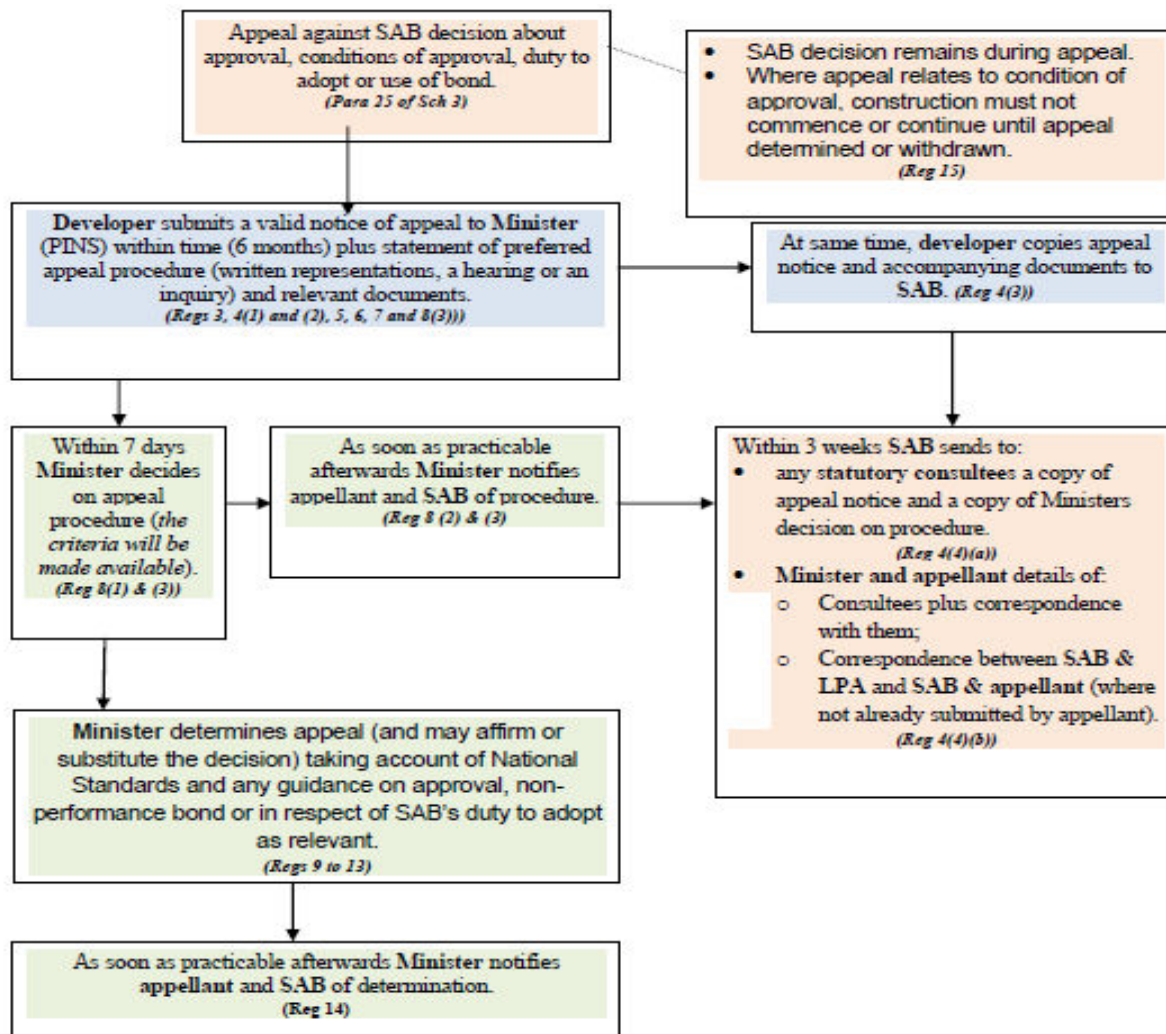


Figure 2: Appeals provision (Defra, 2011)

### Adoption

Conditions for adoption:

1. The drainage system was constructed in pursuance of approval;
2. The drainage system was constructed and functions in accordance with approval; and
3. The drainage system is a sustainable drainage system.

### What drainage systems are approved and adopted by the SAB?

The SAB approves and adopts where the drainage system serves more than one property

### What drainage systems are approved but not adopted by the SAB?

The SAB approves but not adopts where the drainage systems:

- serves a single property
- is a publically-maintained road
- *other exemptions as set out in the SIs – (not disclosed yet)*

A single-property includes:

- Residential building with multiple flats;
- Single dwelling-house;
- Retirement village;
- Office or commercial building;

- Industrial development or commercial estate;
- School or university campus;
- Hospital or other medical facility.

### **What drainage systems are exempt (not approved or adopted by the SAB)?**

The SAB does not approve and, as consequence does not adopt, a drainage systems which:

- forms part of the strategic road network (Highways Agency infrastructure)
- forms part of the national rail network
- for permitted development under 100m<sup>2</sup>
- which fall outside the transitional and phasing arrangements (see Figure 1 under implementation section for details)
- *other exemptions as set out in the SIs – (not disclosed yet)*

Defra propose that the SAB should determine a request for adoption within 8 weeks of receiving the request.

Once the SAB decides to adopt a SuDS it is required to undertake a number of specified duties:

- SAB releases financial bond (if one has been sought and not used).
- The SAB must arrange for all SuDS (including un-adopted parts) to be added to the LLFA's register of flood risk structures and features, proposed to be within 28 days of giving notice of its decision to adopt.
- The SAB must arrange for all SuDS on private land, eligible for designation, to be designated as a flood risk feature within 28 days of giving notice of its decision to adopt.
- The maintaining authority (SAB or Highways Authority) must designate SuDS in, or alongside, roads (including footpaths and grass verges) as having "special engineering difficulties" as defined in Section 63 of the New Roads & Street Works Act, 1991. It is proposed that the SAB gives notice of its intention to designate within 28 days of giving notice of its decision to adopt.

The SAB is also able to voluntarily adopt SuDS where it is not under a duty to do so. Separate funding arrangements would need to be agreed for the maintenance of the SuDS that are adopted voluntarily by the SAB. It is proposed that the SAB must give notification of its decision to adopt as soon as is reasonable practicable. It is proposed that the 28 day timeframe for registrations and designations should apply to drainage systems which are adopted voluntarily.

### ***Enforcement of the requirement for approval***

Defra propose to give enforcement powers to both the SAB and the Local Planning Authority (LPA). The SAB will usually take enforcement action but by giving powers to the LPA as well it means where the SAB and LPA agree, the LPA will be able to take enforcement action on the SAB's behalf on a case by case basis (more applicable in 2 tier authorities). Powers of entry have been proposed.

Defra propose that claims for compensation will be able to be made in respect of loss incurred as a result of exercising powers of entry or for loss suffered as a result of a temporary stop notice being withdrawn or allowed to expire without further action being taken, to be submitted by the developer within 12 months.

Defra propose that the SAB is able to issue an enforcement notice within four years of the date of the breach or when the drainage system is adopted, whichever is sooner.

Where a person fails to comply with an enforcement notice, the SAB may undertake the work in the notice and require the person concerned to pay the costs, recoverable as a debt.

Defra are proposing to provide the SAB with a range of non-criminal sanctions to encourage those who do not comply with the requirement for approval to come into compliance. These are similar to those used for planning enforcement namely temporary stop notices, enforcement notices and stop notices.

Defra are proposing that criminal sanctions are set out should an offence be committed where a development does not comply with the law. These are similar to offences currently contained within the enforcement of planning controls.

Defra propose that the SAB maintains a register of temporary stop notices, enforcement notices and stop notices which will be available for public inspection.

Enforcement may be exercised regardless of whether the SAB required or used a non-performance bond.

### ***Enforcement appeals***

Defra propose that a right of appeal be provided on certain grounds in respect of the giving of enforcement notices. The approach is similar to that proposed for appeals against decisions made by the SAB. The appeal against the enforcement notice would be determined by the Minister, with the Planning Inspectorate expected to act on behalf of the Minister.

### ***Work by statutory undertakers***

Defra propose that all statutory undertakers must notify the SAB at least four weeks in advance of works that may affect the SuDS operation. A notice to carry out works must be accompanied by a proposal to carry out remedial work. The reconstruction work cannot commence until the SAB has confirmed the proposal. This is deemed to be given unless the SAB responds within four weeks, or 48 hours in an emergency.

The SAB will be able to require the statutory undertaker to remedy any damage to the SuDS in line with the confirmed proposal for reconstruction work or with the National Standards or that the SAB could rebuild the SuDS themselves and recover the costs from the undertaker. Within 12 months of the statutory works being completed, the SAB must decide if it is satisfied that the reconstruction works are compliant.

## Potential resource requirements

| Stage   | Involvement   |   | Proposed timescale   | Resource requirement   |
|---|---|---|--|--|
|   | Internal  | External  |  |  |
| <b>Determine application</b>  | <ul style="list-style-type: none"> <li>• Drainage engineer</li> <li>• Ecologist</li> <li>• Landscape design</li> <li>• Highways</li> <li>• Maintenance operators</li> </ul> | <ul style="list-style-type: none"> <li>• Applicant</li> <li>• Environment Agency</li> <li>• Southern Water</li> </ul> | <p>Major development within 12 weeks</p> <p>All other within 7 weeks</p> | <p><u>Drainage engineer</u></p> <p>Major only – approx 0.6 FTE</p> <p>All major &amp; minor – approx 2.8 FTE</p> |
| <b>Inspection</b>   | <ul style="list-style-type: none"> <li>• Drainage engineer</li> </ul>   |   |  | Uncertain  |
| <b>Adoption</b>   | <ul style="list-style-type: none"> <li>• Drainage engineer</li> <li>• Highways</li> <li>• Maintenance operators</li> </ul>  | <ul style="list-style-type: none"> <li>• Environment Agency</li> <li>• Southern Water</li> </ul>                      | Determine a request for adoption within 8 weeks                          | Uncertain  |
| <b>Inclusion on asset register</b> (should include un-adopted SuDS also)  | <ul style="list-style-type: none"> <li>• Flood Risk Management</li> </ul>   |   | Within 28 days of notice to adopt  | Minimal  |
| <b>Designation under F&amp;WMA</b> (where the SuDS is on private land)    | <ul style="list-style-type: none"> <li>• Flood Risk Management</li> </ul>   |   | Within 28 days of notice to adopt  | Uncertain  |
| <b>Designation under roads legislation</b>                                | <ul style="list-style-type: none"> <li>• Drainage engineer</li> <li>• Highways</li> </ul>   |   | Within 28 days of notice to adopt  |  |
| <b>Appeals</b> (approval decision, adoption decision, enforcement action) | <ul style="list-style-type: none"> <li>• Drainage engineer</li> <li>• Legal</li> <li>• Other relevant expertise</li> </ul>  | <ul style="list-style-type: none"> <li>• Applicant</li> <li>• Minister</li> <li>• Consultees</li> </ul>               | Within 3 weeks of receiving a notice of appeal                           | As required  |
| <b>Enforcement</b>  | <ul style="list-style-type: none"> <li>• Drainage engineer</li> <li>• Legal</li> </ul>  | <ul style="list-style-type: none"> <li>• Developer</li> </ul>   |  | As required  |
| <b>Ongoing Maintenance</b>  | <ul style="list-style-type: none"> <li>• Drainage engineer</li> <li>• Highways</li> <li>• Maintenance operators</li> </ul>  | <ul style="list-style-type: none"> <li>• Asset owners (if not LLFA)</li> </ul>  |  | Dependent on number of adopted SuDS.   |

|                           |   |  |  |                                      |
|---------------------------|---|--|--|--------------------------------------|
| <b>Ongoing Inspection</b> | <ul style="list-style-type: none"> <li>• Drainage engineer</li> </ul> |  |  | Dependent on number of adopted SuDS. |
|---------------------------|---|--|--|--------------------------------------|

| <b>Admin Involvement</b>  | <b>Proposed timescale</b>   | <b>Resource requirement</b>                 |
|---|---|---|
| <ul style="list-style-type: none"> <li>• Validation of applications</li> <li>• Fee processing, including refunds</li> </ul>   |   | <u>Admin</u><br>Major only – approx 0.2 FTE |
| <ul style="list-style-type: none"> <li>• Correspondence to statutory consultees</li> </ul>  |   | All major & minor – approx 1.4 FTE          |
| <ul style="list-style-type: none"> <li>• Notification of application decision</li> </ul>  | Major development within 12 weeks<br>All other within 7 weeks                         |   |
| <ul style="list-style-type: none"> <li>• Notice of intention to designate (Para 7, Schedule 1 F&amp;WMA 2010 and/or section 63 New Roads &amp; Street Works Act 1991)</li> <li>• Confirmation of proposals for reconstruction works to statutory undertakers</li> <li>• Notification to statutory undertaker to carry out reconstruction/remedial works or debt recovery for any costs incurred by the SAB in carrying out the work due to failure to comply</li> </ul> | Within 28 days of notice to adopt<br><br>Within 4 weeks of receiving the notice       | Uncertain at present                        |
| <ul style="list-style-type: none"> <li>• Processing requests to adopt</li> <li>• Notification of adoption decision</li> </ul>   | Determine a request for adoption within 8 weeks                                       | Uncertain at present                        |
| <ul style="list-style-type: none"> <li>• Release of non-performance bonds</li> </ul>  | Within 28 days of notice to adopt or following completion of construction work by SAB | Uncertain at present                        |
| <ul style="list-style-type: none"> <li>• Correspondence in relation to appeals</li> </ul>   | Within 3 weeks of receiving the appeal notice   | As required                                 |
| <ul style="list-style-type: none"> <li>• Enforcement notices</li> <li>• Updating a register of notices</li> <li>• Processing enforcement compensation claims</li> <li>• Debt recovery (for work undertaken where a developer has failed to comply with an enforcement notice)</li> </ul>  |   | As required                                 |

This page is intentionally left blank



|                               |  |                                   |                         |
|-------------------------------|--|-----------------------------------|-------------------------|
| <b>DECISION-MAKER:</b>        | CABINET  |                                   |                         |
| <b>SUBJECT:</b>               | PROPOSED CHANGES TO HOUSING ALLOCATIONS POLICY |                                   |                         |
| <b>DATE OF DECISION:</b>      | 18 MARCH 2014                                  |                                   |                         |
| <b>REPORT OF:</b>             | CABINET MEMBER FOR HOUSING AND SUSTAINABILITY  |                                   |                         |
| <b><u>CONTACT DETAILS</u></b> |  |                                   |                         |
| <b>AUTHOR:</b>                | <b>Name:</b>                                   | <b>Liz Slater</b>                 | <b>Tel:</b> 02380832582 |
|                               | <b>E-mail:</b>                                 | Liz.slater@southampton.gov.uk     |                         |
| <b>Director</b>               | <b>Name:</b>                                   | <b>Alison Elliott</b>             | <b>Tel:</b> 02380832602 |
|                               | <b>E-mail:</b>                                 | Alison.elliott@southampton.gov.uk |                         |

|                                     |
|-------------------------------------|
| <b>STATEMENT OF CONFIDENTIALITY</b> |
| Not applicable.                     |

## **BRIEF SUMMARY**

This report contains a number of recommendations in respect of proposed changes to the city council's housing allocation policy. The changes will enable the council to make best use of its own housing stock and of its nomination rights to housing association partners' stock. They will also enable the service to be run more effectively. Council officers have carried out consultation with stakeholders prior to recommending these changes. A summary of the consultation responses is attached at appendix 1.

## **RECOMMENDATIONS:**

- (i) To approve the proposed changes to the allocations policy listed in this report.
- (ii) To delegate authority to the Head of Housing Services, following consultation with the Cabinet Member for Housing and Sustainability, to draw up a scheme to provide 'transitional protection' for the small number of applicants affected by the proposal to align the city's eligibility criteria relating to size of property with the housing benefit regulations.
- (iii) To delegate authority to the Head of Housing Services, following consultation with the Head of Development, Economy and Housing Renewal and the Cabinet Member for Housing and Sustainability, to approve the proposed annual lettings plan.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. A key aim of recommendations proposed in this report is to reduce the number of applicants waiting for re-housing in Southampton. The City Council's waiting-list for social housing currently stands at approximately

15,000 applications. This represents a significant growth since 2002 when legislation required the authority to move to an 'open' waiting-list.

The number of properties available for letting every year through vacancies in the council's own stock and via partner housing associations is approximately 1,700 so only a small proportion of applicants currently on the waiting-list will ever receive an offer of housing. Managing a waiting-list of applicants who are unlikely ever to be housed is a waste of the council's resources and raises expectations that cannot be met.

2. The authority's policy must meet the requirements of existing legislation and government guidance in respect of allocations. In particular, the policy must take account of the Housing Act 1996 as amended by the [Localism Act 2011](#) and the statutory guidance on allocations published in June 2012 [Allocation of accommodation code of guidance 2012](#). This report identifies measures to ensure the authority both meets the requirements of and makes best use of the recent legislative and advisory changes. The policy changes proposed here comprise a set of fixed rules but, as previously, officers will retain the discretion to deal with any exceptional cases which fall outside of the provisions of the policy.
3. The authority is currently in the process of transforming the way services are delivered. This will enable service improvements but will also require services to adapt to new methods of provision. The new processes are likely to include increased emphasis on web-enabled services and on-line access to information and application processes. The changes to policy proposed here are crucial to enabling the authority to move more easily to new ways of working.

#### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

4. **Leave the allocations policy as it is with no changes**

This was considered and rejected because of the increased number of applicants on the waiting list, reducing housing stock, reduced resources to administer applications and the need to respond to changes in central government policy.

5. **Give priority to families living in the private rented sector who are adequately housed**

The authority is aware of and sympathetic to cases where families struggle to pay higher rents in the private sector, but giving priority to applicants in the private rented sector who are otherwise adequately housed has a number of undesirable consequences which would make it difficult for the authority to satisfy other policy and statutory objectives.

The problems that such a change in policy would present include:

- The waiting-list and processing of unsuccessful applications would rise significantly but empty properties would not.
- The council is required by law to make sure that some categories of applicants are given 'reasonable preference' over others. Giving adequately housed private sector applicants priority would mean that the council would be less able to provide 'reasonable preference' to other applicants and would significantly compromise the Council's

ability to satisfy statutory requirements.

- The private rented sector is an important and often high-quality housing source in Southampton so sending the message that it is 'inadequate' would not be appropriate or helpful.
- The introduction of such a policy in Southampton would be likely to attract additional numbers of applicants from neighbouring areas to compete for the private rented sector in Southampton and, subsequently, to the authority's housing waiting-list.

Consultation results show agreement with the council's stance that renting in the private sector does not constitute a housing need. There is, however, support for recognising housing need for those with higher rents in the private rented sector. It is intended such cases will be addressed by providing advice and assistance on housing options and money advice and where their home may be at risk, help will be made available to prevent homelessness.

#### **6. Introduce income related criteria**

The introduction of any income-related conditions has been rejected at this time. Southampton has not previously collected any income information from applicants when they apply for housing so being able to implement a scheme at present would be very difficult. As an alternative, it is proposed to begin collection of such information through a re-designed application process to enable examination of this idea in the future.

#### **7. Introduce additional priority for applicants for working or volunteering**

This proposal was rejected because the majority of the council's existing tenants of working age are already either in employment or actively seeking work. Also, one major aim of changing the allocations policy is to make it simpler, speed up the process and reduce the officer time required to handle applications, and this would undermine that aim. Such a policy could also inadvertently penalise those unable to work, for example, those with severe disabilities. We acknowledge that there is support from respondents to the consultation for some preference for social housing for those in work but views are mixed about what should qualify as work. Difficulties in adopting a set of assessments that are fair and consistent are considered too onerous to adopt within available resources. However, it is possible to introduce similar criteria in a more limited way, through local lettings schemes in new developments where the aim is to create a balanced community from the outset. The authority also already supports a number of schemes aimed at addressing worklessness on the city's estates.

### **DETAIL (Including consultation carried out)**

8. The proposals in this report are underpinned by three key principles:
  - (i) making sure the council's allocations policy is lawful and makes best use of stock;
  - (ii) removing unnecessary administration so that the service can be operated within the reduced means now available to the local authority; and
  - (iii) updating the way the service is provided so that it can be modernised in accordance with the council's transformation programme.

9. Officers have carried out a significant consultation exercise prior to the submission of this report. This has included a postal survey of a representative sample of applicants and tenants, a freely available consultation on city web, direct consultation with housing associations in the area, direct consultation with stakeholders such as Health and Social Care and neighbouring local authorities, a survey of staff opinion, consultation with tenants' groups and use of various social media such as Facebook and Twitter. The outcomes of the consultation are taken into account in formulating the proposals for change and a summary of the consultation outcomes is attached at Appendix 1. This report now details the final proposals below.
10. It is proposed that only applicants in current housing need will be admitted to the housing waiting list. Applicants must continue to be in housing need in order to remain on the list. This would enable the authority to be clearer about which applicants are likely to be successful in being re-housed and enable more appropriate assistance to be given to applicants who do not qualify in order to access alternative housing. There is clear support for this from consultation respondents.
11. The 'size' eligibility criteria should be changed so that the council's policy aligns with the housing benefit regulations. The authority's policy is generally more generous than the housing benefit regulations at the moment. Therefore less people can be re-housed than if the same criteria were to be adopted and applicants could be offered properties for which they would not be able to claim full housing benefit should they need to do so, potentially exposing them to debt. In contrast, there are advantages in aligning the two policies as it would enable a greater number of people to be re-housed and avoid creating tenancies affected by the housing benefit spare room subsidy arrangements. This would maximise rent collection whilst minimising the number of tenants who have difficulty paying their rent and be easier to understand for customers. This approach is consistent with Government guidance and with the other major social housing providers in the city, who are already operating on this basis.
12. The authority is keen that the allocations policy is seen by citizens to be fair and that the city's resources are used to help people already resident in and with a commitment to the city, in effect, providing local housing for local families. Therefore it is proposed to introduce a residency qualification of three years before applicants can be admitted to the housing waiting-list. The exception is for armed services personnel who are treated as being resident in the city for this purpose as a result of an amendment made to the policy in 2013. The government's own additional guidance issued in December 2013, providing social housing for local people, [providing social housing for local people](#) states that 'a reasonable period of residency would be at least two years'. There is overwhelming support from consultees that access to social housing be reserved for Southampton residents. As for the length of residency, the most favoured periods in the consultation range from 1 to 5 years. The council's proposed 3 year requirement is right in the middle of that range. Other local authorities in the region are typically proposing residency criteria of between 2 to 5 years. Consideration of access to the housing list for people working but not living in the city has been made, but the complexity and number of assessments required would be significant and therefore this is not recommended. Advice

and assistance will be available about alternative housing options for applicants who do not qualify under the 3 year residency test. The Government has also indicated their intention to consult on new provisions for tenants needing to move due to work which could address this situation.

13. It is proposed to change the policy relating to household formation so that new household members (other than newborn babies) must have been part of the family for a year before they can be added to a housing application. This is intended to provide greater certainty that households are likely to be together for the long-term before properties are allocated to them. Applicants would still be able to be re-housed in properties appropriate to their pre-existing family size but would not be able to apply for a larger property until the one-year criteria had elapsed. The purpose of this change is to avoid the current situation where newly merging households retain their waiting time points but are allocated accommodation on the basis of their increased numbers. Unfortunately this arrangement sometimes breaks down very soon after re-housing, resulting in properties being under occupied and additional re-housing being required by the displaced household members. As tenants are generally offered a secure tenancy, following an introductory tenancy, the authority is unable to then let the larger property to a family that does require that size and accommodation.
14. Officers recommend that the authority introduces a requirement for applications on the housing list to be renewed periodically (e.g. annually/bi-annually). Currently applications can remain on the list for many years, accruing waiting time points, regardless of whether there has been a change in circumstances (verification of housing need is carried out at the time an offer is made). The introduction of a renewal criteria would enable the authority to carry out 'housekeeping' of the waiting-list to ensure that it contains applications only from applicants who are eligible for social housing.
15. The test of eligibility for social housing in respect of 'suitability to be a tenant' (e.g. applicants with a history of antisocial behaviour, rent arrears etc) should also be updated. The current test was set out in the 1996 Housing Act and requires a judgement to be made as to whether the authority would have been able to obtain a possession order in court had it been in a position to do so. This is difficult to explain to customers and relies on officer judgement in respect of a hypothetical situation. The law in this area has changed considerably since 1996 so would be appropriate to take this opportunity to update the allocations policy so that the criteria properly reflect the current legal situation and are easier to explain and understand.
16. It is proposed to introduce a requirement that applicants update the authority of all changes in circumstances. Applicants who do not do so within a reasonable period (e.g. three months) would be removed from the waiting-list. There is currently no sanction in respect of applicants whose circumstances change but who do not update their housing application. Therefore applicants can remain on the waiting-list and accrue waiting time points regardless of any change in circumstances which may impact on their housing need.
17. The current allocations policy makes a distinction between houses and flats, which was introduced many years ago when the authority owned more houses, demand was less and housing association partners were building larger

numbers of new houses.

The purpose of the distinction was to enable most families with children to live in a house. This possibility no longer exists as many houses have been sold through the right to buy, demand has risen significantly and high development costs favour new-build flats over houses.

It is proposed that properties are now allocated on the basis of their size only (i.e. number of bedrooms) and that whether they are a house or flat is no longer significant in making allocations decisions. In practice this would mean families with the correct size of home, and no other housing need, would not be eligible to move from a flat to a house. However, a distinction between flats and houses will be retained, as supported by consultees, with a policy to give a commitment to offer houses only to families with children 16 years of age or under.

Moving to this new policy would have a number of advantages:

- Current policy has the inadvertent consequence of encouraging applicants to 'chase' approval for a house. This results in considerable extra administration and is the subject of numerous appeals and complaints to the authority. The new policy would remove this issue
- The current process is difficult to administer in a way that is fair and transparent. Extra rules have to be in place to identify which families qualify for a house and from what date they qualify. This adds an unnecessary extra layer of complexity to the policy, adding to council administration costs.
- Current waiting times also mean that it is difficult to target houses to families with younger children anyway (the original intention of the policy) since the average length of time waited means the children in many families have grown up by the time the family moves. Attempts to restrict re-housing to families with younger children are inevitably seen as unfair since they move away from the principle of 'waiting your turn' and introduce the element of officer discretion which is open to challenge and unpopular with customers.

18. It is proposed to introduce a yearly lettings plan. This would enable the authority to exercise better control over the use of its properties and for this to be done in a way which is open to public scrutiny. As an example, a variety of re-housing requests are made on an ad hoc basis over the year by agencies dealing with vulnerable clients in crisis. Identifying a number of vacancies in advance and publishing this information would enable the council to deal with such requests in a more open and predictable way.

This process would be used to identify a set number of properties each year which will be made available to achieve wider City objectives. This will include accommodation for foster carers who need larger properties. It would also enable officers to manage the stock more effectively when dealing with regeneration schemes and would provide a vehicle for highlighting particular priorities within the policy. A yearly lettings plan would make similar changes more easy and transparent.

19. A lettings plan would also enable the authority to address the issue of priority for transferring applicants. At present, transferring tenants are given additional points to make sure that a sufficient number of transfers take place each year to

create vacancies within the council stock for other applicants. Although this benefits everybody by helping to create chains of empty properties, the method by which it is achieved is seen as unfair by waiting-list applicants and does provide transfer applicants with an advantage when bidding. Following a lettings plan would enable the council to identify at the outset of the year how many lettings would be made available for different types of applicants and properties would be advertised on that basis. This information would be freely available and applicants could then be awarded points on an equal basis.

20. It is proposed and clearly supported by consultation results, that the authority no longer routinely allows owner occupiers or applicants under 18 to join the waiting-list (this was a requirement under the previous legislative regime). This will help to prioritise housing for those most in need and remove unnecessary applications from the process. It will also help to avoid difficulties in respect of tenancy management and payment of housing benefit in respect of younger applicants. As always, exceptional cases can be considered through the established channels.
21. Officers have considered whether it would be appropriate to apply preserved rights to some existing applicants who might otherwise be affected by the proposals in this report. However, applying protection for all existing applicants affected by the changes has been rejected because it would create a huge administrative burden and further increase the complexity of the policy and process without having any effect on the overall numbers of applicants who are re-housed. It is proposed that 'transitional protection' be restricted to a relatively small number of applicants who would temporarily lose eligibility only to become eligible again but without their previously accrued waiting time points when their children reach the age of 10. This would cause considerable extra administration, be difficult to explain to applicants and is likely to lead to large numbers of complaints and requests for extra priority.
22. It should be noted that none of the policy changes recommended in this report affect the most vulnerable applicants (people applying for older persons housing) so there is no need for any transitional protection in those cases.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

23. There are no capital implications arising from these proposals. Implementing the policy changes will require staff resources but this will be dealt with from existing budgets. Once the changes are introduced, less resource will be needed for processing unsuccessful applications which will enable additional assistance to be given to vulnerable applicants and to help people who do not qualify for waiting-list to access alternative housing tenures.

### **Property/Other**

24. None.

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

25. The power to allocate housing and develop a scheme for allocation is

contained in the Housing Act 1996.

**Other Legal Implications:**

26. None.

**POLICY FRAMEWORK IMPLICATIONS**

Southampton City Council Plan 2013-2016

Housing strategy 2011-2015

Homelessness Strategy 2013-2018

**KEY DECISION?** Yes

|                                    |     |
|------------------------------------|-----|
| <b>WARDS/COMMUNITIES AFFECTED:</b> | All |
|------------------------------------|-----|

**SUPPORTING DOCUMENTATION**

**Appendices**

|    |                                   |
|----|-----------------------------------|
| 1. | Summary of consultation responses |
|----|-----------------------------------|

**Documents In Members' Rooms**

|    |       |
|----|-------|
| 1. | None. |
|----|-------|

**Equality Impact Assessment**

|  |     |
|--|-----|
| Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out. | Yes |
|--|-----|

**Other Background Documents**

**Equality Impact Assessment and Other Background documents available for inspection at:**

| Title of Background Paper(s) | Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable) |
|------------------------------|--|
|------------------------------|--|

|    |  |  |
|----|--|--|
| 1. |  |  |
| 2. |  |  |



## **Allocations Master Combined Survey Analysis:**

The analysis is for the complete (Master) Allocations Policy Review Survey that ran in two formats; online SNAP survey and hard copies sent to a random sample of Southampton City Council tenants and applicants on the waiting list.

There were 258 online responses for the SNAP survey; and 149 responses received by mail.

### **Online SNAP Survey:**

The full master survey ran from the 16<sup>th</sup> December 2013 – Monday 17<sup>th</sup> February and was hosted on the Southampton City Council Internet.

During this time the survey was promoted on the Housing, Tenant Participation Unit and Communities Facebook pages and on the Tenant Participation Twitter feed.

It was also promoted internally to staff via the Weekly Bulletin, Staff Noticeboard and as an email link that all Housing staff were encouraged to add on their signature link to get the widest possible audience including staff and external agencies and partners.

Promotion of this (and other related surveys) via social media proved particularly successful, with around 150 responses of the Master survey and the five other quick surveys directly attributable to linking this survey, during a 24 hour period. The Twitter feed was also re-tweeted by John Denham and the BBC during this timeframe.

### **Mail Format:**

A random sample of 375 tenants and 372 applicants were selected from the databases of 11,300 applicants and 16,400 tenants, giving a total of 747 selected people.

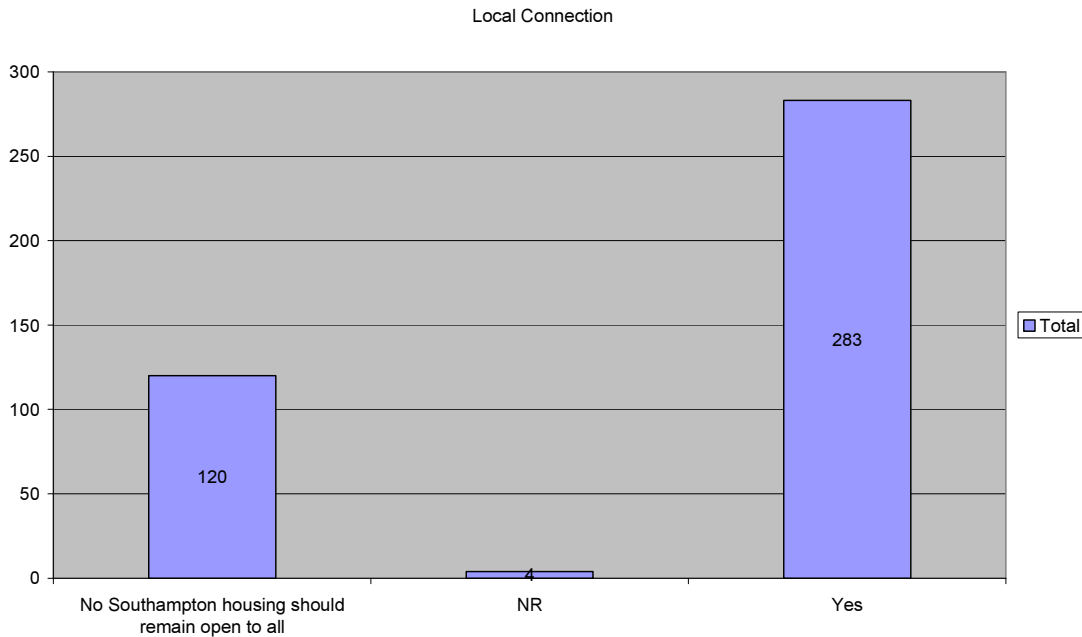
An explanatory letter was sent to this sample of people with a hard copy of the SNAP survey and a stamped addressed envelope, asking them to reply within a two week period from the 29<sup>th</sup> January to Monday 17<sup>th</sup> February.

Additionally, 13 hard copies of the survey were filled in by tenants attending Tenant Participation meetings during this period.

If the 13 responses above are disregarded; the returned surveys came to 136; giving a response rate of 18%.

Question 1:

**Local Connection: Do you think ONLY Southampton residents living within the city boundary should be able to join the housing list?**



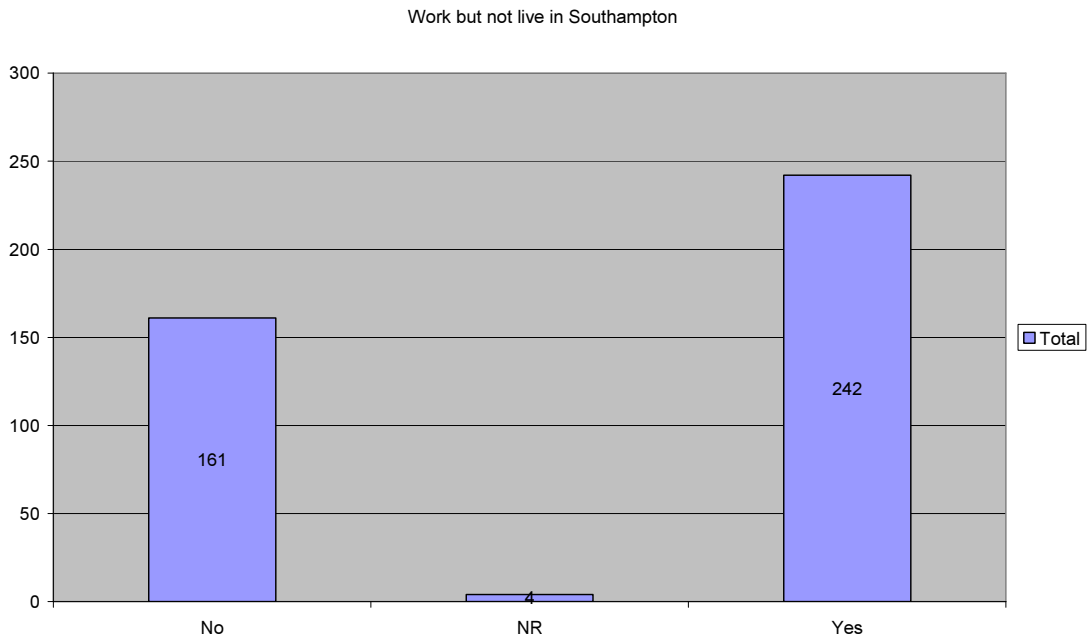
Yes 283 (70%)

No Southampton housing should remain open to all (120) 30%

**Q2: If there was a residency test, how long should they have lived in the city before they can join?**

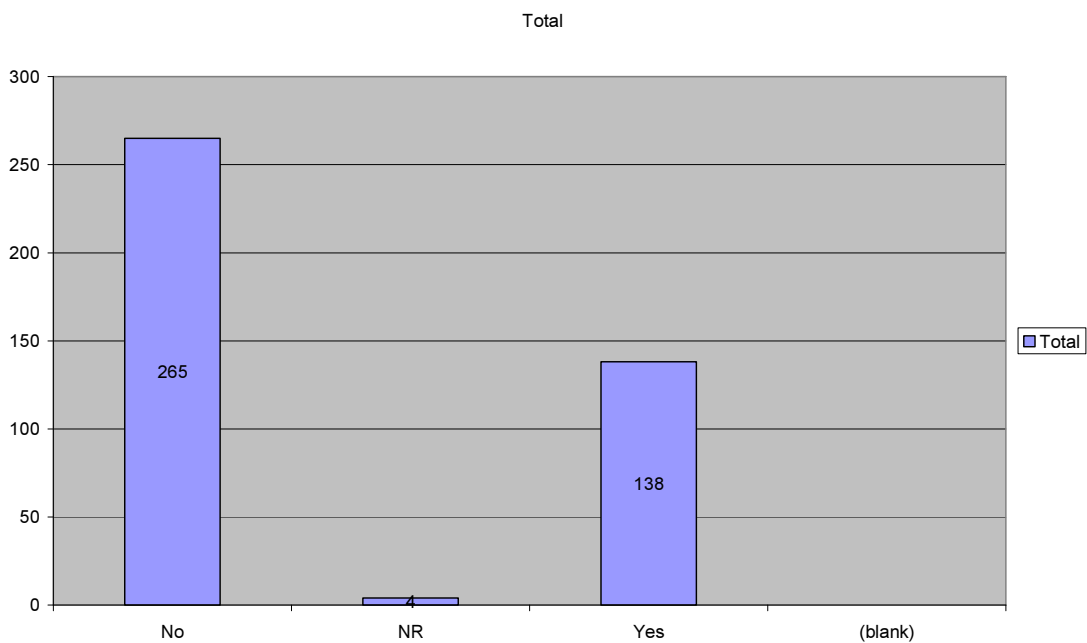
|            |    |
|------------|----|
| 0          | 6  |
| 1          | 60 |
| 1.5        | 1  |
| 2          | 76 |
| 3          | 51 |
| 4          | 4  |
| 5          | 91 |
| 6          | 3  |
| 7          | 1  |
| 10         | 20 |
| 12         | 2  |
| 15         | 1  |
| 20         | 1  |
| 25         | 1  |
| Born       |    |
| Soton      | 6  |
| Don't know | 5  |
| NR         | 57 |
| Other      | 21 |

**Q3: In your opinion, should someone who works in Southampton but does not live in Southampton be able to join?**



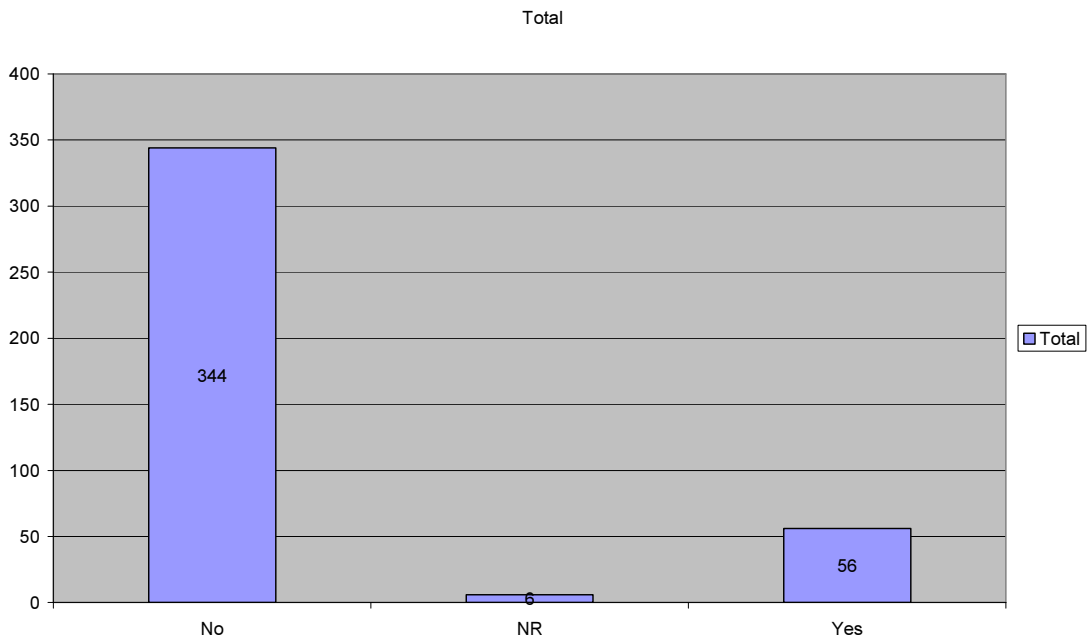
Yes 242 (59%)  
No 161 (40%)

**Q4: Do you think that people without a housing need should be able to join the list?**



Yes 138 (34%)  
No 265 (65%)

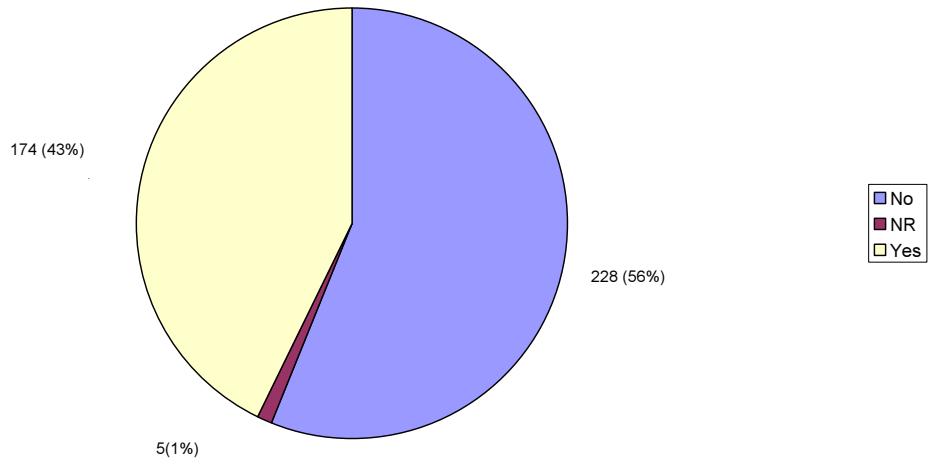
**Q5: Do you think that people who already own a home should be able to join the list?**



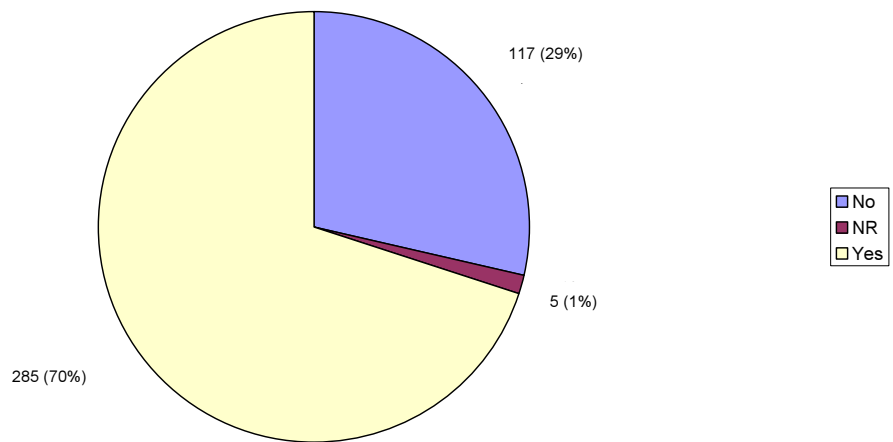
Yes 56 (14%)  
No 344 (85%)

### Q6a: Do you consider the following to be a housing need?

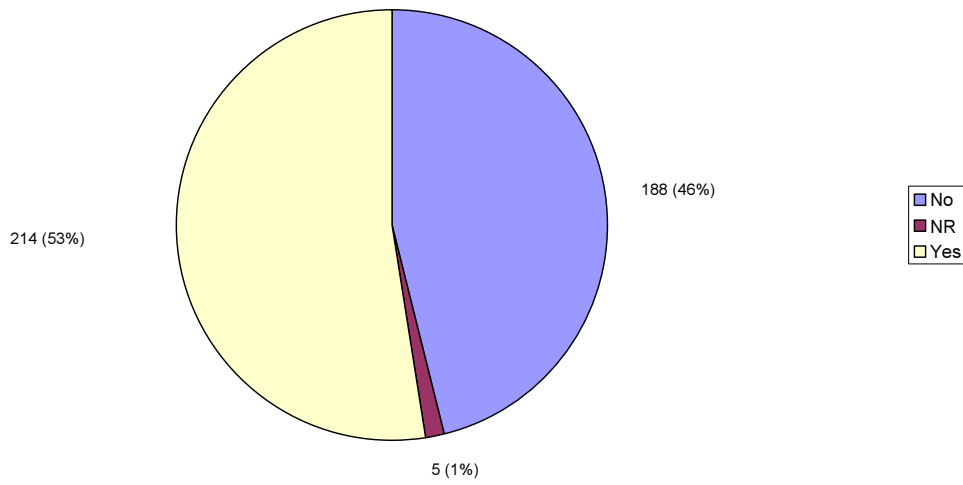
Applicant in PR with short-term lease



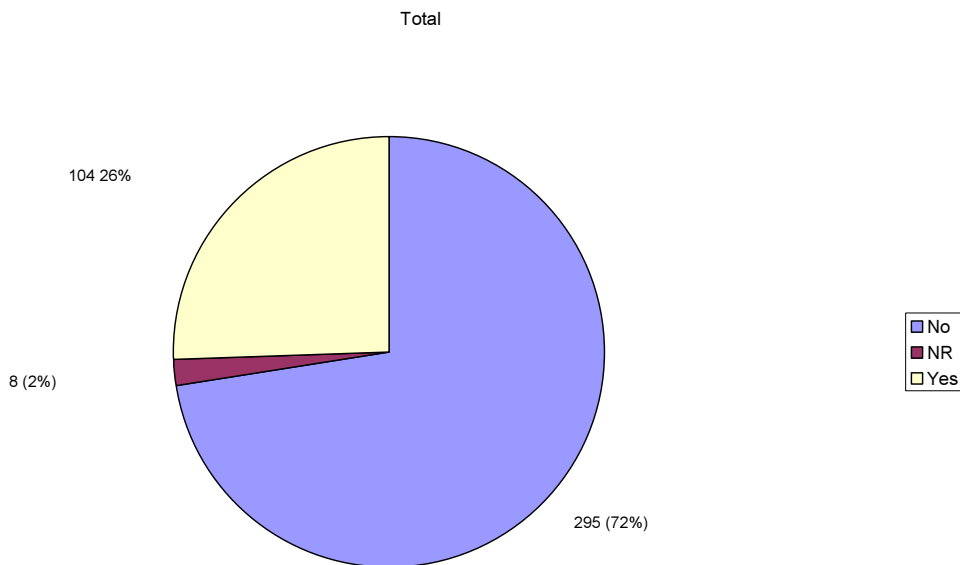
Applicant in PR who has high rents they find unaffordable



Family in flat wanting to move to low rise



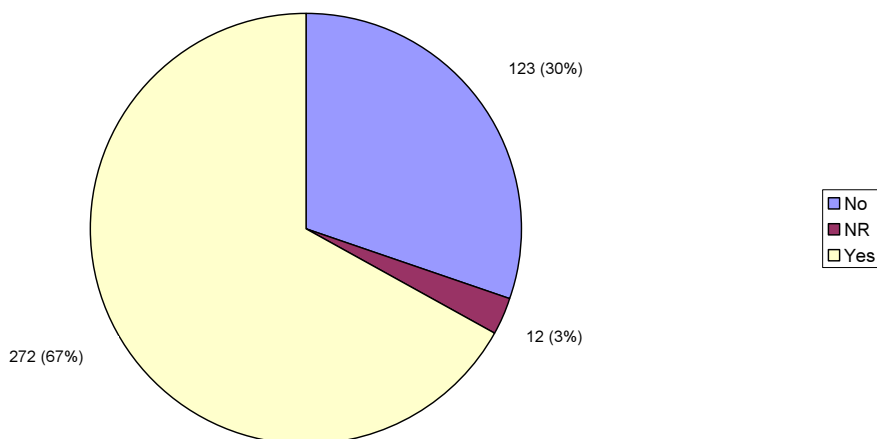
**Q7: Should 16 and 17 year olds be allowed to join the list even though they cannot hold a tenancy until 18 years?**



Yes 104 (26%)  
No 295 (72%)

### Q8: Should we continue to treat the allocation of flats and houses differently?

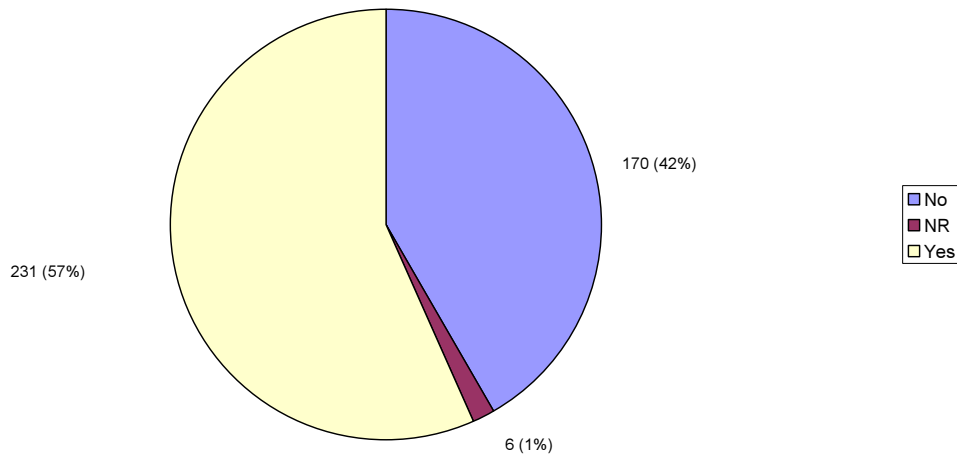
Flats and houses differently



Yes 272 (67%)  
No 123 (30%)

**Q9: Should families with children who live in flats, with no other housing need, be eligible to move to a house?**

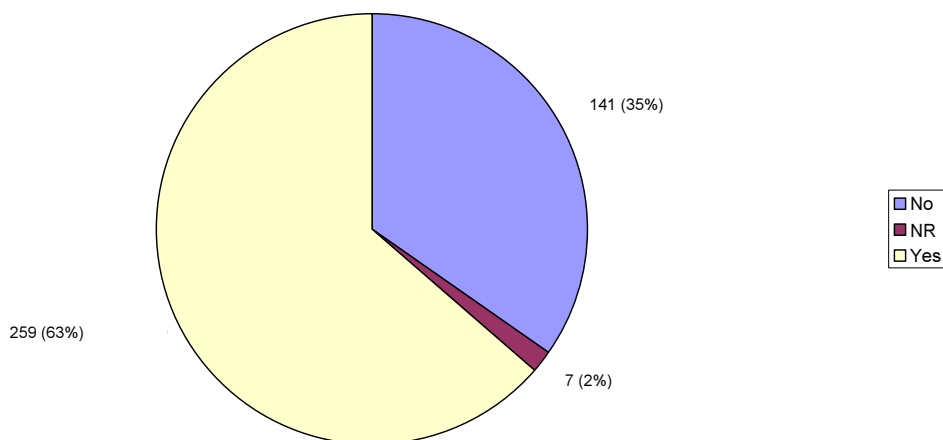
Families in flats to houses



Yes 231 (57%)  
No 170 (42%)

**Q10: Should we restrict the allocation of houses to families with dependent children?**

Restrict houses to families with children



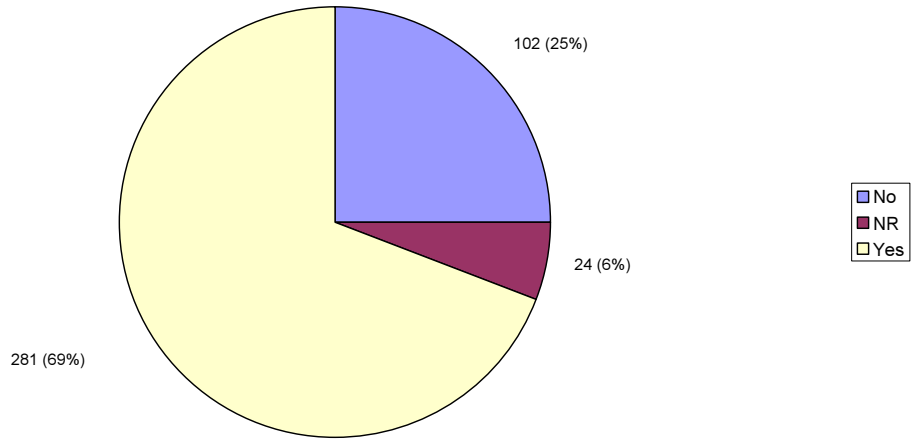
Yes 259 (63%)  
No 141 (35%)



**Q11: What ages of children should be used to make a family eligible for a house?  
(Please tick all that apply)**

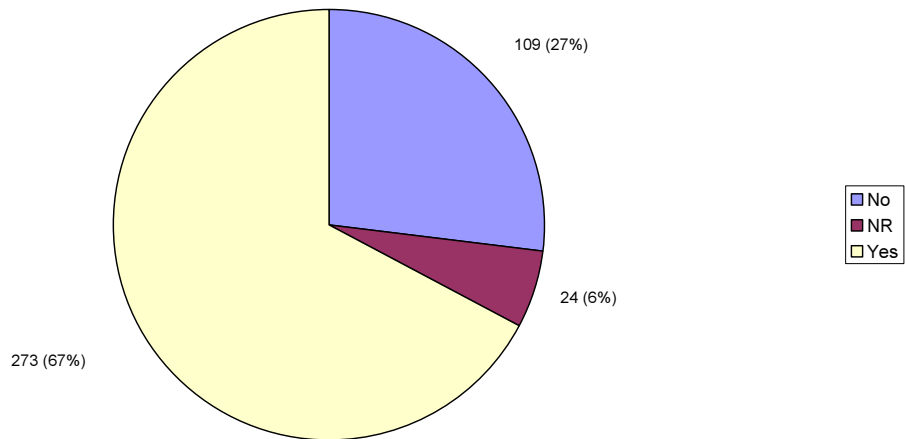
**Families with Pre-school age children**

Families with Pre-school children



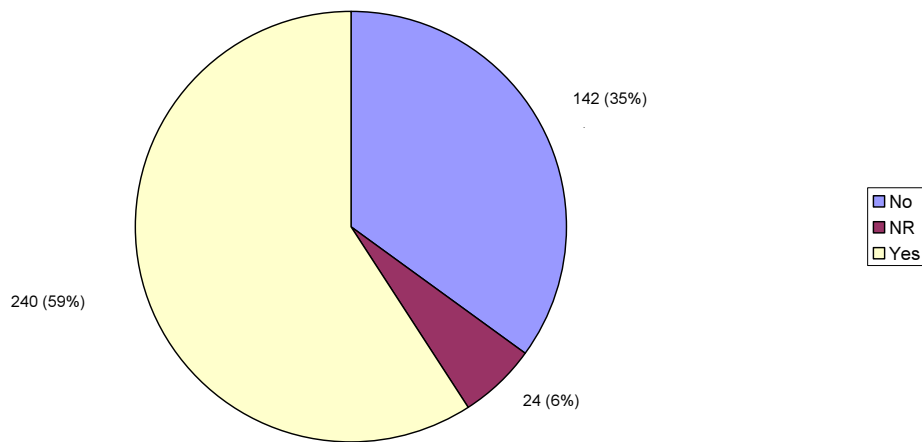
**Families with Junior school age children**

Families with Junior School children



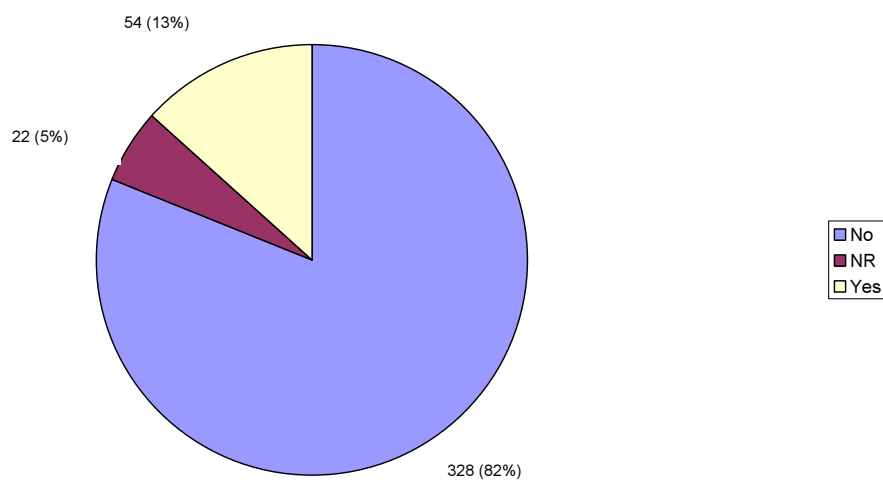
## Families with Secondary school age children

Families with Secondary age children



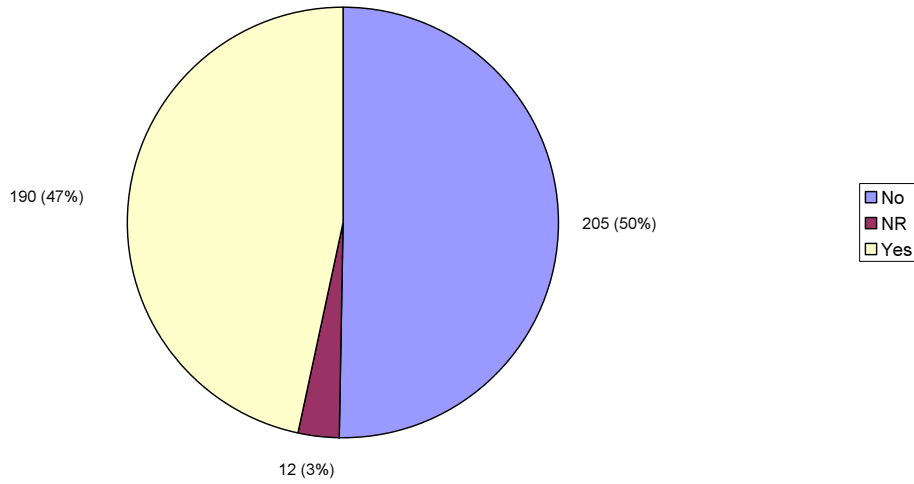
## Over 16 – 21 years

Over 16 - 21 years



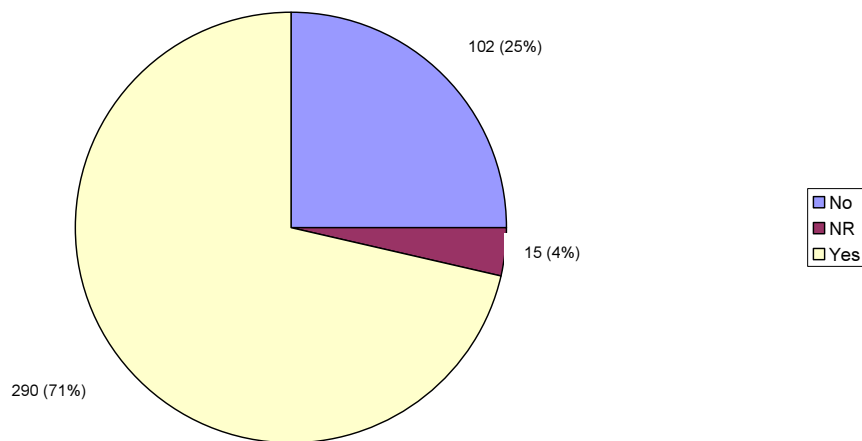
**Q12: Should a brother and sister under 10 years of age be expected to share a bedroom?**

Shared bedrooms brother and sister under 10



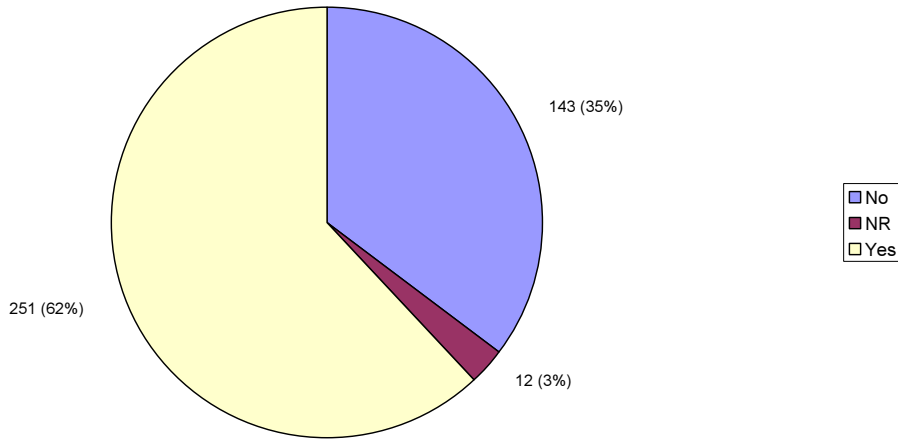
**Q13: Should siblings under 16 years of the same gender be expected to share a bedroom?**

Siblings same gender under 16 share bedroom



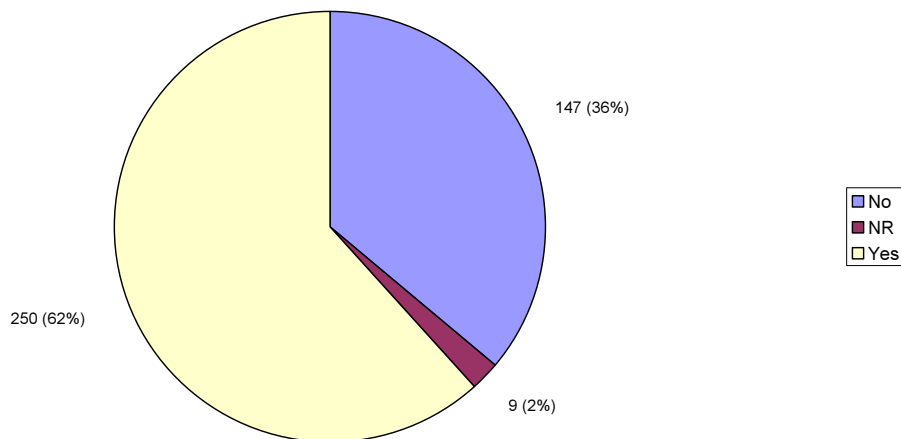
**Q14: Should children be eligible for their own bedroom when they reach the age of 16 years?**

Eligible own bedroom over 16



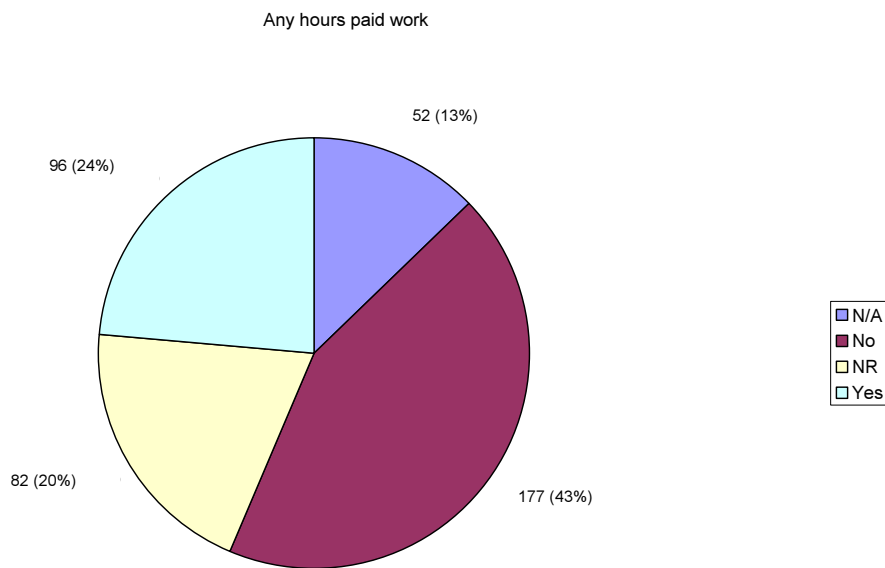
**Q15: Should we give a higher priority for social housing to households in work?**

Extra priority working households

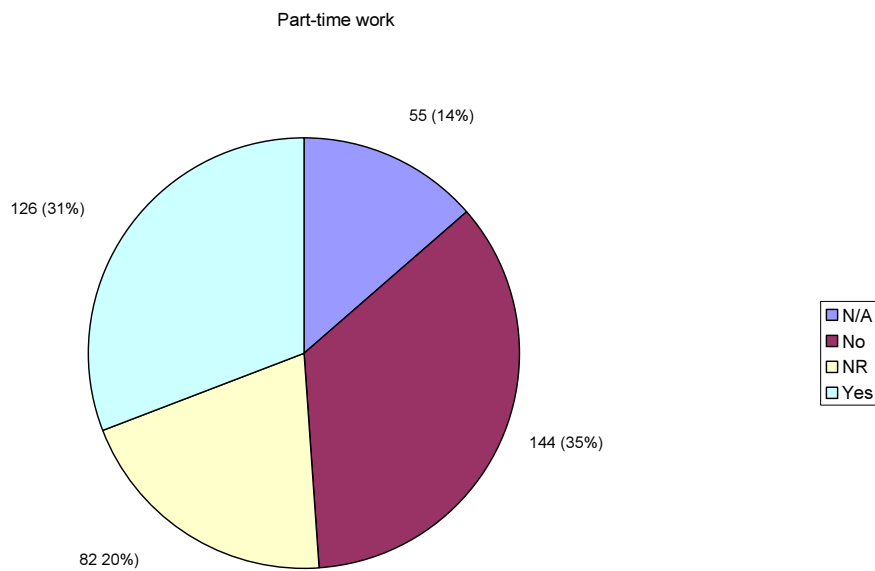


**If yes, when should we treat someone as being in work for this purpose?**

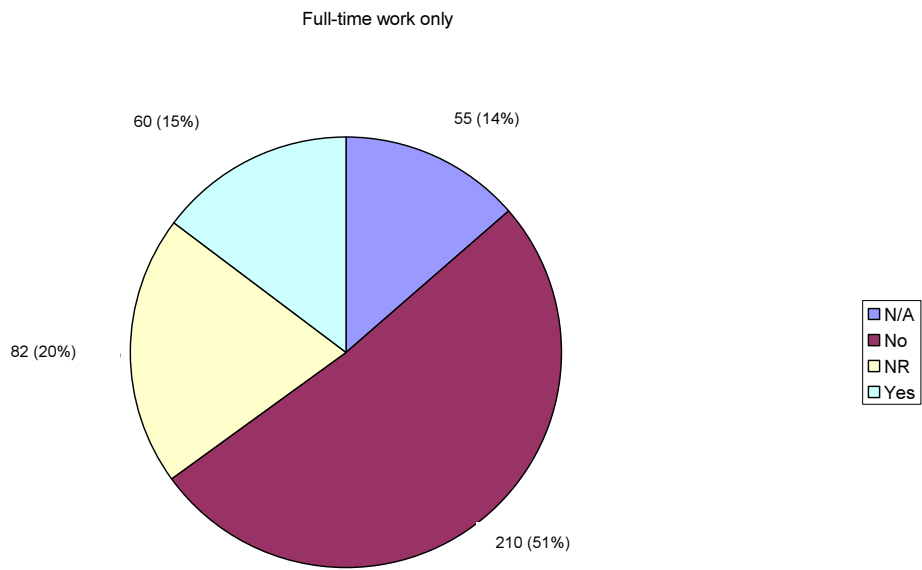
**Q16a: Any hours of paid work:**



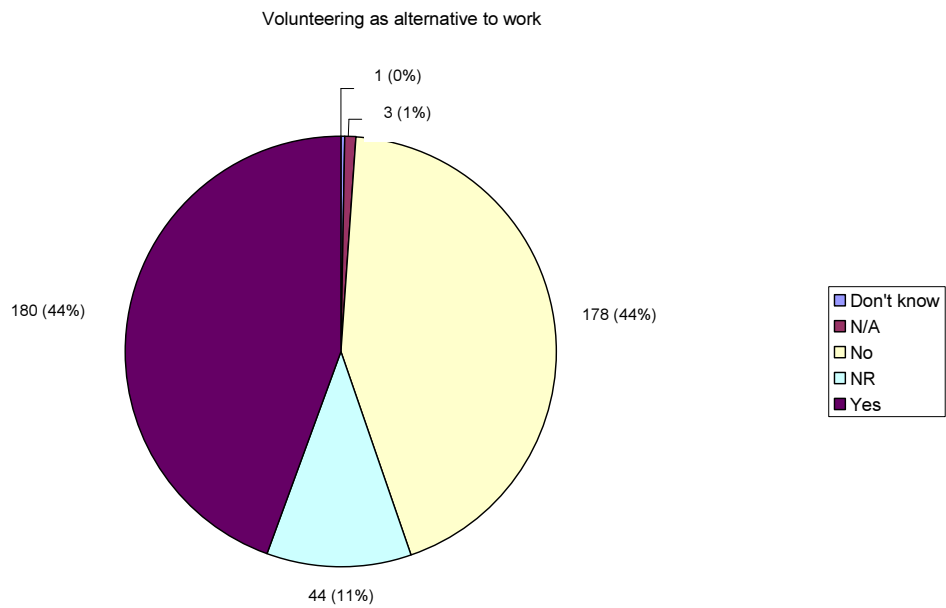
**Q16b: Part-time workers, single parents working 16 hours per week, couples working 24 hours a week or**



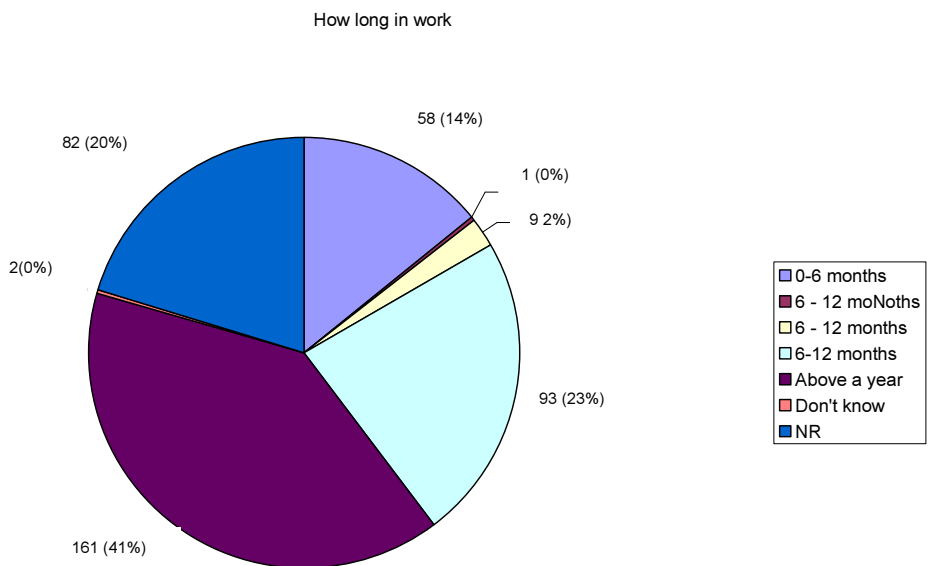
### Q16c: Full-time workers only



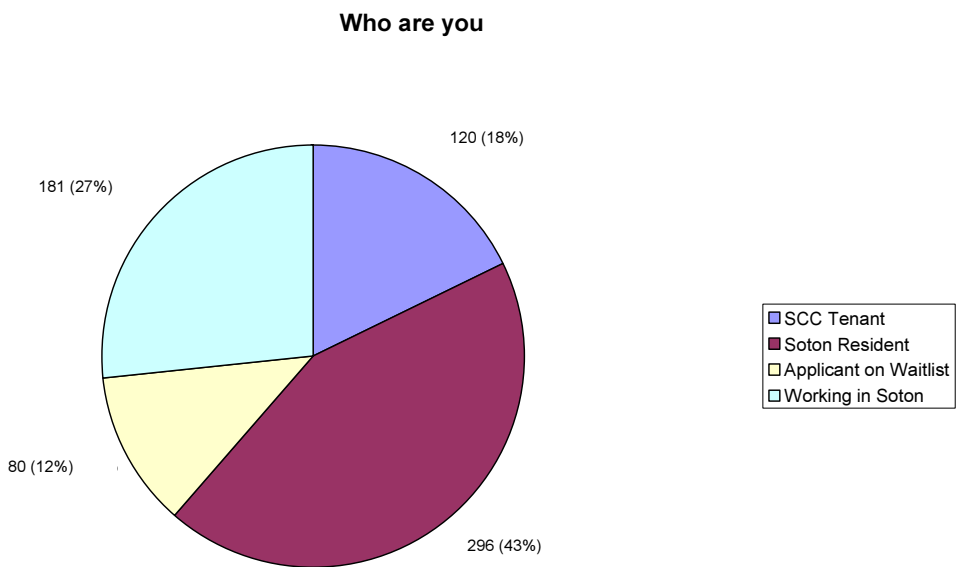
### Q17: Should we consider volunteering as an alternative to work for this purpose?



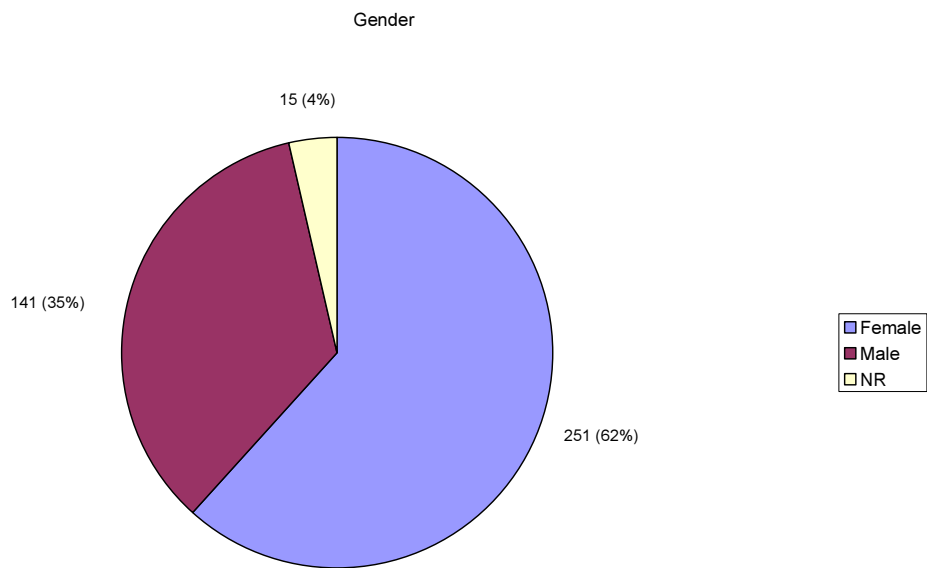
**Q18: How long should someone have been in work for us to take this into account?**



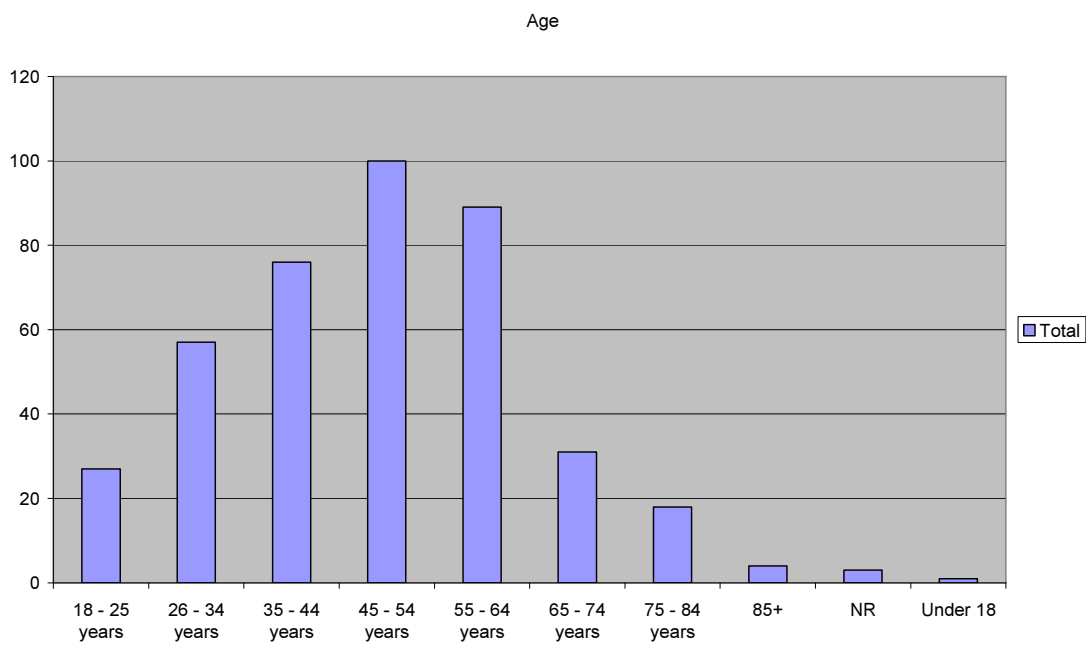
**Q19: Which statement(s) best describe you? (Please tick all that apply)**



## Q20: Gender



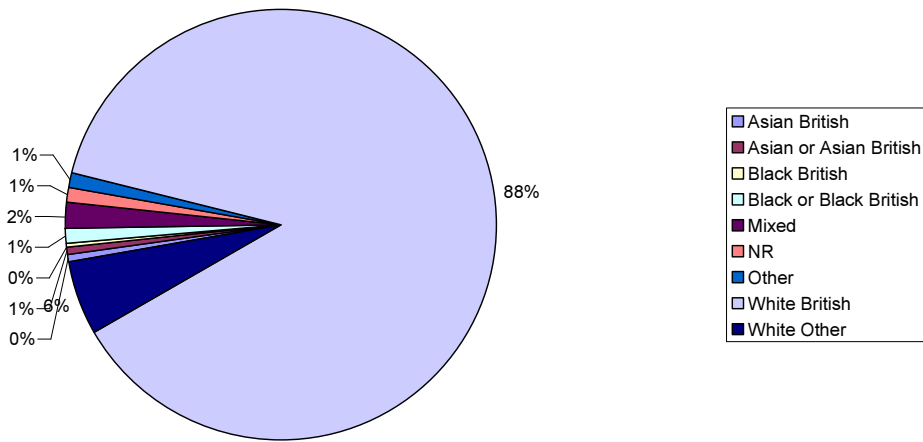
## Q21: What is your age?





**Q22: What is your ethnicity (please tick)**

Ethnicity



This page is intentionally left blank

|                                     |   |                                  |             |               |
|-------------------------------------|---|----------------------------------|-------------|---------------|
| <b>DECISION-MAKER:</b>              | CABINET                                 |                                  |             |               |
| <b>SUBJECT:</b>                     | REPAIRS TO THE CIVIC CENTRE CLOCK TOWER |                                  |             |               |
| <b>DATE OF DECISION:</b>            | 18 MARCH 2014                           |                                  |             |               |
| <b>REPORT OF:</b>                   | CABINET MEMBER FOR RESOURCES            |                                  |             |               |
| <b><u>CONTACT DETAILS</u></b>       |   |                                  |             |               |
| <b>AUTHOR:</b>                      | <b>Name:</b>                            | Richard Hodge                    | <b>Tel:</b> | 023 8083 2601 |
|                                     | <b>E-mail:</b>                          | Richard.Hodge@southampton.gov.uk |             |               |
| <b>STATEMENT OF CONFIDENTIALITY</b> |   |                                  |             |               |
| NOT APPLICABLE                      |   |                                  |             |               |

## **BRIEF SUMMARY**

This report seeks approval for expenditure on urgent repairs to the Civic Centre Clock Tower to be funded primarily from the addition of a new capital scheme within the Resources Portfolio Capital Programme.

## **RECOMMENDATIONS:**

Having complied with paragraph 15 of the Council's Access to Information Procedure Rules.

- (i) To add a scheme to the Resources Portfolio Capital Programme to complete essential repairs to the Civic Centre Clock Tower.
- (ii) To vire £351,000 from the Accommodation Strategy Action Programme (ASAP) scheme within the Resources Portfolio Capital Programme to the newly created scheme to repair the Civic Centre Clock Tower.
- (iii) To approve in accordance with Financial Procedure Rules capital expenditure of £351,000 in 2014/15 to complete the repairs to the Clock Tower.
- (iv) That the Head of Property, Procurement and Health and Safety is granted Delegated Powers to vary the scope of the work as may be found necessary to ensure that the repairs to the Clock Tower cover all major issues, following consultation with the Cabinet Member for Resources.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. This report is submitted for consideration as a General Exception under paragraph 15 of the Access to Information Procedure Rules in Part 4 of the City Council's Constitution, notice having been given to the Chair of the relevant Scrutiny Panel and the Public.
2. To undertake urgent repairs to the Civic Centre Clock Tower resulting from storm damage and with Health and Safety implications.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

3. The following options were considered by Capital Board on the 30 January 2014 :

- Option 1 – Do Nothing
- Option 2 – repairs to give a notional life of 5 years
- Option 3 – repairs to give a notional life of 10 years
- Option 4 – urgent roof repairs with a second project shortly after to address the other urgent repair issues

Capital Board selected Option 3.

#### **DETAIL (Including consultation carried out)**

4. During the severe weather on the 23/24 December 2013 the roof of the Civic Centre clock tower was damaged and approximately 1/3<sup>rd</sup> of the copper roof covering was torn from the roof.
5. On the 24 December Hampshire Fire and Rescue cut access holes through the roof to remove some loose strips of copper and carried out additional fixing work to make the roof safe in the short term. Since then temporary works to limit water ingress through the roof have been carried out.
6. In order to determine the safety and condition of the clock tower roof a large access platform (cherry picker) was used on 28/29 January to allow a further and more detailed survey of the tower to be carried out. The findings are currently being considered, the preliminary review of work required and estimates are included in Appendix A
7. In order to replace the copper roof and carry out repairs to the roof structure it will be necessary to construct a scaffold around the tower to give access for the remedial work.
8. The scope of the project will be liable to change as there is a significant possibility that further unforeseen and urgent works will be discovered once there is access to the exterior of the tower.
9. On the 30<sup>th</sup> January 2014 a Briefing Paper was taken to Capital Board giving 4 Options for the scope of repairs. It was agreed that the scope of the work should be Option 3, as set out in the list at Appendix A.
10. Due to the urgent need to get the roof repairs underway as soon as possible the work associated with the erection of the access scaffolding and the repair of the roof (at a value of £80,000) will be completed with the cost being met from existing revenue funds relating to repairs and maintenance. The remainder of the work being Capital at a value estimated at £351,000 for which a scheme is to be added to the Resources Portfolio Capital Programme.

#### **RESOURCE IMPLICATIONS**

##### **Capital/Revenue**

11. Capital  
At the Capital Board meeting on 30<sup>th</sup> January 2014 it was agreed that Option 3 (repairs to give a notional life of 10 years) should be undertaken as soon as possible. The initial survey works have identified that the estimated repair costs under this option will be £351,000 (see detailed breakdown in Appendix A). These works will form part of a new capital scheme within the Resources Portfolio Capital Programme, with works to be phased for completion in

2014/15. Overall there will be no increase in the Resource Capital Programme as there will be a corresponding reduction in the Accommodation Strategy Action Programme (ASAP) scheme which is now drawing to a close.

12. Revenue

Prior to the completion of the capital works identified above, early urgent works estimated at £80,000 are required to carry out roof repairs due to Health & Safety issues to be completed at the beginning of 2014/15. These will be funded from the Centralised Repair and Maintenance budget within the Resources Portfolio (see detailed breakdown in Appendix 1).

**Property/Other**

13. As covered in the report

**LEGAL IMPLICATIONS**

**Statutory power to undertake proposals in the report:**

14 Section 132 Local Government Act 1972 gives Local Authorities power to provide buildings and premises (and maintain them) for use as offices and to hold public meetings etc. In addition to this power s.1 Localism Act 2011 allows a Council to do anything that an individual may do unless otherwise restricted by law. This includes the power to repair Council buildings to the extent not otherwise provided for under section 132 LGA 1972.

**Other Legal Implications:**

15 Any contract for goods, services or repairs must be procured in accordance with the Council's Contract Procedure Rules.

**POLICY FRAMEWORK IMPLICATIONS**

16 The proposals set out in this report are wholly in accordance with the Council's Policy framework.

KEY DECISION? Yes/No

|                             |              |
|-----------------------------|--------------|
| WARDS/COMMUNITIES AFFECTED: | Bargate Ward |
|-----------------------------|--------------|

**SUPPORTING DOCUMENTATION**

**Appendices**

|    |   |
|----|---|
| 1. | Southampton Civic Centre Clock Tower Repair Works – Preliminary Estimates |
|----|---|

**Documents In Members' Rooms**

|    |      |
|----|------|
| 1. | None |
|----|------|

**Integrated Impact Assessment**

|  |        |
|--|--------|
| Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out. | Yes/No |
|--|--------|

**Other Background Documents**

**Integrated Impact Assessment and Other Background documents available for inspection at:**

Title of Background Paper(s)

Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

|    |      |  |
|----|------|--|
| 1. | None |  |
|----|------|--|

## Appendix 1

### SOUTHAMPTON CIVIC CENTRE CLOCK TOWER REPAIR WORKS – PRELIMINARY ESTIMATES

|            | WORKS/RECOMMENDATION                           | ESTIMATED REVENUE COST | ESTIMATED CAPITAL COST | ESTIMATED TOTAL COST | PRIORITY | COMMENTS  |
|------------|--|------------------------|------------------------|----------------------|----------|---|
| <b>1.0</b> | <b>OPTION 3 (Approximately 10 years life)</b>  |                        |                        |                      |          |   |
| 1.1        | Scaffolding and Hoist                          | £60,000                | £30,000                | £90,000              | High     | Essential for all works.  |
| 1.2        | Copper roof and timber boarding                | £20,000                |                        | £20,000              | High     | Emergency repairs   |
| 1.3        | Timber louvre repairs/overhaul                 |                        | £10,000                | £10,000              | Medium   | Repairs to areas where required   |
| 1.4        | Clock faces overhaul repairs and redecoration  |                        | £15,000                | £15,000              | High     | Treatment of corroded metal etc.<br>Awaiting a report from ironwork specialist.   |
| 1.5        | Full repairs to the bells/bell frame and bells |                        | £90,000                | £90,000              | Medium   | As recommended by Gillett and Johnston in 2008. The majority of this work is still outstanding. An update is now being prepared by Gillett and Johnston following site visit. |
| 1.6        | Re-pointing                                    |                        | £10,000                | £10,000              | Medium   | For worst approx 400m over 4 elevations.  |

|      |                             |                       |                        |        |  |
|------|-----------------------------|-----------------------|------------------------|--------|--|
| 1.7  | Stonework/steelwork repairs | £38,000               | £38,000                | Medium | For removal of stone to SW corner, the complete treatment of steel to full height and reinstatement of the stone                 |
| 1.8  | Asbestos                    | £20,000               | £20,000                | High   | A reasonable estimate based on the information in the asbestos register.   |
| 1.9  | Contract Preliminaries      | £20,000               | £20,000                | High   | Welfare facilities, site facilities etc necessary for project. There is a possibility that the SeaCity Museum can provide these. |
| 1.10 | Contingency                 | £52,000               | £52,000                | High   | Contingency for unforeseen works.  |
| 1.11 | Consultancy Fees            |                       | £66000                 | High   | Capita Fees  |
|      | <b>Total estimated cost</b> | <b><u>£80,000</u></b> | <b><u>£351,000</u></b> |        | <b><u>£431,000</u></b>   |

NB. This information is based on the recent surveys and inspections. The scope of the works can be fully confirmed once the scaffolding is erected. Once we can get to the stone from the scaffolding, there will be certainty about the true extent of the stonework repair and other repairs. These figures are therefore subject to change. The figures displayed above are based on what is believed to be a worst case scenario situation.



# Agenda Item 14

by virtue of paragraph number 3, 5 of the Council's Access to information Procedure Rules

Document is Confidential

This page is intentionally left blank

# Agenda Item 14

by virtue of paragraph number 1,2,3,4,5,6,7,7a,7b of the Council's Access to information Procedure Rules

Appendix 1

Document is Confidential

This page is intentionally left blank

# Agenda Item 14

by virtue of paragraph number 1,2,3,4,5,6,7,7a,7b,7c of the Council's Access to information Procedure Rules

Appendix 2

Document is Confidential

This page is intentionally left blank