# Public Document Pack

# **CABINET**

# Tuesday, 15th April, 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 Chaloner, Cabinet Member for Children's Safeguarding Councillor Kaur, Cabinet Member for Communities Councillor Jeffery, Cabinet Member for Education and Change

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

(QUORUM - 3)

#### Contacts

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#### **BACKGROUND AND RELEVANT INFORMATION**

#### The Role of the Executive

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

#### The Forward Plan

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

#### 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

#### **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 nosmoking 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)

2013	2014
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 <u>DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS</u>

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 18<sup>th</sup> March 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.

### 8 QUESTIONS FROM MEMBERS TO THE CABINET MEMBERS

To consider any questions to the Executive from Members submitted on notice.

## **ITEMS FOR DECISION BY CABINET**

# 9 LATE NIGHT LEVY - CONSULTATION

To consider the report of the Head of Legal and Democratic Services on the proposals for the late night levy design for consultation purposes, attached.

# 10 REQUEST FOR VARIATION OF HACKNEY CARRIAGE FARES - CONSIDERATION OF OBJECTIONS

To consider the report of the Head of Legal and Democratic Services detailing objections received, attached.

# 11 ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS FOR ACADEMIC YEAR 2014/15

Report of the Cabinet Member for Education and Change detailing the oversubscription criteria for schools in the City attached.

## 12 <u>CITY SERVICES CAPITAL PROGRAMME - APPROVAL TO SPEND</u>

Report of the Cabinet Member for Environment and Transport seeking approval of capital programme item - purchase replacement mechanical street sweeping fleet, attached.

### 13 RECOMMISSIONING OF SCHOOL NURSING SERVICE

Report of the Cabinet Member for Health and Adult Social Care, seeking approval of a new service specification for Southampton School Nursing services, attached.

# 14 AWARD OF CONTRACT FOR AN ADULT CARER SERVICE AND A YOUNG CARER SERVICE.

Report of the Cabinet Member for Health and Adult Social Care, seeking approval for the award of the Adult Carer Support Service and a Young Carer Service contracts, attached.

## 15 BANK TENDER - DELEGATED AUTHORITY TO AWARD CONTRACT

Report for of the Head of Finance, seeking delegated authority to award the contracts for general banking and merchant acquiring following a joint procurement exercise, attached.

# 16 HERITAGE PARTNERSHIP AGREEMENT WITH ENGLISH HERITAGE FOR WORKS TO THE CIVIC CENTRE

Report of the Cabinet Member for Resources seeking delegated authority to enter into a Heritage Partnership Agreement (HPA) with English Heritage, attached.

# 17 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 appendix to the following Item.

Confidential Appendix 4 contains information deemed to be exempt from general publication by virtue of category 3 to paragraph 10.4 of the Councils Access to Information Procedure Rules as contained in the Constitution. Publication of this information could influence bids for the property which may be to the Council's financial detriment.

## 18 \*PROPERTY AUCTION SALES

Report of the Cabinet Member for Resources detailing proposals for the sale of surplus properties by way of auction, attached.

Monday, 7 April 2014

Head of Legal and Democratic Services



# Agenda Item 4

# SOUTHAMPTON CITY COUNCIL EXECUTIVE DECISION MAKING

## RECORD OF THE DECISION MAKING HELD ON 18 MARCH 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 Shields - Cabinet Member for Health and Adult Social Care
Councillor Payne - Cabinet Member for Housing and Sustainability

Apologies: Councillor Chaloner

### 90. STATEMENT FROM THE LEADER

The Leader of the Council made the following statement:

Members will recall that we signed the Southampton and Portsmouth City Deal with Government in November. As part of the Deal, we are required to formalise local governance arrangements to oversee programme delivery. I wish to make you aware that it is proposed that a 'non legal entity' group is established for this purpose, comprising the four local signatories to the Deal: the leaders of Hampshire County Council, Portsmouth City Council and Southampton City Council, and a private sector representative for the Solent Local Enterprise Partnership.

This City Deal Executive will meet as required, but normally quarterly to make in principle strategic decisions in relation to the Southampton and Portsmouth City Deal, and the decisions of the City Deal Executive shall be reported formally and publicly to Hampshire County Council, Portsmouth City Council, Southampton City Council and the Solent Local Enterprise Partnership'

# 91. REQUEST FOR VARIATION OF HACKNEY CARRIAGE FARES

DECISION MADE: (Ref: CAB 13/14 12447)

On consideration of the report of the Head of Legal and Democratic Services detailing two requests for the variation of hackney carriage fares, and having received representations from the Chairman of the Southampton Hackney Association, Cabinet agreed the following:

(i) Cabinet considered two requests for the variation of the table of fares for the hire of hackney carriages in Southampton.

(ii) 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

# 92. <u>ENVIRONMENT AND TRANSPORT CAPITAL PROGRAMME 2014/15 - APPROVAL TO SPEND</u>

DECISION MADE: (Ref: CAB 13/14 12235)

On consideration of the report of the Cabinet Member for Environment and Transport, and having received representations from a Member of the Council, seeking approval to spend and to provide details of the Environment and Transport capital programme 2014/15. Cabinet agreed the following:

- (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.

# 93. <u>IMPLEMENTATION OF THE SUSTAINABLE DRAINAGE SYSTEM APPROVING BODY</u>

DECISION MADE: (Ref: CAB 13/14 12147)

On consideration of the report 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,, Cabinet agreed the following:

- (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.

# 94. PROPOSED CHANGES TO THE HOUSING ALLOCATIONS POLICY DECISION MADE: (Ref CAB 13/14 12293)

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

(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.

#### 95. REPAIRS TO THE CIVIC CENTRE CLOCK TOWER

DECISION MADE: (Ref: CAB 13/14 12361)

On consideration of the report of the Cabinet Member for Resources seeking financial approval for Clock Tower Repairs, Cabinet agreed the following:

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 t 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.

NOTE: This report was 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.

# 96. \*PAST PRACTICE IN ASSESSING CONTRIBUTIONS FOR ADULT SOCIAL CARE NON RESIDENTIAL CARE

DECISION MADE: (Ref: CAB 13/14 12300)

On consideration of the report of the Cabinet Member for Health and Adult Social Care, and having taken into consideration the recommendations made by Overview and Scrutiny Management Committee held on 13<sup>th</sup> March, 2014 Cabinet agreed the recommendations set out in the confidential report.



DECISION-MAKER:		CABINET		
SUBJECT:		LATE NIGHT LEVY - CONSULTATION		
DATE OF DECISION: 15 APRIL 2014				
REPORT OF:	REPORT OF: CABINET MEMBER FOR COMMUNITIES		ES	
CONTACT DETAILS				
AUTHOR: Name:		Richard Ivory	Tel:	023 8083 2794
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STATEMENT OF CONFIDENTIALITY	
None	

#### **BRIEF SUMMARY**

A motion was passed at Council on 20th November 2013 delegating authority to the Head of Legal and Democratic Services to commence the consultation process on a proposed new late night levy. Subsequent discussions with both the Chief Superintendent of Police for the City and the Police and Crime Commissioner (PCC), have taken place and Cabinet is now asked to consider the design of the levy where the Council has options and the consultation arrangements. This document will form the basis of statutory consultation.

This report examines the statutory procedures and consultation process prior to the formal consideration of introducing a Late Night Levy on premises authorised to sell or supply alcohol between midnight and 6 am. It examines the process and consequences of doing so and explains the options available to the council to design the levy as a basis for consultation in partnership with the Hampshire Police and Crime Commissioner.

#### **RECOMMENDATIONS:**

- (i) To consider and agree the proposals for the levy design for consultation purposes as set out in this report and as detailed below:
  - (a) The late-night supply period to run from one minute past midnight to 6am
  - (b) Exemptions from the levy will include:
    - Premises with overnight accommodation (but not where bars are open to the public/non residents)
    - Theatres and cinemas
    - Bingo halls
    - Community Amateur Sports Clubs
    - Community Premises

- Premises only open on New Year's Eve
- (c) Exemptions from the levy will **not** include:
  - Country Village Pubs
  - Business Improvement Districts
- (d) Reductions of the levy will not be granted for Council accredited business-led best practice schemes
- (e) Reductions of the levy will not be granted for small businesses
- (ii) To consult on:
  - (a) the need for a Levy Board to advise on levy spend/priorities
  - (b) a range of activities on which to spend the levy which are or may be provided to tackle the late night alcohol related crime and disorder, and community safety services connected to the management of the night time economy, including:
    - Night time economy management
    - Taxi marshalling
    - ICE bus
    - CCTV improvements
    - Street pastors
    - Street cleaning
    - Enforcement initiatives
    - Personal safety initiatives
    - Providing temporary public conveniences
- (v) To delegate the final format of the consultation document to the Head of Legal & Democratic Services after consultation with the Cabinet Member for Communities.
- (vi) To note the arrangements for the operation of a late night levy with a target date for implementation of 1<sup>st</sup> February 2015

#### REASONS FOR REPORT RECOMMENDATIONS

- 1. The provision for the late night levy has been introduced by the Government to allow authorities to require those businesses that benefit from the existence of a late night economy in their area to contribute towards the costs that it causes.
- 2. While the late night economy provides significant economic benefits to the City, there are consequential costs of crime and disorder, anti-social behaviour, and costs that fall on the police, the Council and other partners.
- 3. Legislation has been introduced as it is not considered:
  - "... fair to expect local communities and taxpayers to bear the full brunt

of the costs that the late night economy causes in their area.

Therefore, this charge allows licensing authorities to require those businesses that benefit from the existence of a late night economy in their area to contribute to some of the costs that it causes."

- 4. The rationale is not to restrict the extent of the late night economy but to ensure a contribution towards the direct and consequential costs.
- 5. The proposal at this stage is to start the process to introduce the levy, to gather additional information as to the likely costs and consequences, to consult widely on the proposals so that full Council can be fully informed and able to make a final decision.
- 6. The Council's Statement Of Licensing Policy predates the Police Reform and Social Responsibility Act 2011 which introduced the levy and therefore no specific mention is made of it. However, throughout the document reference is made to crime and disorder, the night time economy and the need to balance the latter and against the former. Government initiatives are referred to and the policy is, therefore, consistent with the desirability of consulting on the need for a levy
- 7. By law the Council is required to carry out its various licensing functions so as to promote the four licensing objectives, which have equal importance:
  - the prevention of crime and disorder
  - public safety
  - the prevention of public nuisance
  - the protection of children from harm
- 8. Introduction of the levy can assist in the achievement of this policy and objectives by providing additional funds. The outcome of the consultation and further research will show if there are likely to be any detrimental impact which can be considered before the final decision will be made.

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

9. None, Council has already passed a motion to move to the consultation stage.

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

10. The attached draft consultation document provides the detail to support the desirability of implementing the levy, detailed crime and disorder data and importantly the options that the Council has in relation to the design of the levy. Two significant options regarding reductions and exemptions from the levy relate to the reduction of the levy for Council accredited business-led best practice schemes and reductions of the levy for small businesses.

# Reductions and exemptions relating to the reduction of the levy for Council accredited business-led best practice schemes.

11. Currently there is an arrangement called "Licensing Link" led by the trade which comprises members predominantly based in the City Centre. It provides a radio scheme and webpage for the sharing of information such as details of persons banned on their scheme, the Red Card Scheme.

- 12. The view is that Licensing Link is not currently robust enough and lacks commitment by all participants to fall within the meaning of a "best practice" business led scheme that warrants a reduction in the levy. It is not considered this current scheme is of sufficient standing, has adequate commitment from all members and provides the necessary outcomes to warrant a financial reduction. However, it is intended to consult stakeholders as regards any possible reductions from the levy for businesses who participate in a redesigned, and crucially, business-led best practice scheme possibly based on the core criteria of the Police's Diamond scheme which seeks to set a high standard in management practices within licensed premises. The police scheme is not finalised and awaits approval.
- 13. It is proposed to consult on this issue particularly in respect of any future schemes designed to provide a clear rationale as to why the scheme's objectives, participation and activities will, or are likely to, result in a reduction of alcohol related crime and disorder. Initial discussions with the trade as regards this issue have been very positive and any future initiatives are intended to address issues such as irresponsible drinks promotions. In principle a reduction for a robust scheme is considered by officers to be appropriate.

# Reductions of the levy for small businesses

- 14. The Council may allow a reduction:-
  - "in relation to premises, at which the authorisation permits the supply of alcohol for consumption on the premises only, which are a hereditament in respect of which—
  - (i) the ratepayer is subject to a non-domestic rate calculated in accordance with section 43(4A) of the Local Government Finance Act 1988, and
  - (ii) the rateable value is not more than £12,000."
- 15. These are premises that already receive Small Business Rate Relief.
- The Council proposes **NOT TO GRANT** a reduction for these premises. These premises already receive business rates relief to assist in their viability. However, if they operate in the late night supply period, there is no reason to suggest that they are less likely than similar businesses to contribute to the detrimental effects of the NTE between midnight and 6am. They will in any event be subject only to the lower bands of the LNL, because of their low rateable value.

# <u>Discussions with the Police and Crime Commissioner (PCC) and Chief Officer of Police</u>

17. Initial informal discussions have taken place in accordance with paragraph 1.11 of the Government's Guidance. The response from the PCC is attached at Appendix A and data from the police included in this report. More detailed submissions may be submitted during any formal consultation. Both support the levy principle.

#### What impact will this proposal have?

18. At a time where public authorities are subject to stringent budget restrictions

and are finding it extremely difficult to continue to support current initiatives as above the levy will provide funds for the police and Council to address the costs of crime anti-social behaviour caused and related matters by the late night economy. The outcome of the consultation will help to inform consideration of the impact. The regular monitoring and review process will also assess the impact. Hampshire's Police and Crime Commissioner has confirmed that the police contribution towards initiatives such as the taxi marshals will no longer be supported financially due to severe budget cuts. This is the same position as all the other public partners who currently contribute. Over the past few years to supplement this the Council has encouraged contributions from the licensing trade to help pay for initiatives which directly benefit them. However for a variety of reasons, not least the recession, such contributions have significantly diminished.

19. It would therefore appear to be fairly clear that currently most of the NTE initiatives that require funding will cease if the levy is not introduced. It is considered that this would have a significant detrimental effect on the city and be a retrograde step after the hard work that has been put in by partners and the trade themselves over the past few years that culminated in the City being granted the Tilley Award in 2011.

### How will the levy be spent?

- 20. Within the Act there are set parameters to what the levy can be spent on and by whom. Once the Council's set up and annual administration costs have been paid for at least 70% of the net sum raised must be passed to the PCC who has full discretion over where the sums are spent. This is naturally a concern to the Council as it is only fair that the full sum raised is only spent on the initiatives and other directly related or similar matters in the City. However, the PCC has confirmed that this is his intention. If the levy is ultimately adopted this will be put on a more formal footing.
- 21. If the levy is adopted it is recommended that a "Levy Panel" comprising the Council, statutory partners, the PCC and the trade should be put in place to make recommendations to the PCC and Council on how the levy should be spent. The panel will not be able to veto spending but is seen as a very useful way of ensuring the voices of all interested parties are heard. This will form part of the consultation
- 22. The sum that the Council retains will likewise be committed to the initiatives referred to in recommendation (ii) above.

### How will success be measured?

- 23. Financial success will be shown if the net income produced by the levy after deducting the Council's expenses results in a sum that enables the police and the Council to develop and support initiatives which improve the late night experience for residents and visitors.
- 24. This will maintain Southampton's safe night time economy and will assist in the target of further reducing the amount of crime, disorder and anti-social behaviour linked to the late night economy. Confidence in Southampton as a safe night out will be improved. This will be measured by crime, anti-social behaviour and confidence statistics.

#### What is the timetable for implementation?

25. This is the current provisional Timetable:

January 2014	Consultation with Police and Crime Commissioner and Chief Constable
15 <sup>th</sup> April 2014	Cabinet Report and final design of consultation
25 <sup>th</sup> April 2014	Statutory Consultation Starts
30th July 2014	End of Statutory Consultation
Summer 2014	Consideration of the outcome of consultation and finalisation of the proposals
Early September 2014	Report to the Licensing Committee
16 <sup>th</sup> September 2014	Report to Full Council
Autumn/Winter 2014	Determination of Minor Amendments to Vary Hours
1 <sup>st</sup> February 2015	Target date for implementation of Start First Levy Year
2017	Review

### What are the key risks and how are they being managed?

- 26. The legal risks have already been identified in sections 38 to 41. They will be further addressed in future reports.
- 27. The financial risks and resource implications are identified in sections 29 to 36. In addition, if the Council ultimately decides not to introduce the levy, the costs of the process will be found from within existing budgets.
- There is a risk that there will be an adverse effect on the late night economy within the City, with consequential effects on employment and support businesses (e.g. hotels, taxis, private hire, and takeaways). Given the cost this is thought unlikely and whilst early days has not been found to be the case in Newcastle Upon Tyne being the first City to adopt the levy late last year. The opposite to this is the potential benefit to residents and businesses from the retention of the current initiatives which have led to a reduction in crime and disorder and anti-social behaviour and the ability to reduce police and Council resources needed to address the consequences of the late night economy. It is therefore important the levy spend is properly considered and directed to address identified issues. The consultation will further inform the assessment of this risk and the key will be future monitoring.

#### **RESOURCE IMPLICATIONS**

#### Revenue

29. The amount of the levy is fixed by regulations and depends on the rateable value of the premises.

Rateable Value	Annual Levy
No rateable value to £4,300	£299
£4,301 to £33,000	£768
£33,001 to £87,000	£1,259
£87,001 to £125,000	£1,365
£125,001 and above	£1,493

30. Where premises within Bands D or E primarily or exclusively sell alcohol for consumption on the premises, a multiplier is applied to ensure that larger clubs and bars make a higher contribution.

x 2 £87,001 to £125,000	£2,730
x 3 £125,001 and above	£4,440

Premises with no rateable value fall within Band A

Premises that are in the course of construction fall within Band C

- 31. If all existing premises authorised to sell or supply alcohol between midnight and 6 am are subject to the levy, the estimate of the sum that the levy will produce is approximately £240,000 per year.
- 32. This sum will be lower if the levy night supply period is for a lesser time (so affecting fewer premises), if exemptions or reductions are agreed, and if premises choose to make free applications to reduce their authorised hours to avoid the levy. It is estimated the net sum in these cases will be approximately £100,000 per year before any other reductions are taken into account.
- There will be a resource implication in respect of officer time spent on both the consultation process and ongoing administration. Officers have been diverted to carry out this Council priority which has had a service impact on some Licensing matters. After initial set up the ongoing administration once the levy come into force will hopefully be relatively minimal. In addition any adopted Business led best practice scheme will require officer time to complete assessments and enforcement. This may be linked to and future Best Bar None Awards but will require further work by officers to explore this avenue. The attraction of Best Bar None is some of the funding is provided by the Alcohol Industry towards the running of the award.
- 34. During the initial period of introduction there is an ability for any premises affected by the levy to seek a free variation to their licence to reduce the hours that alcohol is sold, As an estimate it is possible some 100+ premises may seek to do this but it will be a purely business led decision. This additional workload will have resource implications or cause other matters to receive less priority. The one cost of this, based on the above figure is

estimated to be £8,900 and will need to be offset against the levy income received in year 1. It should be noted that save for the gross levy figure all other figures are estimated and to an extent unquantifiable as businesses will decide what is best for them.

- 35. The level of estimated gross income per annum from the introduction of a late night levy will be determined by the regulations but will also be affected by the level of exemptions or reductions agreed.
- 36. The annual costs incurred by the Council in administering the levy will be deducted from the gross income and detailed work is underway to assess the estimated level of these ongoing costs.
- The potential ongoing financial impact of a late night levy can be summarised as follows:

	Maximum	Minimum
	£	£
Gross income	240,000	100,000
Deduct estimated annual admin fee	15,000	15,000
Net income available for spend priorities	225,000	85,000
Assume PCC 70%	158,000	60,000
Assume SCC 30%	68,000	25,000

The financial implications arising from the introduction of a levy will need to be carefully considered in detail prior to any final decision to proceed. Clarity will also be required on the financial administration arrangements for both the collection and application of the levy income to ensure that any risks to the Council are minimised e.g. if the actual level of income collected in a given financial year is lower than the estimate on which spending decisions have been based and put in place.

#### **Property/Other**

38. None

#### **LEGAL IMPLICATIONS**

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

39. Police Reform and Social Responsibility Act 2011.

## **Other Legal Implications:**

- 40. The introduction of the levy is a statutory process which needs to be followed exactly. Failure to do so could result in a legal challenge. Since the levy is a type of taxation, the courts are likely to look at the process in greater detail, were a challenge to be made.
- 41. As well as ensuring that the proper procedure is followed (including proper consultation), the Council must take into account all material considerations and disregard all immaterial considerations before making the final decision. The key material considerations are those set out in the 2011 Act which are referred to above. These are not exhaustive. This issue will be addressed further in the final report to Council.
- 42. The Constitutional position is that the final decision needs to be made by full Council. However, since it relates to a licensing matter, it is recommended full Council should have a report from the Licensing Committee.

#### POLICY FRAMEWORK IMPLICATIONS

43. None. The Statement of Licensing Policy refers at paragraph 3.3 to the Licensing Authority seeking to discharge its responsibilities identified by other Government Strategies, so far as they impact on the objectives of the Licensing Act. The proposal is consistent with this.

#### KEY DECISION? No

WARDS/COMMUNITIES AFFECTED:	All
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#### SUPPORTING DOCUMENTATION

#### **Appendices**

1.	Draft Late Night Levy Consultation document
2.	Letter of support

#### **Documents In Members' Rooms**

1.	None
	110110

#### **Equality Impact Assessment**

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

## **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.	Guidance on the Late Night Levy, December 2012	Click here
2.	Southampton City Council – Statement of Licensing Policy	Click here



Appendix 1

# SOUTHAMPTON CITY COUNCIL LATE NIGHT LEVY (LNL) – CONSULTATION

# 1. Background

- 1.1 Southampton is a safe city and strives to continue to be a safe and pleasant place to live, work and visit. The entertainment industry in Southampton is a major contributor to the local economy. It attracts tourists and visitors, makes for vibrant communities and is a major employer. Commercial occupiers of premises have legitimate expectations for an environment that is attractive and sustainable for their businesses.
- 1.2 The Council wishes to consult on its proposals to introduce a Late Night Levy (LNL) on late night licences within the City (i.e. where the premises licence or club premises certificate authorises the supply of alcohol between one minute passed midnight and 6am on one or more days in any year). This will produce resources for the police and the Council to be used in addressing the effects of the NTE between midnight and 6am within the City. It believes that it will be a fair way of helping to meet the costs of providing a safe environment and it will benefit businesses, residents and tourists and address some of the harmful health and social consequences of a significant number of late night licences.
- 1.3 At the current time, the Council's Cabinet has only decided to consult on the proposals. A final decision will be made later in the year taking into account all the views that have been given.

# We want your views.

# 2. Who are we going to consult?

- 2.1 We must consult with:
  - the Hampshire Police and Crime Commissioner;
  - the Chief Constable of Hampshire Constabulary; and
  - holders of late night premises licences and club registration certificates who will be affected by the LNL.
- 2.2 We must also publish details on the Council's website and in a local newspaper.

#### 2.3 We will do more:

We will write to the holders of all authorisations that supply alcohol to give them an opportunity to express their views.

- 2.4 We also want the views of residents and the public. In addition to the notice on the website and the newspaper notice:
  - We will consult through the Council's Consultation web-pages; and
  - We will write to organisations that represent residents and tenants.
- 2.5 We will send details to all councillors.

- 2.6 We will write to Licensing Solicitors and Professionals that work significantly within the City.
- 2.7 We will consult other Responsible Authorities.
- 2.8 We will consult with interested other bodies that operate or represent people who operate with the City.
- 2.9 We would like your views by 30th July 2014

# 3. Some Explanations of Terminology

### What is a Late Night Levy (LNL)?

3.1 The Police Reform and Social Responsibility Act 2011 allows the Council to introduce a LNL within the City. If introduced, it means that certain premises authorised to supply alcohol will have to pay an additional annual levy to the Council.

#### What Premises are affected?

3.2 The LNL will apply to holders of both premises licences and club premises certificates granted by the Council which authorise the supply of alcohol at a time or times during the late night supply period on one or more days in any year.

#### What is the Late Night Supply Period?

- 3.3 The Council must fix the late night supply period but it must begin at or after midnight and end at or before 6am (see Section 5).
- 3.4 The LNL will apply if the licence or certificate authorises the supply of alcohol during the late night supply period, whether or not the premises actually operate during that period. For the LNL to apply, the late night authorisation only has to apply on one day in a year. This includes premises with a condition on their licence that allows alcohol to be served after the decided hour on application to the police, normally referred to as an ACPO TEN whether used or not.

#### **Exemption and Reductions**

- 3.5 The Council can grant certain exemptions (see Section 6) and reductions (see section 7).
- 3.6 Subject to these exemptions and reductions, the LNL will apply throughout the area of the City. It cannot apply to only part of the City.

## Which Late Night Premises are not affected?

3.7 The LNL only applies to premises supplying alcohol. It does not apply to premises that only provide regulated entertainment or late night refreshment, without the supply of alcohol.

3.8 Nor does it apply to premises that supply alcohol during the late night supply period only under the authority of a Temporary Event Notice (however see 3.4 above)

## How long does the LNL continue for and can it be varied?

- 3.9 Once the LNL has been introduced, the LNL will continue until the Council decides that the levy shall cease to apply.
- 3.10 The Council can also vary the late night supply period, the exemptions and reductions, or change the split of the proceeds between the police and the Council.
- 3.11 These changes can only take effect at the end/beginning of a levy year. There must be further consultation before changes such as these are made.

#### Can licensees vary their licences to avoid the LNL?

3.12 If the Council decides to introduce the LNL, holders of premises licences and club registration certificates have a right, before the LNL starts and without payment of any fee, to make an application to vary their authorisation so that the premises will not be subject to the LNL (e.g. by seeking to change the days or hours of operation).

#### When is the LNL payable and how is it enforced?

- 3.13 In the case of existing authorisations, the LNL is payable annually when the annual fee is payable. In the case of new authorisations, the first LNL is payable within 14 days after the grant of authorisation and, in subsequent years, at the same time as when the annual fee is payable.
- 3.14 If the LNL is not paid within 21 days, the Council is required to suspend the premises licence or the club registration certificate until it is paid. It is also recoverable as a debt.

#### How much is the LNL?

3.15 The amount of the LNL is fixed by the UK Government and depends on the rateable value and use of the premises. The amounts are set out below: **Rateable Value Bands Annual LNL** 

(based on the existing fee bands)

Band	Rateable value	Levy amount
Band A	Nil to £4,300	£299
Band B	£4,301 to £33,000	£768
Band C	£33,001 to £87,000	£1259
Band D	£87,001 to £125,000	£1365 (see note below)
Band E	£125,001 and above	£1493 (see note below)

**Note:** Where premises within Bands D or E primarily or exclusively sell alcohol for consumption on the premises, a multiplier is applied to ensure that larger clubs and bars make a higher contribution:

- D. x2 £87,001 to £125,000 £2,730
- E. x3 £125,001 and above £4,440

Premises with no rateable value fall within Band A
Premises that are in the course of construction fall within Band C.

3.16 The liability for the LNL is reduced if the authorisation lapses or if an Early Morning Alcohol Restriction Order comes into force. The Council can also decide to reduce the liability for the LNL if the authorisation is surrendered but not if it is revoked.

#### What can the LNL be used for?

3.17 The Council is entitled to deduct prescribed expenditure from the amount received in respect of the LNL (see Section 8) to cover the expenses of introducing and administering the levy. It must then pay at least 70% of the net amount to the Hampshire Police and Crime Commissioner and retain the balance and use it for certain prescribed purposes (see Sections 8 and 9).

# **CONSULTATION QUESTIONS**

# 4. Should a Late Night Levy be introduced in the City?

4.1 As background to the introduction of the LNL powers, the Government has said:-

"As part of the Government's commitment to overhaul alcohol licensing to tackle alcohol-related crime and disorder and resulting harms in favour of local communities, various measures were introduced in the 2011 Act. These include provision for the levy, which fulfils a commitment in the Coalition agreement to permit local councils to charge more for late night licences to pay for additional policing. The Government does not believe it is fair to expect local communities and taxpayers to bear the full brunt of the costs that the late night economy causes in their area. Therefore, this charge allows licensing authorities to require those businesses that benefit from the existence of a late night economy in their area to contribute to some of the costs that it causes."

- 4.2 The Council has had initial discussions with the Hampshire Police and Crime Commissioner and the Chief Officer of Police for Southampton to see whether, subject to consultation, they support in principle the introduction of the LNL within the City. They both supported the initial proposal, subject to further consultation.
- 4.3 The introduction of a LNL was suggested after public response to Council budgets. This is the start of the consultation process.

#### **Statutory Criteria**

4.4 The 2011 Act states that the Council must consider two matters (although these are not necessarily exclusive):-

- The costs of policing and other arrangements for the reduction or prevention of crime and disorder, in connection with the supply of alcohol between 0001 and 0600; and
- Having regard to those costs, the desirability of raising revenue to be applied in accordance with the Act.

4.5 The Council has identified the following costs, the extent of crime and disorder and the benefits attributable to the late-night supply of alcohol. It has been difficult to be precise about the costs because financial systems do not always distinguish between costs on the basis of the time at which they were incurred. The benefits of some expenditure will be of value both during and outside of the late night supply period. In that respect it is necessary to take a broad brush approach.

### COSTS ETC.

# Cost of policing in connection with late-night supply of alcohol

- 4.6 Hampshire Police have calculated that it costs £1.6 million per annum to police the NTE (Night Time Economy) area between midnight and 6am within Southampton city centre.
- 4.7 The costs relate to officers deployed for the whole NTE operation and include an element of custody, investigation and a small element of vehicle/transport costs. These ancillary costs have been adjusted downwards to reflect absorbed costs for other policing functions by those officers in those time periods.
- 4.8 The core hours between midnight and 6am costs £588,829 alone in officer costs for high visibility patrols in the Southampton NTE alone.
- 4.9 In addition there will be costs in relation to areas outside of the City Centre but it has not been possible to identify the element associated with the NTE.

#### 4.10 The Home Office has said:

"Alcohol-related crime and disorder causes a large cost to the police.

According to the British Crime Survey, 16% of violent crime occurs between midnight and 6am (British Crime Survey, 2010-113). In addition to the direct effects, the police are, for example, required to carry out follow-up activities such as investigations and arranging custody. Furthermore, in 44% of all violent incidents, the victim believed the offender to be under the influence of alcohol. When 38 police authorities were asked about overtime arrangements, 22 said that the NTE was a major cause of their overtime payments."

[Source: Impact Assessment – 9/5/12 – "Dealing with the problem of late night drinking – implementation of secondary legislation."]

# Cost of other arrangements for the reduction or prevention of crime and disorder in connection with the late-night supply of alcohol

4.11 There are 3 visible services provided to support the NTE:

- Taxi Marshals
- Street Pastors
- I.C.E. bus

The Taxi Marshals cost £26,000 per annum

The Street Pastors are funded in a number of ways but have relied on grants from SCC. The grant was £45,750 for 2013/14 and will be £42,548 in

2014/15. However it must be noted Street Pastors operate in areas outside of the NTE as well. Their overall running costs exceed £100,000 per annum. The I.C.E. bus costs circa £33,000 a year.

In addition to this the relevant authorities commit time and resources to

- 4.12 The Council's Environmental Services estimates that it spends a minimum of £480k per annum on nightshift costs in connection with the NTE after midnight. These are mainly for cleaning costs.
- 4.13 A significant amount of Emergency Department attendances are alcohol related, particularly late at night and in the early hours of the weekend. Alcohol Concern estimate that there were 21,699 ED attendances in Southampton for the year 2010/2011.

(The inpatient admissions and A&E attendances data are for 2010/11. Estimates for outpatient attendances are based on benchmarks from the Birmingham Heavy Drinkers Project (1997 to 2004), The General Lifestyle Survey (2009) and the number of high risk drinkers taken from Local Alcohol Profiles (LAPE) (2005) estimates).

Alcohol Concern also suggest that alcohol related healthcare costs every adult in Southampton £62 per year.

Clearly the NTE is not the only contributor to these figures and there is no way of identifying the costs directly attributable to the NTE.

# Extent of crime and disorder in connection with the late-night supply of Alcohol

- 4.14 In order to put the costs into context and explain the need for them, Hampshire Police have provided statistics showing recorded crimes and ASB incidents for the **last 9 months** within Southampton city centre.
- 4.15 These are those linked to a licensed premise or have occurred in a public place covering the area of the 5 zones the police use to identify the NTE area between 01/04/13 and 31/01/14 and between the hours of 1900 [can we break down to after midnight as this figure squews it?] and 0700 hours.

There are 1440 Violence Against the Person incidents linked to a licensed premise or have occurred in a public place between 01/04/13 and 31/01/14 and between the hours of 1900 and 0700 hours.

There are 1452 Anti Social Behaviour incidents reported between 01/04/013 and 31/01/14 that occurred within the Southampton Central safer neighbourhood area. 648 or 44% occur between midnight and 0600.

#### **Alcohol related**

438 (30%) of the 1440 Violence Against the Person crimes are linked as having an offender in drink at the time of the incident. The number of offenders in drink is likely to be higher than recorded, particularly if no

offender is identified, so this assessment cannot be made. There is no figure for victims in drink available due to limitations of the recording

## **Southampton City Centre (Midnight to 6am)**

These have been split by day and hour and shown in the following tables;

1. The table below highlights the increased incidents of VAP offences that coincide with peaks in the NTE, i.e. Tuesdays into Wednesdays and weekends.

Night (1900 to 0700)	Number of	VAP between	% recorded between
	VAP recorded	0001 and 0600	0001 and 0600
	crimes		
Sunday – Monday	154	58	37.66
Monday –Tuesday	143	55	38.46
Tuesday – Wednesday	186	104	55.91
Wednesday - Thursday	101	33	32.67
Thursday – Friday	163	82	52.03
Friday – Saturday	327	205	62.69
Saturday – Sunday	366	235	64.2

## 2. All ASB Incidents by day and hour (based on time from)

ASB							
	Reporte	Reported Hour					
Occurrence	Midnight	1am	2am	3am	4am	5am	Grand
Start Day of							Total
Week							
Monday	16	10	7	5	5	2	45
Tuesday	13	13	16	6	3	6	57
Wednesday	19	19	10	18	16	8	90
Thursday	14	11	6	7	5	1	44
Friday	23	19	12	10	14	4	82
Saturday	33	33	19	21	23	7	136
Sunday	41	49	36	25	27	16	194
Total	159	154	106	92	93	44	648

- 4.16 There is also a clear spike in reported Violence Against the Person and ASB on Tuesday evenings into Wednesday, this is attributable to a vibrant student population where venues cater for that market on each Tuesday. There are 3 officers assigned to do VCS high visibility patrols throughout the academic year.
- 4.17 An important point to also note is that the above figures are unlikely to be a fully accurate reflection of violence within the NTE, several crime types and incidents that occur outside of licensed premises but within the 5 zones will not be included in the analytical review.
- 4.18 There are also likely to be other crime types and incidents occurring in a public place during this time period that is not related to alcohol consumption

or the NTE, but due to data quality it is not possible to exclude all these offences at this time.

- 4.20 Although these figures are not precise, it is nevertheless clear that the police, Southampton City Council and other partners incur substantial costs in relation to the reduction or prevention of crime and disorder, in connection with the supply of alcohol between midnight and 6am.
- 4.21 This has to be weighed against the economic benefits that the NTE provides to the City.

#### **Benefits of the NTE in the City**

- 4.22 The NTE in Southampton stretches from Town Quay in the south of the city centre up to London Road in the north, it also has impact in Bevois Valley, St Marys, Oxford Street and West Quay Road. There are over 200 licensed premises licensed to sell alcohol after midnight in the city. These premises generate funds by way of taxes and other charges and provide employment and training opportunities.
- 4.23 The NTE attracts people from a wide area, including London, Bristol and Reading and this impacts positively on other areas of the city's economy such as hotels, taxis and shopping.
- 4.24 In addition to the alcohol premises there are a number of fast food and takeaway establishments that are reliant on a vibrant NTE.

#### Conclusion

4.25 Although these figures are not precise, it is nevertheless clear that the police, Council and partners incur substantial costs in relation to the reduction or prevention of crime and disorder, in connection with the supply of alcohol between midnight and 6am. It is also clear that the NTE provides economic benefits to the City.

#### **Consultation Question 1**

- (a) Do you agree that the costs of policing and other arrangements for the reduction or prevention of crime and disorder in connection with the late-night supply of alcohol are a fair assessment?
- (b) Do you think that any of the costs ought not to be taken into account?
- (c) Do you think that there are other costs that should be taken into account?

#### **Consultation Question 2**

(a) Do you agree with the assessment of crime and disorder in connection with the late-night supply of alcohol?

- (b) Do you think anything has been left out?
- (c) Do you think that anything mentioned should not be taken into account?

#### **Consultation Question 3**

- (a) Do you agree with the assessment of the benefits of the Night Time Economy in the City?
- (b) Do you think there are any other benefits?
- (c) Do you think that any benefits mentioned are not relevant?

### **DESIRABILITY**

# Desirability of raising revenue through the levy Potential Income

- 4.26 The Council estimates that, if all existing premises that are authorised to supply alcohol between midnight and 6am are subject to the LNL, the potential additional income will be up to £240k.
- 4.27 This will fall if the late night supply period is fixed for a lesser period, if exemptions or reductions are agreed, and if premises choose to make free applications to reduce their authorised hours so as to avoid the LNL. It is more difficult to be precise about a figure in these circumstances since they depend to an extent on the actions of licence holders; the Council's best estimate is £100k.
- 4.28 The Council estimates that it will cost £25k to introduce the LNL and administer it in the first year; it estimates that it will cost £15k to administer the LNL in future years.
- 4.29 While recognising that these figures are estimates, it is clear that the LNL has the potential to raise sufficient revenue to make it viable to introduce a LNL.

#### Need for the revenue

4.30 The 2014/15 budget report approved by the council in February stated The Council received its draft funding settlement form the Government for 2014/15 and 2015/16 just before Christmas 2013. Initial analysis of this and the anticipated impact of income levels from Business Rates confirm that the future financial forecast position continues to be extremely challenging. Changes to proposals have been considered in this context with a view to mitigating the greatest impacts whilst considering how best longer term and more sustainable solutions can be delivered. It is estimated the Council faces the challenge of finding a further £54.7m of savings by 2016/17.

- 4.31 Since 2010 Hampshire Constabulary has been through a major change programme to achieve £55m savings. Further cuts of £25m are expected for 2015-17.
- 4.32 With increasing pressures being placed upon the budgets of both Southampton City Council and Hampshire Constabulary funding sources for the services provided need to be addressed. The proposals for the use of the LNL are addressed in section 9. These will help address the crime and disorder issues that exist. These benefits are not only for residents, police, the Council and persons directly affected by crime and anti-social behaviour but also the businesses operating in or benefiting from the NTE and their staff and customers, who also stand to benefit from the LNL through a better funded local police force and local authority services, which should make the NTE between midnight and 6am safer for them.
- 4.33 The Government has indicated that the LNL charges are designed to reflect an estimate of the number of police hours that may be required as a result of premises opening beyond midnight. It was estimated that, very broadly, one hour of a police officer's time may reasonably be expected to be incurred for every two hours that a large premises opens late (This was not intended to provide an accurate assessment of how much the late night economy costs police forces, but provided a means for setting an appropriate LNL charge based on the principle that police resources are employed as a result of premises opening late). To ensure that the charge was a fair and proportionate burden on business, proportionately smaller charges were set for premises with lower rateable value (and, for larger premises, those not used primarily or exclusively for the sale of alcohol for consumption on the premises).
- 4.34 On the other hand the NTE does provide significant economic benefits for the City and the Council must also examine any potential detriments that might be caused by the introduction of the LNL.
- 4.35 The LNL will range from £299 to £4,440 per year. This is the equivalent of between 82p and £12.16 per day. It is unlikely that this will have a detrimental effect on affected businesses or cause them to change their operation. The Government has said that premises are expected to make higher profits than the cost of the LNL and thus not be dissuaded from operating (as distinct from possessing authorisation allowing them to operate). They consider that 25% is a reasonable estimate of the proportion of premises that may seek to avoid the LNL, by changing their authorisation where they do not actually operate during those hours. But they also say that they expect that only a very small proportion of premises will reduce their actual operating hours to avoid the LNL. Newcastle implemented the Late Night Levy on 1<sup>st</sup> November 2013 and by 1<sup>st</sup> March 2014 had received 123 applications to vary out of the levy, leaving 245 premises liable to the levy. They add a number of premises are applying for the variation once they receive the payment demand. This means over a third have varied out of the levy period.

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- 4.36 The UK Government sets the amount of the LNL and has not indicated that it intends to increase the amount of the LNL regularly. It has indicated that it proposes to review the whole policy in 2017.
- 4.37 On this basis, the introduction of the LNL is not expected to significantly affect the NTE in the City..
- 4.38 In section 7, the Council indicates that it does not intend to grant any reductions to any current business-led best practice schemes, although it would welcome businesses developing such a scheme. On the same basis it does not consider that current schemes and their associated costs are material to the desirability of introducing the LNL.
- 4.39 Some may argue that the costs of addressing crime and disorder should be financed through general taxation rather than be a burden on operators. Parliament has however created the power to introduce the LNL and require a low but significant contribution to the costs by operators. The principal has been decided by Parliament and the Council does not see any need to question that.
- 4.40 As has already been indicated, by law the LNL has to apply throughout the City and the Council has only limited power to grant exemptions or reductions. Crime figures show that there are a number of crime and antisocial behaviour hotspots in the city centre. It might be argued that it is therefore unfair that the LNL should also be paid by premises in areas away from the hotspots or areas that do not directly see the services provided to the NTE. The Council has addressed the issue in the city centre by cumulative impact assessments. The Council could also look at Early Morning Restriction Orders (EMROs) but would prefer to work towards addressing the impact of the NTE and encourage responsible management rather than curtailing the NTE and the consequential economic effects. It will also look at statutory reviews in relation to specific premises that cause problems to the licensing objectives.
- 4.41 There are specific matters which the Council can do within city centre. It has a desire to continue to do this. However, outlying areas are not without issues that call on Police and Council resources. While this may be occasional, the Council does consider that it is fair that they contribute towards the levy, and any unfairness is addressed by the way the levy depends on rateable value and the multipliers for premises exclusively or primarily used for the supply of alcohol for consumption on the premises. The support that will be resourced from LNL funds are intended to make Southampton a safe and pleasant place to live, work and visit, therefore enhancing the reputation of the city. This mitigates any perceived unfairness.
- 4.42 On balance, in the light of all these issues, the Council considers that it is desirable to raise the revenue by introducing a levy to be applied in accordance with the Act.

4.43 The Council also proposes to review the operation of the levy annually from 2017 and can vary or remove the levy to take effect at the end of any levy year. This will allow the Council to address any detrimental effects that might occur.

#### **Consultation Question 4**

(a) Do you have any comments on the potential income that the levy may raise?

#### **Consultation Question 5**

- (a) Do you agree that there is a need to raise the revenue that a levy may produce?
- (b) Are there any other issues that you would like the Council to consider?

#### **Consultation Question 6**

- (a) Do you agree that it is desirable to raise the revenue through a levy to be used by the police and the Council?
- (b) Have you any comments on the considerations expressed in section 4?
- (c) Are there any other matters which you think that the Council should take into account in deciding whether it is desirable to introduce a levy?

# 5. What should be the Late Night Supply Period?

- 5.1 The Late Night Supply Period must begin at or after midnight and end at or before 6 am. It is the Council's responsibility to fix the actual Late Night Supply Period within those parameters. The LNL is only payable in respect of premises that are authorised to supply alcohol during that period.
- 5.2 The Council proposes to set the LATE NIGHT SUPPLY PERIOD as a period that **begins at one minute passed midnight and ends at 6am**.
- 5.3 It is considered that all premises opening during this period will impact on the need for additional resources to address the consequences of the NTE before midnight and 6am and so should contribute to the costs incurred by the police and the Council.
- 5.4 One minute passed the hour is considered preferable to prevent legal argument determining licences ending on the hour are liable to the levy or not.
- 5.5 The table below shows the split of terminal hours for premises. This does not take account of premises with conditions allowing alcohol to be served beyond midnight. It can be seen the majority of licences are in the first 2 hours and it is from these premises it can be anticipated the majority of applications to vary out of the levy period is likely to be made. Any move on the time is

likely to impact on the revenue to such an extent that it would bring into question the viability of introducing the levy.

Licence finish between	Number of premises	Total amount of levy if applied fully to all premises
0000 to 0059	57	£55,427
0100 to 0159	73	£88,117
0200 to 0259	46	£52,871
0300 to 0359	20	£29,191
0400 to 0459	7	£8065
0500 to 0559	5	£6,549
TOTALS	208	£240220

#### **Consultation Question 7**

- (a) Do you agree that the Late Night Supply Period should be a period that begins at one minute passed midnight and ends at 6am? What are your reasons for this?
- (b) If you think that the Late Night Supply Period should be for a different period, what should be the hours? What are your reasons for this?

# 6. What exemptions should be allowed?

- 6.1 The Council may exempt certain categories of premises from the LNL. These categories are prescribed in regulations and the Council cannot exempt premises that do not fall within a prescribed category. Nor may the Council decide to exempt only certain premises that fall within a prescribed category. All premises that fall within an applied exemption are entitled to be exempt from the LNL. The only decision which the Council may make is whether or not a particular category of exemptions should apply within the City.
- 6.2 The Regulations are prescriptive in defining the categories and so the wording of the regulations is set out.

# **Overnight Accommodation**

6.3 The Council may exempt:-

Premises which are a hotel or guest house, lodging house or hostel at which the supply of alcohol between midnight and 6am on any day may only be made to a person—

- (i) who is staying at the premises, and
- (ii) for consumption on the premises.
- 6.4 The exemption would not, for instance, apply to a hotel which sold alcohol to the persons not staying at the hotel between midnight and 6am.
- 6.5 The Council proposes to **EXEMPT** these premises. It is not considered that these premises contribute significantly to the detrimental effects of the NTE between midnight and 6am.

#### **Consultation Question 8**

(a) Do you agree that prescribed premises providing overnight accommodation should be exempt? Please explain your views.

#### **Theatres**

6.6 The Council may exempt:-

Premises which are a theatre at which the supply of alcohol between midnight and 6am on any day may only be made to a person for consumption on the premises who is—

- (i) a ticket holder in relation to a relevant production at the premises,
- (ii) concerned in the performance, organisation or management of the relevant production, or
- (iii) invited to the premises as a guest to attend an event to which the public do not have access.
- 6.7 The Council proposes to **EXEMPT** these premises. It is not considered that these premises contribute significantly to the detrimental effects of the NTE between midnight and 6am.

#### **Consultation Question 9**

(a) Do you agree that prescribed theatres should be exempt? Please explain your views.

#### **Cinemas**

6.8 The Council may exempt:-

Premises which are a cinema at which the supply of alcohol between midnight and 6am on any day may only be made to a person for consumption on the premises who is—

- (i) a ticket holder in relation to the exhibition of a film at the premises, or
- (ii) invited to the premises as a guest to attend an event to which the public do not have access;
- 6.9 The Council proposes to **EXEMPT** these premises. It is not considered that these premises contribute significantly to the detrimental effects of the NTE between midnight and 6am.

### **Consultation Question 10**

(a) Do you agree that prescribed cinemas should be exempt? Please explain your views.

### **Bingo Halls**

6.10 The Council may exempt:-Premises in respect of which—

- (i) the provision of facilities for the playing of bingo is authorised by a bingo premises licence granted in accordance with section 163 of the Gambling Act 2005,
- (ii) the holder of the bingo premises licence is authorised to provide facilities for the playing of bingo by virtue of a non-remote bingo operating licence granted in accordance with section 74 of the Gambling Act 2005, and (iii) the playing of bingo is the primary activity carried on at the premises.
- 6.11 The Council proposes to **EXEMPT** these premises. It is not considered that these premises contribute significantly to the detrimental effects of the NTE between midnight and 6am.

### **Consultation Question 11**

(a) Do you agree that prescribed bingo halls should be exempt? Please explain your views.

### **Community Amateur Sports Clubs**

6.12 The Council may exempt:-

Premises which are a club which is registered as a community amateur sports club by virtue of section 658 of the Corporation Tax Act 2010.

6.13 The Council proposes to **EXEMPT** these premises. It is not considered that these premises contribute significantly to the detrimental effects of the NTE between midnight and 6am. There are currently 8 in the City.

### **Consultation Question 12**

(a) Do you agree that prescribed Community Amateur Sports Clubs should be exempt? Please explain your views.

### **Community Premises**

6.14 The Council may exempt:-

Premises which are community premises in relation to which the premises licence contains the alternative licence condition.

"Community premises" means premises that are or form part of -

- (a) a church hall, chapel hall or other similar building, or
- (b) a village hall, parish hall, community hall or other similar building.
- 6.15 Community premises can apply to replace the mandatory conditions regarding designated premises supervisors and the authorisation of sales by personal licence holders by the alternative licence condition that the supply is made by or authorised by the management committee.
- 6.16 The Council proposes to **EXEMPT** these premises. It is not considered that these premises contribute significantly to the detrimental effects of the NTE between midnight and 6am.

### **Consultation Question 13**

(a) Do you agree that prescribed Community Premises should be exempt? Please explain your views.

### **Country Village Pubs**

6.17 The Council may exempt:-

Premises which are a public house which is a hereditament in respect of which the ratepayer is subject to a non-domestic rate calculated in accordance with section 43(6A) of the Local Government Finance Act 1988.

- 6.18 These are sole pubs in designated rural settlements with a population of less than 3,000. The premises are entitled to business rate relief to assist in the survival of rural businesses. There are currently no such actual premises within the City. However, if they did exist and were to operate in the late night period, there is no reason to suggest that they are less likely than similar businesses to contribute towards the detrimental effects of the NTE between midnight and 6am.
- 6.19 The Council proposes **NOT TO EXEMPT** these premises.

### **Consultation Question 14**

(a) Do you agree that prescribed Country Village Pubs should NOT be exempt? Please explain your views.

### **Business Improvement Districts**

6.20 The Council may exempt:-

Premises which are a hereditament in respect of which—

- (i) the ratepayer is liable for a BID levy in accordance with section 46 of the Local Government Act 2003, and
- (ii) the BID arrangements in relation to which a BID levy is imposed are established for purposes which include relevant purposes.

"relevant purposes" are purposes which result in, or are likely to result in, the reduction or prevention of crime and disorder in connection with the supply of

alcohol between midnight and 6am at premises in relation to which a relevant late night authorisation has effect.

- 6.21 There is no BID in Southampton at present. It is unlikely any future BID will be designed to deal solely with the NTE between midnight and 6am.
- 6.22 The Council proposes **NOT TO EXEMPT** these premises.

### **Consultation Question 15**

(a) Do you agree that prescribed BID premises should NOT be exempt? Please explain your views.

### New Year's Eve/Day

6.23 The Council may exempt:-

Premises which are authorised to supply alcohol for consumption on the premises between midnight and 6am on 1st January in every year (but are not so authorised at those times on any other day in any year).

- 6.24 These are premises that are authorised to sell alcohol between midnight and 6 am only on New Year's Day.
- 6.25 The Council proposes to **EXEMPT** these premises. There are few, if any, premises that open only by exception on New Year's Day between midnight and 6am and will generally be community led and are less likely than similar businesses to contribute towards the detrimental effects of the NTE between midnight and 6am.

### **Consultation Question 16**

(a) Do you agree that premises that only operate on New Year's Day between midnight and 6am should be exempt? Please explain your views.

### 7. What reductions should be allowed?

- 7.1 The Council may reduce the LNL by 30% for two categories of premises. These categories are prescribed in regulations and the Council cannot reduce the LNL for premises that do not fall within a prescribed category. Nor may the Council decide to reduce the LNL for only certain premises that fall within a prescribed category. All premises that fall within an allowed category are entitled to the same reduction from the LNL. The only decision which the Council may make is whether or not a particular category of reduction should apply within the City.
- 7.2 Premises are only entitled to one reduction of 30% even though they may fall in more than one category of reduction or in the case of business-led Best Practice Schemes are members of more than one scheme. If premises fall within a category, they are entitled to the full reduction of 30%; the Council has no discretion to award a lower or higher reduction.

7.3 The Regulations are prescriptive in defining the categories and so the wording of the regulations is set out.

### **Small Business Rate Relief**

- 7.4 The Council may allow a reduction:-
- in relation to premises, at which the authorisation permits the supply of alcohol for consumption on the premises only, which are a hereditament in respect of which—
- (i) the ratepayer is subject to a non-domestic rate calculated in accordance with section 43(4A) of the Local Government Finance Act 1988, and (ii) the rateable value is not more than £12,000.
- 7.5 These are premises that already receive Small Business Rate Relief.
- 7.6 The Council proposes **NOT TO GRANT** a reduction for these premises. These premises get business rates relief to assist in their viability. However, if they operate in the late night supply period, there is no reason to suggest that they are less likely than similar businesses to contribute to the detrimental effects of the NTE between midnight and 6am. They will in any event be subject only to the lower bands of the LNL, because of their low rateable value.

### **Consultation Question 17**

(a) Do you agree that prescribed premises that receive Small Business Rate Relief should NOT be entitled to a reduction in the levy? Please explain your views.

### **Members of Business-Led Best Practice Schemes**

- 7.7 The Council may allow a reduction for:-
- ... members of ... an arrangement which-
- (a) is established for purposes which include relevant purposes,
- (b) requires its members to take steps to promote the relevant purposes, and
- (c) contains provision for the cessation of the membership of a holder ... who has failed to take steps to promote the relevant purposes.
- "relevant purposes" are purposes which result in, or are likely to result in, the reduction or prevention of crime and disorder in connection with the supply of alcohol between midnight and 6am at premises in relation to which a relevant late night authorisation has effect.
- 7.8 This reduction is to permit licensing authorities to use the LNL to promote and support participation by premises in business-led best practice schemes. The scheme has to comply with benchmarks specified above in regulations.
- 7.9 The Council proposes **NOT TO GRANT** a reduction for such premises at this time but would welcome the development of such a scheme.
- 7.10 It is not intended to reduce the LNL for members of existing business led best practice schemes as it is not considered current schemes are of sufficient standing and provide the necessary outcomes to warrant a reduction. However, the Council wishes to consult stakeholders about

whether it will be possible to develop such a scheme that provides a clear rationale as to why the scheme's objectives and activities will, or are likely to, result in a reduction of alcohol-related crime and disorder. Initial discussions with the trade as regards this issue have been very positive and any future initiatives will address issues such as irresponsible drinks promotions. If such a scheme is developed, the Council will consider further the possibility of granting a reduction, either initially or in the future.

### **Consultation Question 18**

- (a) Do you agree that at this time members of business-led Best Practice Schemes should NOT be entitled to a reduction? Please explain your views.
- (b) Do you agree that such a scheme should be developed? If so, what should be in the details? How can it be developed? How will it be led?
- (c) If such a scheme were to be developed, do you agree that members should be entitled to a discount?

# 8. How should the net revenue from the LNL be split between the police and the Council?

- 8.1 The Council must pay at least 70% of the net revenue to the Hampshire Police and Crime Commissioner. The Council retains the balance. The Council has the power when designing the scheme to pay a larger proportion to the Hampshire Police and Crime Commissioner. The Council may vary the proportion in future years, subject to prior consultation.
- 8.2 The Council identifies what it would like to use its share of the proceeds for in section 9.
- 8.3 The Council already incurs significant costs in addressing the effects of the night time economy (as do the police) (see section 4) and the Council's maximum share will enable it to provide services to support the Night Time Economy. Specifically it will allow the Council to develop the proposals in section 9.

### **Consultation Question 19**

- (a) Do you agree that the net revenue from the levy should be split 70:30 between the Hampshire Police and Crime Commissioner and the Council? Please explain your views.
- (b) If you think that the Hampshire Police and Crime Commissioner should receive a larger (than 70%) proportion of the net revenue, please state what percentage you propose? [N.B. It is not possible to reduce the proportion to below 70%.] Please explain your views.

# 9. What should the net revenue from the LNL be used for?

- 9.1 In line with the standard practice on the allocation of police funds, there are no restrictions on what the Hampshire Police and Crime Commissioner's share can be spent on. The Hampshire Police and Crime Commissioner's share will be subject to the same transparency measures as those that apply in relation to the other aspects of the operation of the Hampshire Police and Crime Commissioner. The Police and Crime Panel will be able to request most documents of the Hampshire Police and Crime Commissioner in order to hold him to account in the allocation and use of his funds.
- 9.2 The Home Office recommends that licensing authorities should use its existing partnership with the police to discuss the police's intentions for their share of the levy revenue. They also recommend that the Hampshire Police and Crime Commissioner should consider allocating the funds raised from the LNL back to local commanders to allow the revenue to be spent on tackling alcohol-related crime and disorder in the area in which the LNL was raised. The PCC has already advised that he will do this.
- 9.3 Regulations prescribe what the Council may use its share for.
- 9.4 The Council must apply its share:
- ... having regard, in each case in connection with the supply of alcohol between midnight and 6am, to arrangements for-
- (a) the reduction or prevention of crime and disorder,
- (b) the promotion of public safety,
- (c) the reduction or prevention of public nuisance,
- (d) the cleaning of any highway maintainable at the public expense (other than a trunk road which is a special road) within the City or any land within the City to which the public are entitled or permitted to have access with or without payment and which is open to the air.
- 9.5 The Council proposes to continue with and develop a range of activities on which to spend its share of the LNL which will be provided to tackle the alcohol related crime and disorder between midnight and 6am, and community safety services connected to the management of the NTE between midnight and 6am, including:
  - Night time economy management
  - Taxi marshalling
  - Street pastors
  - I.C.E. bus
  - CCTV improvements
  - Street cleaning including the possibility of temporary toilets
  - Enforcement initiatives
  - Personal safety initiatives

9.6 Ideally, in order to use the LNL in the most efficient and cost effective manner, rather than see the levy revenue split between two separate programmes, the Council wishes to reach agreement with the Hampshire Police and Crime Commissioner to develop a single programme delivered in partnership between the Council and the police in line with the regulations. Discussions will take place to attempt to achieve this.

### **Consultation Question 20**

- (a) Do you have any comments on the range of activities which the Council would wish to develop using its share of the levy revenue? Is there anything else that you would like to see? Please explain your views.
- (b) Would you support developing a single programme delivered in partnership between the Council and the police? What would you like it to cover? Please explain your views.

### 10. What is the future timetable?

- 10.1 Bearing in mind the need to allow sufficient time for wide consultation and, if it is decided to introduce a LNL, time for licence holders to make free applications to vary their licences to avoid the LNL, it is considered that the earliest date for implementation will be the 1<sup>st</sup> February 2015.
- 10.2 Therefore the first levy year will run from the 1<sup>st</sup> February 2015 to 31<sup>st</sup> January 2016 and subsequent levy years will follow on the corresponding future dates.
- 10.3 For holders of late night authorisations on the 1<sup>st</sup> February 2015, the first payment year will run from 1<sup>st</sup> February 2015 to 31<sup>st</sup> January 2016. Subsequent payment years will follow on the corresponding future dates. The levy will be payable at the same time as when the annual fee is payable.
- 10.4 For holders who are granted a late night authorisation on or after 1<sup>st</sup> February 2015, while the levy years will be the same as for existing holders, the first payment year will be the period of one year beginning on the date of authorisation and subsequent years will follow on the corresponding future dates. The first levy will be payable 14 days after the grant of the authorisation and levies in subsequent payment years will be payable on the date when the annual fee is payable.

10.5 The Council's full anticipated Timetable is set out below:-

15 <sup>th</sup> April 2014	Cabinet Report and final design of consultation
25th April 2014 <sup>3</sup> 30 <sup>th</sup> July 2014 Summer 2014	Statutory Consultation Starts End of Statutory Consultation Consideration of the outcome of consultation and finalisation of the proposals
Early September 2014	Report to the Licensing Committee
16 <sup>th</sup> September 2014	Report to Full Council
Autumn/Winter 2014	Determination of Minor Amendments to Vary Hours
1 <sup>st</sup> February 2015	Target date for implementation of Start First Levy Year
2017	Review

10.6 If there is a need for further consultation, the implementation date may change.

### **Consultation Question 21**

- (a) Do you agree that the Council should seek to implement the LNL on 1<sup>st</sup> February 2015? Please explain your views.
- (b) If you think that the LNL should be implemented on a different date, what date do you propose? Please explain your views.
- (c) Have you any other comments on the proposed timetable? Please explain your views.

### 11. What happens next?

- 11.1 This consultation period ends on 30th **July 2014** The Council will then consider the views that have been expressed and come to a view on whether the proposals should proceed, with or without amendments. It will also decide whether there needs to be further consultation. This process will result in the report being considered by the Council's Licensing Committee and full Council (which will be the body responsible for making the final decision).
- 11.2 If it is decided that the introduction of the LNL should proceed, formal notice must be given to various people, and before implementation, there will be a period to allow holders to make free applications to vary their authorisations so that they will not be subject to the LNL.

### 12. How can I express my views?

- 12.1 Complete the questionnaire attached to this Consultation Document
- 12.2 Send completed questionnaires by one of the following methods:
  - E-mail to: <a href="mailto:licensing.policy@southampton.gov.uk">licensing.policy@southampton.gov.uk</a>
  - Post to: Late Night Levy Consultation, Licensing, Southampton City Council, PO Box 1767, Southampton. SO18 9LA

Further copies are available on the Council's website www.southampton.gov.uk/licensing/latenightlev

### **QUESTIONNAIRE**

Please complete and return this questionnaire by 30th July 2014

BY E-MAIL to: licensing.policy@southampton.gov.uk

BY POST to: Late Night Levy Consultation, Licensing, Southampton City Council, PO Box 1767, Southampton. SO18 9LA

PLEASE INCLUDE ADDITIONAL SHEETS IF THERE IS NOT ENOUGH SPACE

### **Consultation Question 1 – COSTS**

- (a) Do you agree that the costs of policing and other arrangements for the reduction or prevention of crime and disorder in connection with the late-night supply of alcohol are a fair assessment?
- (b) Do you think that any of the costs ought not to be taken into account?
- (c) Do you think that there are other costs that should be taken into account?

(a)

(b)

(c)

### **Consultation Question 2 – CRIME AND DISORDER**

- (a) Do you agree with the assessment of crime and disorder in connection with the late-night supply of alcohol?
  (b) Do you think anything has been left out?
- (c) Do you think that anything mentioned should not be taken into account?

(a)

(b)

(c)

### **Consultation Question 3 – BENEFITS OF A NTE**

- (a) Do you agree with the assessment of the benefits of the Night Time Economy in the City?(b) Do you think there are any other benefits?(c) Do you think that any benefits mentioned are not relevant?

(a)

(b)

(c)

### **Consultation Question 4 – INCOME FROM THE LNL**

(a)	) Do	you	have	any	comments	on	the	potential	income	that the	levy	may
ra	ise?	•		•							-	

(a)

### **Consultation Question 5 – NEED TO RAISE REVENUE**

- (a) Do you agree that there is a need to raise the revenue that a levy may produce?
- (b) Are there any other issues that you would like the Council to consider?

### Consultation Question 6 - DESIRABILITY OF THE LNL

- (a) Do you agree that it is desirable to raise the revenue through a levy to be used by the police and the Council?
- (b) Have you any comments on the considerations expressed in section 4?
- (c) Are there any other matters which you think that the Council should take into account in deciding whether it is desirable to introduce a levy?

(a)

(b)



### **Consultation Question 7 – LATE NIGHT SUPPLY PERIOD**

- (a) Do you agree that the Late Night Supply Period should be a period that begins at one minute passed midnight and ends at 6am? What are your reasons for this?
- (b) If you think that the Late Night Supply Period should be for a different period, what should be the hours? What are your reasons for this?

(a)

(b)

# Consultation Question 8 – EXEMPTIONS – OVERNIGHT ACCOMMODATION

(a) Do you agree that prescribed premises providing overnight
accommodation should be exempt? Please explain your views.

(a)

### **Consultation Question 9 – EXEMPTIONS – THEATRES**

- (a) Do you agree that prescribed theatres should be exempt? Please explain your views.
- (a)

### **Consultation Question 10 – EXEMPTIONS – CINEMAS**

- (a) Do you agree that prescribed cinemas should be exempt? Please explain your views.
- (a)

### Consultation Question 11 - EXEMPTIONS - BINGO HALLS

(a) Do y	ou agree	that pi	rescribed	bingo	halls	should	be	exempt?	Please
explain	your view	S.							

(a)

# Consultation Question 12 – EXEMPTIONS – COMMUNITY AMATEUR SPORTS CLUBS

- (a) Do you agree that prescribed Community Amateur Sports Clubs should be exempt? Please explain your views.
- (a)

### **Consultation Question 13 – EXEMPTIONS – COMMUNITY PREMISES**

- (a) Do you agree that prescribed Community Premises should be exempt? Please explain your views.
- (a)

# Consultation Question 14 – EXEMPTIONS – COUNTRY VILLAGE PUBS (a) Do you agree that prescribed Country Village Pubs should NOT be exempt? Please explain your views. (a)

# Consultation Question 15 – EXEMPTIONS – BUSINESS IMPROVEMENT DISTRICTS

(a) Do you agree that prescribed BID premises should NOT be exempt? Please explain your views.

(a)

### Consultation Question 16 - EXEMPTIONS - NEW YEAR'S EVE/DAY

(a) Do you agree that premises that only operate on New Year's Day between midnight and 6am should be exempt? Please explain your views.

## Consultation Question 17 – REDUCTIONS – SMALL BUSINESS RATES RELIEF

(a) Do you agree that prescribed premises that receive Small Business Rate Relief should NOT be entitled to a reduction in the levy? Please explain your views.

(a)

## Consultation Question 18 – REDUCTIONS – BUSINESS-LED BEST PRACTICE SCHEMES

- (a) Do you agree that at this time members of Business-Led Best Practice Schemes should NOT be entitled to a reduction? Please explain your views.
- (b) Do you agree that such a scheme should be developed? If so, what should be the details? How can it be developed? How will it be led?
- (c) If such a scheme were to be developed, do you agree that members should be entitled to a discount?

(c)

### Consultation Question 19 - SPLIT LEVY BETWEEN POLICE & COUNCIL

- (a) Do you agree that the net revenue from the levy should be split 70:30 between the Hampshire Police and Crime Commissioner and the Council? Please explain your views.
- (b) If you think that the Hampshire Police and Crime Commissioner should receive a larger (than 70%) proportion of the net revenue, please state what percentage you propose? [N.B. It is not possible to reduce the proportion to below 70%.] Please explain your views.

### Consultation Question 20 – USE OF THE REVENUE

- (a) Do you have any comments on the range of activities which the Council would wish to develop using its share of the levy revenue? Is there anything else that you would like to see? Please explain your views.
- (b) Would you support developing a single programme delivered in partnership between the Council and the police? What would you like it to cover? Please explain your views.

### **Consultation Question 21 – IMPLEMENTATION DATE & TIMETABLE**

- (a) Do you agree that the Council should seek to implement the LNL on 1<sup>st</sup> February 2015? Please explain your views.
- (b) If you think that the LNL should be implemented on a different date, what date do you propose? Please explain your views.
- (c) Have you any other comments on the proposed timetable? Please explain your views.

(c)

PLEASE INCLUDE YOUR PERSONAL DETAILS

**MY DETAILS ARE:** 

MY FULL NAME:

**MY ADDRESS:** 

MY TELEPHONE NUMBER:

**MY EMAIL ADDRESS:** 

**A Licence Holder** 

A Resident

A Representative of a Licence Holder

Likely to be subject\*/Not likely to be subject to\* the LNL

(\*delete as appropriate)

A Licensing Solicitor/Professional
An Interested Person
Other
I AM:
(DELETE as appropriate) (Details of your interest)

HAVE YOU ANY OTHER COMMENTS THAT YOU WISH THE COUNCIL TO CONSIDER?

### CONFIDENTIALITY

The Council cannot guarantee that any information that you pass to us can be treated as confidential. The Council is subject to a number of regimes that affect disclosure, including the Local Government (Access to Information) Act 1985, the Data Protection Act 1998, the Freedom of Information Act 2000 and the Environmental Information Regulations 2004. In particular, your response is likely to be classed as a background paper to future committee reports and open to public inspection.





Agenda Item 9

Westgate Chambers, Staple Cardens, Winchester, Hampshire SO23 8AW Telephone 01962 871595 E-mail: opcc@hampshire.pnn.police.uk www.hampshire-pcc.gov.uk

Councillor Simon Letts Leader Southampton City Council Civic Centre Southampton SO14 7LY

BY Email

Date: 4 March 2014

Enquires to: Lou Parker-Jones

Direct line: 01962 871595

Our reference:

Your reference:

Dear Councillor Letts.

### **Proposal for a Night-Time Levy**

I would like to thank you for the opportunity to comment upon the 'need' for a night-time levy as part of your deliberations.

Policing the night-time economy places a huge demand upon our limited resources and decreasing budget. Although the constabulary works very closely with the licensing trade and partners to minimise drink-related crime, it is estimated policing the night-time economy from midnight to 6am in Southampton costs £1.6million per year. This of course does not include costs incurred by partners in local authorities, health and even the wider criminal justice system.

As Police and Crime Commissioner I am committed to protecting people and places, and support in principle the night-time levy. Initiatives to raise revenue to be spent on making the city's night time economy a safer place is: good for residents; good for visitors; and, good for businesses.

Of course, the decision to introduce the levy is for the licensing authority to make. I'm sure the views of the night-time economy traders, users, residents and partners will help to shape your decisions. If, following consultation, the Council is minded to pursue this course of action I would like to discuss further how revenue raised will be used to the benefit of the city.

I promise the people of Southampton that I shall devote all income generated to improving the safety of people using the City's night time economy. I would welcome the same reassurance from the Council.

Office of the Police and Crime Commissioner for Hampshire
Westgate Chambers, Staple Gardens, Winchester, Hampshire, S023 8AW
01962 871 595 / opcc@hampshire.pnn.police.uk / www.hampshire-pcc.gov.uk





Please accept my apologies but I will not be able to take up your kind offer to attend and address cabinet prior to its considerations, unfortunately a prior commitment makes it impossible for me to do so. However, I look forward to hearing the outcome of the meeting.

Yours sincerely,

Simon Hayes

Police and Crime Commissioner for Hampshire and Isle of Wight

DECISION-MAI	KER:	CABINET			
SUBJECT:		REQUEST FOR VARIATION OF HACKNEY CARRIAGE FARES – CONSIDERATION OF OBJECTIONS			
DATE OF DEC	ISION:	15 APRIL 2014			
REPORT OF:		HEAD OF LEGAL AND DEMOCRATIC SERVICES			
		<b>CONTACT DETAILS</b>			
AUTHOR:	Name:	Phil Bates	Tel:	023 8083 3523	
	E-mail:	phil.bates@southampton.gov.uk			
Director Name:		Director of Corporate Services Tel: 8083 2371			
	E-mail:	mark.heath@southampton.gov	.uk		

STATEMENT OF CONFIDENTIALITY				
None				

### **BRIEF SUMMARY**

Cabinet is asked to consider the objections received in respect of the two requests for the variation of the table of fares for the hire of hackney carriages which Cabinet agreed to in principle on 18 March 2014, subject to statutory advertisement and to determine accordingly.

### **RECOMMENDATIONS:**

To consider the objections received and determine two requests for the variation of the table of fares for the hire of hackney carriages in Southampton

### REASONS FOR REPORT RECOMMENDATIONS

- 1. At its meeting on 18 March 2014 the Cabinet resolved in principle and subject to statutory advertisement, to vary the table of fares in two respects
  - (i) a flat £1 levy for journeys commenced from marshalled ranks within the docks and
  - (ii) at the request of the trade, generally to the fare chart by way on an increase due to the overall increased cost of running a hackney carriage
- 2. Objections have been received and these require consideration by the Cabinet before confirmation or otherwise of the proposed fare chart revisions.

### ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3. 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.
- 4. 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)

- 5. The proposals were advertised on 28.March 2014 with a statutory deadline of 14.days for representations to be made. Copies of those objections received before the date of publishing this report are attached at appendix 1. Should further representations be received these will be reported at Cabinet.
- 6. Cabinet is required to fully consider the objections and weigh up the relative merits before considering whether to vary the fare chart as detailed in the report to Cabinet on 18 March, which for ease is attached at appendix 2.
- 7. If Cabinet decides to vary the fare chart as attached at appendix 3 it will be brought into effect on 28 April 2014.

### **RESOURCE IMPLICATIONS**

### Capital/Revenue

- 8. 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.
- 9. There are no capital costs associated with this proposal.

### Property/Other

10. None.

### **LEGAL IMPLICATIONS**

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

- 11. Section 65 of the Local Government (Miscellaneous Provisions) Act 1976 gives the council power to determine hackney carriage fares.
- 12. 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.
- 13. 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.

14. 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:**

- 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.
- 16. 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.
- 17. If no objections were 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

18. 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

WARDS/COMMUNITIES AFFECTED:	None
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### **SUPPORTING DOCUMENTATION**

### **Appendices**

1. Objections received				
2. Report to Cabinet 18 March 2014				
3.	Draft table of fares, taking into account all proposals.			

### **Documents In Members' Rooms**

1.	None
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### **Equality Impact Assessment**

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

### **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.	Consumer Price Inflation, January 2014	Not applicable
2.	Consumer Price Inflation, February 2014	Not applicable

Objections to proposed variation of table of fares

Agenda Ltem 10
Appendix 1



Appendix 2

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

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):
- 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 (Km)	<b>1</b> (1.6 km)	<b>3</b> (4.8 km)	<b>5</b> (8 km)	<b>10</b> (16.1 km)	Time (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
Percentage increase	4.35%	5.00%	1.79%	2.06%	0.00%
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.
- 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.

WARDS/COMMUNITIES AFFECTED:	Not applicable
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### 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	No
Assessment (EIA) to be carried out.	

### **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.	Consumer Price Inflation, January 2014	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

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Waiting Time – For each period of thirty-six seconds or part thereof:

# 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

£3.45	£0.25
(a) For the first 110 metres (120.3 yards) or part thereof:	(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):
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£0.25 £0.25

## TARIFF 3 - Sundays, Bank and Public Holidays

£1.00 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:

### **TARIFF 4 – Christmas**

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

## **TARIFF 5 – New Year's Eve**

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

### **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

icensing@southampton.gov.uk - www.southampton.gov.uk/licensing

Licensing Team, PO Box 1767, Southampton SO18 9LA

RICHARD IVORY

Head of Legal, HR & Democratic Services

### 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



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

SOUTHAMPTON CITY COUNCIL

£2.60

£0.25

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 a	and 5 below

(b)	For 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
TAR	IFF 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 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

### TARIFF 3 - Sundays, Bank and Public Holidays

For the first 110 metres (120.3 yards) or part thereof:

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:

### **TARIFF 4 – Christmas**

(a)

(d)

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
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### 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:

Waiting Time – For each period of thirty-six seconds or part thereof:

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 Agenda Itema

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DECISION-MAKER:		CABINET		
SUBJECT:		ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS 2015/16		
DATE OF DECISION:		15 APRIL 2014		
REPORT OF:		CABINET MEMBER FOR EDUCATION AND CHANGE		
CONTACT DETAILS				
AUTHOR:	Name:	Ross Williams	Tel:	023 8083 4048
	E-mail:	Ross.williams@southam	pton.gov.uk	
Director	Name:	Graham Talbot	Tel:	023 8091 7503
	E-mail:	Graham.talbot@southam	pton.gov.uk	

STATEMENT OF CONFIDENTIALITY	
None	

### **BRIEF SUMMARY**

The Council is required by statute to approve its admission policies for the academic year starting September 2015 (including Published Admission Numbers –PANs)) by 15 April 2014 to meet the statutory requirement. This allows for the admissions process to begin for all schools in September 2014. This report seeks approval for the 2015 admission policy

### **RECOMMENDATIONS:**

- (i) To note the responses from the admissions consultation with Southampton Admissions Forum, schools, other relevant admission authorities, and the Church of England and Roman Catholic dioceses.
- (ii) To approve the admissions policies and the published admission numbers (PANs) for community and voluntary controlled schools, including Bitterne Park selection by aptitude and 6<sup>th</sup> form arrangements; the schemes for co-ordinating primary and secondary admissions for the academic year 2015-16 as set out in Appendices 1-6;
- (iii) To authorise the People Director to take any action necessary to give effect to the admissions policy and to make any changes necessary to the Admissions Policies where required to give effect to any Acts, Regulations or revised Admissions or Admissions Appeals Codes or binding Schools Adjudicator. Court or Ombudsman decisions whensoever arising

### REASONS FOR REPORT RECOMMENDATIONS

1. The Local Authority has a statutory duty to determine the admission criteria on an annual basis and ensure all rising 5's have an allocated education place.

- 2. The proposed policy is at A.1. This has been consulted on and the responses are available at A. 2.
- 3. Implementation of the policy is dependent on these schemes:
  - admissions policy for Infant, Junior, Primary, Secondary and Sixth Form pupils to community and voluntary controlled schools, see appendix 1;
  - the outcomes of the annual consultation with school governing bodies and the relevant Church of England and Roman Catholic dioceses, see appendix 2;
  - published admission numbers (PANS) for community and voluntary controlled schools, see appendix 3;
  - the co-ordinated scheme for year R entry to infant/primary schools see appendix 4;
  - the co-ordinated schemes for entry to junior school, see appendix 5;
  - the co-ordinated scheme for primary to secondary transfer, see appendix
     6:

### ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

 The only alternative option considered was not to determine local admission arrangements. This has been rejected on the basis that it would result in the imposition of admissions arrangements upon local schools by the Secretary of State for Education

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

- 2. It is a statutory requirement that school admissions authorities determine the admission policy each year to approve the allocation of school places to Southampton pupils and to pupils applying for a place in a Southampton school from outside the city. The city council is the admissions authority for all community and voluntary controlled schools within Southampton and is therefore responsible for determining the admission arrangements for these schools. Regulations require all admissions authorities, i.e. Local Authorities, governing bodies of voluntary aided and foundation schools, to determine their admission arrangements for the school year 2015-16 by 15 April 2014 and to have notified the fact to other admission authorities within 14 days of this date at the latest.
- The principles of Southampton's admissions policies are well established. They seek to fulfil the requirement that they be 'fair, clear and objective' (School Admissions Code, 2012). The proposed policies seek to make this process as transparent as possible. In particular, they enable the local authority, schools, and parents:
  - (a) to protect the rights of vulnerable children;
  - (b) to meet significant medical and psychological needs of individual children:
  - (c) to develop, strengthen and support immediate family ties;
  - (d) to develop and strengthen links between designated feeder school(s);and
  - (e) to have access to clear, objective, and fair criteria that avoid ambiguity in the interpretation of the policy.

- 4. If the Local authority wants to make changes, consultation must take place. Consultation must be with schools, other admissions authorities, the local dioceses, the admissions forum and the public. This year, the local authority proposes to make no changes to the oversubscription criteria nor to the coordinated schemes for phase transfers.
- 5. Changes are proposed to the Published Admission Numbers (PANs) of four schools as follows:
  - Thornhill Primary School increase from 45 to 60
  - Bitterne Park Primary School increase from 90 to 120
  - Mansbridge Primary School increased from 30 to 60
  - Bitterne Manor Primary School increase from 30 to 60
- 6. The rationale for these changes is to accommodate a predicted "bulge" in the number of children requiring a reception class place in September 2015. The data on the number of children in the city indicates that Year R numbers will be higher in 2015/16 than in previous or subsequent years. As such, the proposal is that the schools listed above will increase their PAN for 1 year only in 2015/16 and then it would drop back down to its previous level in 2016/17.

### 7. PAN Increases

For the 2015/16 academic year, the Local Authority predicts that there will be approximately 3,240 children that will require a Year R place at a City school. In 2016/17 we forecast that there will be around 3,100 Year R pupils and, to date, we have plans in place to provide 3,135 Year R places. As pupil numbers are forecast to peak in 2015 and drop in subsequent years, the Local Authority are putting forward proposals to increase the Published Admission Number of several schools for one year only.

- 8. We are proposing that the following schools increase their PAN in 2015/16 only:
  - Bitterne Park Primary PAN increase from 90 to 120 (it is proposed that the extra classroom will be achieved by the reorganisation of existing space within the school)
  - Bitterne Manor Primary PAN increase from 30 to 60 (it is proposed that the music room will be converted into a staff room, the staff room into a pre-school and the pre-school into a classroom)
  - Mansbridge Primary PAN increase from 30 to 60 (it is proposed that the library will be converted into a classroom)
  - Thornhill Primary PAN increase from 45 to 60 (the school has historically accommodated up to 420 pupils so the school has enough classrooms to admit up to 60 pupils in one year group. It is also planned that they will admit up to 60 Year R pupils in 2014/15)
- 9. We are also in discussions with Portswood Primary School to increase their PAN from 60 to 90. As an academy, and their own admissions authority, the decision on this increase lies with the governing body of the school.
- 10. As demand is forecast to drop in 2016/17, these schools will revert to their current PAN for that academic year. This approach, as opposed to permanently increasing the size of these schools, avoids the prospect of having a significant amount of surplus places across the school estate,

something which would not be financially viable for schools or the Local Authority. As none of these increases would see any school expand by more than 30 pupils and by 25% or 200 pupils (whichever is the lesser) there is no requirement to conduct full statutory consultation, as we have done for other expansions projects.

- 11. However, we have written to the affected schools (headteachers and Chair of Governors) informing them of the proposals and inviting them to comment). Bitterne Manor Primary requested some further information on the proposal and to this end we have met with senior leadership staff & governors, written to parents and local community groups, held a consultation meeting for parents and produced a question and answer document for staff/parents/governors at the school.
- 12. The issues and questions raised, along with the Local Authority's response to these, can be found in appendix 1. The Local Authority received a petition from parents at Bitterne Manor Primary School entitled, "Petition opposing the proposed closure of the music room at Bitterne Manor Primary School, currently autumn 2015. The closure is to increase the capacity of the school by 30 pupils with no new parking". The petition is 20 pages long and has 256 signatures. The front page of the petition can be found in appendix 1.
- Two of the main issues that have been raised by parents and governors affiliated to Bitterne Manor Primary were with regards to the loss of extra curricular space (e.g. music room) within the school and dangers associated with increased levels of traffic that may arise if a greater number of pupils attend the school.
- 14. In relation to the former, the majority of schools in the City do not have a dedicated music room. Similarly, several schools have a greater number of pupils and less ancillary space than Bitterne Manor. As such, we do not believe that the loss of the music room will have a detrimental impact on school pupils, staff or standards.
- 15. In terms of traffic, we would not deny that there may be an increase in traffic levels and, based on previous traffic survey data, we estimate an additional 6-7 sets of parent/pupils might travel to the school by car. There is no dedicated risk assessment pertaining to the expansion of a school in respect of offsite vehicular movements. To mitigate traffic/safety issues and encourage active travel, we would recommend that schools sign up to SCC's school travel plan programme. We would hope that parents would be willing to travel by more sustainable means or park away from the school and walk to the school gate. This would limit traffic congestion associated with the increase in pupil numbers. Please see appendix 2 for full details of the issues raised in relation to Bitterne Manor and the Local Authority's response to these.
- 16. If an admission authority wants to make changes to an existing scheme consultation must take place with schools, other admission authorities, the local dioceses, the admission forum and the public.
- 17. This year the local authority, as admission authority, is seeking to change its admission arrangements for transfer from infant to junior school by amending the order of criteria for admission to community and VC Junior schools to give higher priority to children attending the linked infant school.

18. Consultations with schools and other admission authorities(Catholic and Church of England Dioceses, Hampshire County Council, Portsmouth City Council, and schools that are Foundation, Voluntary Aided, and Academies) started on 2 January 2014 and ended on 28 February 2014. The proposed policies for 2015/16 were discussed at the School Admissions Forum meeting in February 2014.

### **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

- 19. There will be some capital costs arising from the need to expand the four schools for one year. Approval for the addition of the capital projects to the Education Capital Programme will be requested at the June Council meeting. It is anticipated that the costs of these projects will be funded from Department for Education Basic Need capital grant, subject to the relevant authorisations being given by full Council.
- 20. School revenue budgets are funded from the Dedicated Schools Grant and there are therefore no additional revenue costs to the general fund arising directly from the approval of the admissions policies for the academic year 2015-16.

### **Property/Other**

21. None.

### **LEGAL IMPLICATIONS**

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

- 22. Admissions Authorities are legally required to undertake a consultation on admissions policies for 2015-16 in order to determine their admission arrangements, including PANs, under the School Standards and Framework Act 1998 as amended by the Education Act 2002 and the Education and Inspections Act 2006 if there are changes from the previous years arrangements. They need only consult every 7 years thereafter unless they propose changes be made to them.
- 23. In accordance with the above, the deadline for determining admission arrangements is 15 April 2014. Following determination (the date of the relevant Cabinet meeting) the local authority has 14 days to notify all schools in writing of the outcome of its decision. Schools' governing bodies then have six weeks to object to their respective PANs (but no other aspect of the admissions policy).
- Notice of the change must be published in a local newspaper setting out appeal arrangements.

### **Other Legal Implications:**

25. The Education Acts, Regulations made pursuant to them and the School Admissions Code (February 2012) require local authorities to formulate coordinated admissions schemes for dealing with applications to infant, primary, junior and secondary schools at the relevant age of transfer. Such schemes should also include admissions to schools where the local authority is not the admission authority e.g. voluntary aided schools, Foundation School and Academies. The schemes must ensure that every parent receives an offer of

one, and only one, school place on the same day. A national offer date of 1 March has been set for secondary admissions and local authorities are required to implement a single offer date for primary sector admissions as well. The Regulations specify closing dates for applications for entry into Year R and for entry into secondary school. These dates are 15 January in the offer year for applications for year R and 31 October in the offer year for applications for secondary school

- 26. In drawing up co-ordinated admissions schemes, the City Council must consult with other relevant admission authorities, i.e. the governing bodies of voluntary aided schools, trust and foundation school, Academies, and Hampshire County Council. Other legally binding requirements upon the Council in coordinating an admissions scheme are set out in the National School Admissions Code (2012)
- 27. In practice, this means that schools cannot refuse admission to any applicant up to the limit of its PAN (again, subject to a number of very limited legal exceptions). It also means that when the number of applications a school receives is greater than the number of places available there has to be a mechanism in place to enable the school to prioritise those applications. This, essentially, is the function of the admissions policy.
- 28. It is a statutory requirement that the local authority must have consulted on its proposed admission arrangements, and have made a determination on them, by 1 March and 15 April respectively in the year prior to the new admission arrangements coming into effect. Other admission authorities in Southampton's area, i.e. the governors of voluntary aided schools, foundation schools, trust schools and Academies must also have consulted on, and determined, their admission arrangements by the same dates.
- 29. It is also a statutory requirement that, within 14 days of the admission arrangements being determined, admission authorities notify consultees (i.e. other admission authorities and all community/controlled schools) of their determined admission arrangements

### POLICY FRAMEWORK IMPLICATIONS

The recommended admissions arrangements proposed in the report are consistent with the Children's and Young People's Plan.

### **KEY DECISION?**

Yes

WARDS/COMMUNITIES AFFECTED: All Wards

### **SUPPORTING DOCUMENTATION**

### **Appendices**

1.	Admission policy for Infant, Junior, Primary, Secondary and Sixth Form pupils to community and voluntary controlled schools 2015-16
2.	The outcomes of the annual consultation with school governing bodies and the relevant Church of England and Roman Catholic dioceses and with the public
3.	Proposed published admissions numbers for all community and voluntary controlled schools 2015-16
4.	Co-ordinated scheme for year R entry to infant/primary schools 2015-16
5.	Co-ordinated admissions scheme for entry to Junior Schools 2015-16
6.	Co-ordinated admissions scheme for entry to Secondary Schools 2015-16
7.	Bitterne Manor Primary – consultations results

### **Documents In Members' Rooms**

1. None	
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### **Equality Impact Assessment**

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

### **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)

None
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### Agenda Item 11

Appendix 1

### **Southampton City Council**

### Admission Policy for Community and Voluntary Controlled Infant/Primary Schools for 2015/16

Southampton City Council is the admission authority for all Community and Voluntary Controlled infant and primary schools in the city. Voluntary Aided and Trust and Foundation school are their own admission authorities and set their own admission arrangements. As required in the School Admissions Code the authority will consider all on-time preferences at the same time for September 2014 admissions.

Parents may express up to three (3) preferences, listing them in the order in which they would accept them. All preferences will be considered and where more than one school could be offered, the parents will be offered a place for their child at the higher ranked of the schools that could be offered.

### Children with statements of special educational needs (SEN) that name the school

Children with statements of special educational needs that name a school must be admitted to that school under the Education Act 1996 and with regard to the SEN Code of Practice. These children will be admitted to the named school, even if it is full, and are therefore outside the normal admission arrangements. As required by the Code these children will count as part of the Published Admission Number (PAN) for the school.

### Oversubscription criteria

Applications submitted by 15 January 2015 will be dealt with first. If the number of applications submitted by 15 January 2015 is greater than the Published Admission Number (PAN) for a school, admissions to the school will be decided according to the following priorities:

- 1. Children in public care (looked after children) and previously looked after children as defined in paragraph 1.7 of the School Admissions Code 2012
- 2. Children subject to a child protection plan or deemed to be vulnerable by the Senior Officer with responsibility for safeguarding in Southampton City Council.
- 3. Children who have a brother or sister already on the roll of the school who will continue to attend that school for the following year. (This includes children living as siblings in the same family unit.) In the case of applications for places at infant schools a sibling at the linked junior school will count as a sibling at the infant school.
  - A sibling is defined as a brother or sister including half, step, or foster or adoptive brother or sister, living within the same family unit at the same address.
- 4. Children who live within the school's designated catchment area and whose parents have satisfied the Local Authority that their child has a significant medical or psychological condition which means they must attend the preferred school

rather than any other. Applications must be supported by appropriate written evidence from a doctor or psychologist.

5. Children who live within the school's designated catchment area.

A "designated catchment area" for a school is the area set out in the definitive catchment area map for each school. This map is held by Southampton City Council, Civic Centre, Rise, Southampton SO14 7LY. A schedule of addresses, to be read in conjunction with the map, is also kept by the Council.

Parents wishing to know if their address is in a particular catchment area can contact the Admissions Team, or log on to the council website <a href="https://www.southampton.gov.uk">www.southampton.gov.uk</a>, click on "my Southampton", follow the links, and enter their post code.

If the school is oversubscribed from within these criteria, priorities (ii) to (iii), as set out at 6 below, will be used to determine which children will be offered places.

- 6. Children who live outside the school's designated catchment area, in the following order:
  - (i) Children whose parents have satisfied the Local Authority that their child has a significant medical or psychological condition which means they must attend the preferred school rather than any other. Applications must be supported by appropriate written evidence from a doctor or psychologist.
  - (ii) Children whose parents are applying for their child to attend a Church of England voluntary controlled school on denominational grounds. Evidence of regular church attendance at services held by the Church of England or a local ecumenical partnership (as defined in the school's prospectus) must be certified by the vicar or someone else of authority in the church. "Regular" is defined as "attending worship services at a Church of England church or local ecumenical partnership at least twice a month for the previous two years before the deadline for admissions set by Southampton City Council."
  - (iii) Children who live closest to the school based on the shortest practicable walking distance using public roads and footpaths. Distances are measured from home to school for in-catchment children and from either home to school or home to the designated catchment area boundary for out-catchment children, as agreed with each school and laid out in the school prospectus. Distances from home to school are measured as shortest walking distances. These are calculated using a computerised mapping system that uses data supplied by Ordnance Survey. Distances are measured from the point designated in the system as the home address to the point designated in the system as the mid point of the nearest open gate to the school, using public roads and footpaths.

Should a school be oversubscribed from within any of the criteria 6(i) to 6(ii) above, then distance as defined in 6(iii) will be used to prioritise applications within these categories. Should there be two or more identical distances requiring prioritisation, this will be done by casting lots. Lots will be drawn by the Head of Education, People Dirctorate, Southampton City Council.

### Late applications

The closing date for applications is 15 January 2015. Applications received after that date will be late applications. If a school has places available after admitting all on-time applications, late applications will be considered in accordance with the priorities set out above.

### **Unplaced children**

Any child who remains unplaced after their application has been processed, because either they could not be offered a place at any school requested or their parents did not complete an application, will be offered a place at their catchment school, if places are still available. If there are no places available at their catchment school, they will be allocated a place at the nearest school to their home address with places available. Distance to their home address will be measured by public roads and footpaths.

### Waiting lists

If a place cannot be offered at a higher ranked community or voluntary controlled school, unsuccessful applicants will automatically be placed on the waiting list for the school. If places become available, children on the waiting list will automatically be offered them according to the priorities set out above and any previous offer of a school place will be withdrawn.

The length of time on the waiting list cannot be taken into account. Unsuccessful late applications will be treated in the same way as unsuccessful on-time applications and placed on the waiting list according to the priorities set out above.

Waiting lists will be maintained by the Admissions Manager at Southampton City Council for all community and voluntary controlled schools. Waiting lists will be maintained until the end of the autumn term 2015.

### **Entry into Reception Class**

The offer made to parents for reception class on the initial offer date is of a full time place from the start of term after 1 September 2015. Schools normally stagger entry into school from that date and arrange for some initial part time attendance to ensure a smooth transition from pre-school into school or from home to school. Parents have the right to defer their child's entry into reception class to any point up the time the child is of statutory school age (the term starting after their child's 5<sup>th</sup> birthday) or until any point in the reception year if their child is not of statutory school age until after the start of the summer term in the reception year. Parents CANNOT however defer entry until the start of year 1 i.e. the reception class place cannot be held open over the summer holidays. The child must start school at some point in the reception year. If a parent does not enrol

their child at the offered school at some point in the reception year they must make an in year application for a year 1 place.

Parents can request part time education for their child in the reception year up until the child is of statutory school age it if it in the child's best interests.

### **Southampton City Council**

### Admission Policy for Community and Voluntary Controlled Junior Schools for 2015/16

Southampton City Council is the admission authority for all Community and Voluntary Controlled junior schools in the city. As required in the School Admissions Code the authority will consider all preferences at the same time for September 2014 admissions.

Parents may express up to three (3) preferences for junior schools only, listing them in the order in which they would accept them. All preferences will be considered and where more than one school place could be offered, the parents will be offered a place for their child at the higher ranked of the schools that could be offered.

### Children with statements of special educational needs (SEN) that name the school

Children with statements of special educational needs that name a school must be admitted to that school under the Education Act 1996 and with regard to the SEN Code of Practice. These children will be admitted to the named school even if it is full and are therefore outside the normal admission arrangements. As required by the Code these children will count as part of the Published Admission Number (PAN) for the school.

### Oversubscription criteria

Applications submitted by 15 January 2015 will be dealt with first. If the number of applications received by 15 January 2015 is greater than the admission limit, admissions will be decided according to the following priorities:

- 1. Children in public care (looked after children) and previously looked after children as defined in paragraph 1.7 of the School Admissions Code 2012
- 2. Children subject to a child protection plan or deemed to be vulnerable by the Senior Officer with responsibility for safeguarding in Southampton City Council.
- 3. Children attending the linked infant school at the time of application. This criterion applies only at the time of transfer from year 2 to year 3 and until the end of the first term of junior school. After that time previous attendance at the linked infant school gives no priority to an application for a place at the linked junior school
- 3. Children who have a brother or sister already on the roll of the school who will continue to attend that school for the following year. (This includes children living as siblings in the same family unit.) In the case of applications for places at junior schools a sibling at the linked infant school will count as a sibling at the junior school.
  - A sibling is defined as a brother or sister including half, step, or foster or adoptive brother or sister, living within the same family unit at the same address.
- 4. Children who live within the school's designated catchment area and whose parents have satisfied the Local Authority that their child has a significant medical

or psychological condition which means they must attend the preferred school rather than any other. Applications must be supported by appropriate written evidence from a doctor or psychologist

6. Children who live within the school's designated catchment area.

A "designated catchment area" for a school is the area set out in the definitive catchment area map for each school. This map is held by Southampton City Council, Civic Centre, Southampton SO14 7LY. A schedule of addresses, to be read in conjunction with the map, is also kept by the Council.

Parents wishing to know if their address is in a particular catchment area can contact the Admissions Team, or log on to the council website <a href="https://www.southampton.gov.uk">www.southampton.gov.uk</a>, click on "my Southampton", follow the links, and enter their post code.

If the school is oversubscribed from within these criteria, priorities (ii) to (iii), as set out at 7 below, will be used to determine which children will be offered places.

- 7. Children who live outside the school's designated catchment area, in the following order:
  - (i) Children whose parents have satisfied the Local Authority that their child has a significant medical or psychological condition which means they must attend the preferred school rather than any other. Applications must be supported by appropriate written evidence from a doctor or psychologist.
  - (ii) Children whose parents are applying for their child to attend a Church of England voluntary controlled school on denominational grounds. Evidence of regular church attendance at services held by the Church of England or a local ecumenical partnership, (as defined in the school's prospectus), must be certified by the vicar or someone else of authority in the church. "Regular" is defined as "attending worship services at a Church of England church or local ecumenical partnership at least twice a month for the previous two years before the deadline for admissions set by Southampton City Council."
  - (iii) Children who live closest to the school based on the shortest practicable walking distance using public roads and footpaths. Distances are measured from home to school for in-catchment children and from either home to school or home to the designated catchment area boundary for out-catchment children, as agreed with each school and laid out in the school's prospectus. Distances from home to school are measured as shortest walking distances. These are calculated using a computerised mapping system that uses data supplied by Ordnance Survey. Distances are measured from the point designated in the system as the home

address to the point designated in the system as the mid point of the nearest open gate to the school, using public roads and footpaths.

Should a school be oversubscribed from within any of the criteria 7(i) to 7(iii) above, then distance as defined in 7(iii) will be used to prioritise applications within these categories. Should there be two or more identical distances requiring prioritisation, this will be done by casting lots. Lots will be drawn by the Head of Education, People Dirctorate, Southampton City Council.

### Late applications

If a school has places available after admitting all on-time applications, late applications will be considered in accordance with the priorities set out above.

### **Unplaced children**

Any children who remain unplaced after their application has been processed, because either they could not be offered a place at any school requested or their parents did not complete an application, will be offered a place at their catchment school, if places are still available. If there are no places available at their catchment school, they will be allocated a place at the nearest school to their home address with places available. Distance to their home address will be measured by public roads and footpaths.

### Waiting lists

If a place cannot be offered at a higher ranked community or voluntary controlled school, children will automatically be placed on the waiting list for the school. If places become available, children on the waiting list will automatically be offered them according to the priorities set out above and any previous offer of a school place will be withdrawn.

The length of time on the waiting list cannot be taken into account. Unsuccessful late applications will be treated in the same way as unsuccessful on time applications and placed on the waiting list according to the priorities set out above.

Waiting lists will be maintained by the Admissions Manager at Southampton City Council for all community and voluntary controlled schools. Waiting lists will be held until the end of the autumn term 2015.

### **Southampton City Council**

### Admission Policy for Community Secondary Schools for September 2015/16

Southampton City Council is the admission authority for all community secondary schools in the city. As required in the School Admissions Code, the authority will consider all preferences at the same time for September 2015 admissions.

Parents may express up to three preferences, listing them in the order in which they would accept them. All preferences will be considered and where more than one school could be offered, the parents will be offered a place for their child at the higher ranked of the schools that could be offered.

### Children with statements of special educational needs (SEN) that name the school

Children with statements of special educational needs that name a school must be admitted to that school under the Education Act 1996 and with regard to the SEN Code of Practice. These children will be admitted to the named school, even if it is full and are therefore outside the normal admission arrangements. As required by the Code these children will count as part of the Published Admission Number (PAN) for the school.

### Oversubscription criteria

Applications submitted by 31 October 2014 will be dealt with first. If the number of applications submitted by 31 October 2014 for a school is greater than the Published Admission Number for the school, admissions will be decided according to the following priorities:

- 1. Children in public care (looked after children) and previously looked after children as defined in paragraph 1.7 of the School Admissions Code 2012
- 2. Children subject to a child protection plan or deemed to be vulnerable by the Senior Officer with responsibility for safeguarding in Southampton City Council.
- 3. Children who have a brother or sister already on the roll of the school who will continue to attend that school during the following year. (This includes children who live as siblings in the same family unit.)
  - A sibling is defined as a brother or sister including half, step, or foster or adoptive brother or sister, living within the same family unit at the same address
- 4. Children who live within the school's designated catchment area and whose parents have satisfied the Local Authority that their child has a significant medical or psychological condition which means they must attend the preferred school rather than any other. Applications must be supported by appropriate written evidence from a doctor or psychologist
- 5. Children who live within the school's designated catchment area.

A "designated catchment area" for a school is the area set out in the definitive catchment area map for each school. This map is held by Southampton City Council, Civic Centre, Southampton SO14 7LY. A schedule of addresses, to be read in conjunction with the map, is also kept by the Council.

Parents wishing to know if their address is in a particular catchment area can contact the Admissions Team, or log on to the council website <a href="https://www.southampton.gov.uk">www.southampton.gov.uk</a>, click on "my Southampton", follow the links, and enter their post code.

If the school is oversubscribed from within the criteria above, priorities (ii) to (iii), as set out at 6 below, will be used to determine which children will be offered places.

- 6. Children who live outside the school's designated catchment area, in the following order:
  - (i) Children whose parents have named a particular school because the child has a significant medical or psychological condition which means they must attend the preferred school rather than any other. Applications must be supported by appropriate written evidence from a doctor or psychologist.
  - (ii) Children attending a designated catchment junior or primary school.
  - (iii) Children who live closest to the school based on the shortest practicable walking distance using public roads and footpaths. Distances are measured from home to school for in-catchment children and from either home to school or home to the designated catchment area boundary for out-catchment children, as agreed with each school and laid out in the school's prospectus. Distances from home to school are measured as shortest walking distances. These are calculated using a computerised mapping system that uses data supplied by Ordnance Survey. Distances are measured from the point designated in the system as the home address to the point designated in the system as the mid point of the nearest open gate to the school, using public roads and footpaths.

Should a school be oversubscribed from within any of the criteria 6i) to 6(ii) above, then distance, as given in 6(iii), will be used to prioritise applications within these categories. Should there be two identical distances requiring prioritisation, this will be done by casting lots. Lots will be drawn by the Head of Education, People Directorate, Southampton City Council.

### Late applications

If a school has places available after admitting all on-time applications, late applications will be considered in accordance with the priorities set out above.

### **Unplaced children**

Any child who remains unplaced after their application has been processed, because either they could not be offered a place at any school requested or their parents did not make an application, will be offered a place at their catchment school, if places are still available. If there are no places available at their catchment school, they will be allocated a place at the nearest school with places available to their home address. Distance to their home address will be measured by public roads and footpaths.

### Waiting lists

If a place cannot be offered at a higher ranked community school, unsuccessful applicants for the school will automatically be placed on the waiting list for the school. If places become available, children on the waiting list will automatically be offered them according to the priorities set out above and any previous offer of a school place will be withdrawn.

The length of time on the waiting list cannot be taken into account. Unsuccessful late applications will be treated in the same way as unsuccessful on-time applications and placed on the waiting list according to the priorities set out above.

Waiting lists will be maintained by the Admissions Manager at Southampton City Council for all community schools. Waiting lists will be held until the end of the autumn term 2015.

### **Bitterne Park School (Secondary Places)**

The admission criteria for Bitterne Park School are the same as for other LA community schools except for the addition of an extra criterion selecting up to 30 children for the school on the basis of their aptitude for the performing arts ( a specialism of the school).

The admission criteria for the school are therefore as follows:

- 1. Children in public care (looked after children) and previously looked after children as defined in paragraph 1.7 of the School Admissions Code 2012.
- 2. Children subject to a child protection plan or deemed to be vulnerable by the Senior Officer with responsibility for safeguarding in Southampton City Council
- 3. Children who have a brother or sister already on the roll of the school who will continue to attend that school during the following year. (This includes children who live as siblings in the same family unit.) Siblings who it is hoped will be in the sixth form when the younger child would be due to start will not be regarded as siblings in this category.
  - A sibling is defined as a brother or sister including half, step, or foster or adoptive brother or sister, living within the same family unit at the same address
- 4. Children, up to a maximum of 30, who score highest in the aptitude test set by Southampton City Council to measure their aptitude for the performing arts. In the event of a tie in the aptitude scoring the child/children closest to the school will be given priority.
- 5. Children who live within the school's designated catchment area and whose parents have satisfied the Local Authority that their child has a significant medical or psychological condition which means they must attend the preferred school rather than any other. Applications must be supported by appropriate written evidence from a doctor or psychologist
- 6. Children who live within the school's designated catchment area.

A "designated catchment area" for a school is the area set out in the definitive catchment area map for each school. This map is held by Southampton City Council, Civic Cente, Southampton SO14 7LY. A schedule of addresses, to be read in conjunction with the map, is also kept by the Council.

Parents wishing to know if their address is in a particular catchment area can contact the Admissions Team, or log on to the council website <a href="https://www.southampton.gov.uk">www.southampton.gov.uk</a>, click on "my Southampton", follow the links, and enter their post code.

If the school is oversubscribed from within the criteria above, priorities (ii) to (iii), as set out at 7 below, will be used to determine which children will be offered places.

- 7. Children who live outside the school's designated catchment area, in the following order:
  - (i) Children whose parents have named a particular school because the child has a significant medical or psychological condition which means they must attend the preferred school rather than any other. Applications must be supported by appropriate written evidence from a doctor or psychologist.
  - (ii) Children attending a designated catchment junior or primary school.
  - (iii) Children who live closest to the school based on the shortest practicable walking distance using public roads and footpaths. Distances are measured from home to school for in-catchment children and from either home to school or home to the designated catchment area boundary for out-catchment children, as agreed with each school and laid out in the school's prospectus. Distances from home to school are measured as shortest walking distances. These are calculated using a computerised mapping system that uses data supplied by Ordnance Survey. Distances are measured from the point designated in the system as the home address to the point designated in the system as the mid point of the nearest open gate to the school, using public roads and footpaths.

Should a school be oversubscribed from within any of the criteria 7(i) to 7(ii) above, then distance, as given in 7(iii), will be used to prioritise applications within these categories. Should there be two identical distances requiring prioritisation, this will be done by casting lots. Lots will be drawn by the Head of Education, People Directorate, Southampton City Council.

### Late applications

If a school has places available after admitting all on-time applications, late applications will be considered in accordance with the priorities set out above.

### **Unplaced children**

Any child who remains unplaced after their application has been processed, because either they could not be offered a place at any school requested or their parents did not make an application, will be offered a place at their catchment school, if places are still available. If there are no places available at their catchment school, they will be allocated a place at the nearest school with places available to their home address. Distance to their home address will be measured by public roads and footpaths.

### Waiting lists

If a place cannot be offered at a higher ranked community school, unsuccessful applicants for the school will automatically be placed on the waiting list for the school. If places become available, children on the waiting list will automatically be offered them

according to the priorities set out above and any previous offer of a school place will be withdrawn.

The length of time on the waiting list cannot be taken into account. Unsuccessful late applications will be treated in the same way as unsuccessful on-time applications and placed on the waiting list according to the priorities set out above.

Waiting lists will be maintained by the Admissions Manager at Southampton City Council for all community schools. Waiting lists will be held until the end of the autumn term 2015.

### **Bitterne Park School (Sixth Form Places)**

Bitterne Park Sixth Form application deadline is Monday 15th June 2015. Applications received after this date will be processed as 'late applications' (see below).

The Sixth Form has a maximum pupil number of 90 in Year 12 (180 Total in Years 12 and 13).

The majority of these places will be filled by existing Bitterne Park School students however, external applicants are welcome to apply to fill up to the remainder of 90 places. If the sixth form is over subscribed they will be considered in line with the SCC admissions policy that is detailed below.

The application form is made up of two parts:

Part 1 – Place application, this is to obtain a place within the sixth form at Bitterne Park School. Currently the procedure is run by Southampton City Council Admissions team (address below)

Part 2 – Course application, this is to secure a place on the requested courses, please note that some course may not run if sufficient applicants are not received. These are to be returned to the school office.

To apply complete both parts of the application, which are available to download from www.bitterneparkschool.org.uk or within the pack obtained from the school office.

Return part 1 as soon as possible to the Admission Team at Southampton City Council (address below) and by at the latest 15th June 2015.

Part 1: Place Application Admission Team (OGS) Southampton City Council Civic Centre Southampton SO14 7LY

If you submit the place application form to the school, this will be forwarded to the Admissions Team.

Return Part 2, the course selection form to be returned to the school (address below)

Part 2: Course Application Sixth Form recruitment Main School Office Bitterne Park School Copsewood Road Southampton

When completing part 2 of the application please ensure on your course choice that you indicate if it is level 2 or level 3 that you are applying for. If you are unsure whether you are a Level 2 or 3 students you are welcome to apply for both programmes, and then discuss this at the application guidance meeting.

Once your application has been received a letter will be sent confirming receipt and you will be invited in to the Sixth Form for an Application Guidance Meeting, which will review your course options and provide you with support and assistance with your application. This is not mandatory and will not form part of the Admissions process it is purely there to support and inform your decisions. You will not be required to bring anything to this meeting.

There will be a post-16 induction programme for students who have a place in the Sixth Form in which you will have an opportunity to attend taster lessons in your chosen subjects as well as take part in team building and leadership activities. It is expected that all students who are transferring to Bitterne Park Sixth Form will attend.

### **Southampton City Council Admissions Policy**

All places offered by Southampton City Council are conditional upon the applicant meeting the Academic Entry Requirements set out below.

Places will be offered on the following basis:

### Children with statements of special educational needs (SEN) that name the school

Children with statements of special educational needs that name a school must be admitted to that school under the Education Act 1996 and with regard to the SEN Code of Practice. These children will be admitted to the named school, even if it is full and are therefore outside the normal admission arrangements. As required by the Code these children will count as part of the Published Admission Number (PAN) for the school.

### Oversubscription criteria

Applications submitted by 15<sup>th</sup> June 2015 will be dealt with first. If the number of applications submitted by 15<sup>th</sup> June 2015 for the sixth form exceed the Admission Number of 90, admissions will be decided according to the following priorities:

1. Children in public care (looked after children) and previously looked after children as defined in paragraph 1.7 of the School Admissions Code

2. Children who live within the school's designated catchment area.

A "designated catchment area" for a school is the area set out in the definitive catchment area map for each school. This map is held by Southampton City Council, Civic Centre, Southampton SO14 7LY. A schedule of addresses, to be read in conjunction with the map, is also kept by the Council.

Parents wishing to know if their address is in a particular catchment area can contact the Admissions Team, or log on to the council website <a href="https://www.southampton.gov.uk">www.southampton.gov.uk</a>, click on "my Southampton", follow the links, and enter their post code.

If the school is oversubscribed from within the designated catchment area, the procedure set out at 3, below, will be used to determine which children will be offered places.

3. Children who live closest to the school based on the shortest practicable walking distance using public roads and footpaths. Distances are measured from home to school for in-catchment children and from either home to school or home to the designated catchment area boundary for out-catchment children, as agreed with each school and laid out in the school's prospectus. Distances from home to school are measured as shortest walking distances. These are calculated using a computerised mapping system that uses data supplied by Ordnance Survey. Distances are measured from the point designated in the system as the home address to the point designated in the system as the mid point of the nearest open gate to the school, using public roads and footpaths.

Should there be two identical distances requiring prioritisation, this will be done by casting lots. Lots will be drawn by the Head of Education, People Directorate, Southampton City Council.

### Late applications

If a school has places available after admitting all on-time applications, late applications will be considered in accordance with the priorities set out above.

### Waiting lists

Unsuccessful applicants for the school will automatically be placed on the waiting list for the school. If places become available, children on the waiting list will automatically be offered them according to the priorities set out above.

The length of time on the waiting list cannot be taken into account. Unsuccessful late applications will be treated in the same way as unsuccessful on-time applications and placed on the waiting list according to the priorities set out above.

Waiting lists will be maintained by the Admissions Manager at Southampton City Council for all community schools. Waiting lists will be held until the end of the autumn term 2015.

### **Sixth Form Courses and Entry Requirements**

### Level 3 Courses:

This is a two year programme of study that is at a higher level then the work undertaken in Year 11.

Level 3 courses prepare students for entry to university. Bitterne Park Sixth Form offers a wide range of both academic A Levels and the full range of applied BTEC courses.

Each AS/A2 Level and BTEC has 5 hours of taught study each week. For success a similar amount of private study is expected out of hours.

The desired entry requirement for a Level 3 programme of study is 5A\* to C grades at GCSE or equivalent in 4 or more subjects including English and Maths.

Some Level 3 subjects have specific entry requirements (such as a B grade at the Higher Tier of entry).

These are outlined in the subject information and must be met. It is at the discretion of the School whether a student who has a D grade in either English or Mathematics at GCSE (not both) is able to progress to Level 3

### Level 2 Courses:

This is a one year programme of study for students who wish to progress to the Level 3 programme of study at the Bitterne Park School Sixth Form and have not yet quite gained the 5A\* - C grades at GCSE or equivalent needed for this.

This programme of study enables students to retake English and Mathematics and take a number of new and exciting subjects.

The desired entry requirements for Level 2 Courses in Year 12 is 5 D grades at GCSE or equivalent in 4 or more subjects.

A minimum of an E grade in English and/or Mathematics is also desired.

### Foundation Learning:

This is a one year programme of study for students who wish to progress to the Level 2 programme of study at the Bitterne Park School Sixth Form, or seek employment, and have not yet quite gained the desired entry requirements for level 2 courses.

### Results day

Once you receive your GCSE results we can confirm your course and subject choices and finalise your enrolment to The Sixth Form. Support for students who have not made entry requirements will be available on the results publication day in August. All Bitterne Park Year 11 students are expected to be present that day, where possible.

We will do all we can to support you if you wish to change your options but after the timetable is written this will only be possible if a class is not full and the subjects you wish to study are not timetabled at the same time.

You will then receive a letter confirming your place in the Sixth Form, which is conditional on the entry requirements.



### Agenda Item 11

Appendix 2

Appendix 2

The outcomes of the annual consultation with school governing bodies and the relevant Church of England and Roman Catholic dioceses, the Southampton Admissions Forum and the public

The admission arrangements for 2015/16 are changed only slightly from those for 2014/15 and only with reference to the one off increase in PANs at 4 schools

No comments have been received from other admission authorities in the city, the Church of England or Roman Catholic Dioceses, or Hampshire County Council.

No comments have been received from the general public apart from those relating to the proposed one off increase in PAN at Bitterne Manor Primary

The Admissions Forum considered the proposed changes at its meeting in February 2014. The Forum was supportive of the proposed changes in PANs.



## Agenda Item 11

Appendix 3

#### **Appendix 3**

## PUBLISHED ADMISSION NUMBERS (PANs) FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS

Proposed Published Admissions Numbers (PANs) for Community and Voluntary Controlled Schools for Year R intake for Academic Year 2015/16.

School Name	PAN - Sept 2015
Bassett Green Primary School	90
Bevois Town Primary School	60
Bitterne C of E PrimarySchool	60
Bitterne Manor Primary School	60
Bitterne Park Primary School	120
Fairisle Infant And Nursery School	120
Mansbridge Primary School	60
Mansel Park Primary School	60
Mason Moor Primary School	45
Maytree Nursery And Infants School	90
Moorlands Primary School	60
Newlands Primary School	60
Oakwood Primary School	60
Redbridge Primary School	30
Shirley Warren Primary And Nursery	
School	60
Sholing Infant School	90
Sinclair Primary & Nursery	30
St Denys Primary School	30
St Mark's C of E Primary School*	90
St Mary's C of E (VC) Primary School	90
St Monica Primary School	90
Swaythling Primary School	30
Tanners Brook Primary School	120
Thornhill Primary School	60
Valentine Infant School	120
Woolston Infant School	60

Proposed Published Admissions Numbers (PANs) for Community and Voluntary Controlled Schools for Year 3 intake for Academic Year 2015/16

School Name	PAN - Sept 2015
Fairisle Junior School	90
Mount Pleasant Junior School	90
Sholing Junior School	90
Townhill Junior School	102

Proposed Published Admissions Numbers (PANs) for Community and Voluntary Controlled Schools for Year 7 intake for Academic Year 2015/16

	PAN - Sept
School Name	2015
Bitterne Park School	300
Cantell Maths and Computing College	230
Redbridge Community School	210
The Sholing Technology College	210
Woodlands Community College	180

## Agenda Item 11

Appendix 4

## SOUTHAMPTON CITY COUNCIL THE CO-ORDINATED SCHEME FOR YEAR R ENTRY TO INFANT/PRIMARY SCHOOLS

#### SCHOOL YEAR 2015/16

#### 1. INTRODUCTION

This scheme details proposals for the co-ordinated admission arrangements for infant and primary schools in Southampton. The proposed scheme is in accordance with the School Admissions (Co-ordination of Admission Arrangements) (England) Regulations 2008 and the School Admissions Code (2012).

#### 2. BACKGROUND

The School Standards and Framework Act 1998, as amended by the Education Act 2002, and the School Admissions (Co-ordination of Admission Arrangements) (England) Regulations 2008 set a duty on Local Authorities (LAs) to formulate a scheme covering every maintained school in their area, to co-ordinate the admissions process for primary intakes.

Once a LA has formulated a scheme for its area, it must pass the scheme for review to the Admission Forum. The LA must then consult all other admission authorities in the area who it proposes should adopt the scheme.

#### 3. THE SCHEME

The purpose of the co-ordinated admission scheme is to establish mechanisms for ensuring that every parent of a child living in the LA area who has applied for a school place in the 'normal admissions round' receives an offer of one, and only one, school place on the same day. Schemes should also address how late applications will be handled. Co-ordinated schemes are an administrative process to make school admissions easier, more transparent and less stressful for parents.

The Southampton City Council co-ordinated scheme for infant/primary schools aims to encompass all the Voluntary Aided (VA) schools in its area. The School Admissions Code requires that *all schools* in the LA's area operate the 'equal preference' allocation criterion. Parents must apply for places in different Las via their Home LA, using the application form for that LA, so there is a requirement for LAs to exchange data.

The co-ordinated scheme has been broken down into the following headings:

- Data capture
- Brochures and application process
- Closing date
- Processing of applications
- Late applications
- Decision letters

#### 4. DATA CAPTURE

In June 2014 "rising 4" data will be downloaded, by the Admissions Team, from the Early Years modules of the ONE database and a list of rising 4 children will be obtained from Southampton City Primary Care Trust (SCPCT).

#### 5. BROCHURES AND THE APPLICATION PROCESS

- A letter giving advice to parents for children in the transfer group, about online applications and use of forms, will be sent to parents in late August/early September 2014
- The composite prospectus will be available on line at the Southampton City Council website from no later than 12 September 2014.
- Online application commences 8 September 2014.
- Parents of children living outside the city but wishing to apply for a place at a Southampton LA school must apply via their Home LA.
- Parents who live in the city who wish to apply for a place at a school in another LA area (e.g. Hampshire) must apply through the Southampton Admissions processes

#### 6. CLOSING DATE

The closing date for applications will be15 January 2015. This date is set in the regulations. Online applications will come direct to the Admissions Team...

#### 7. PROCESSING OF ON-TIME APPLICATIONS

Own Admission Authority School applications —the data on any application form that mentions an own admission authority school regardless of the ranking of the school on the form will be sent to the VA school no later than 5 p.m 28 February 2015

<u>Community/VC School applications</u> – paper applications will be input onto the One database in order that initial allocations can be made on an equal preference basis.

By 5 p.m. Friday 20 March 2015, own admission authority schools will advise the Admissions Team of the rank order against their criteria of all the applications referred to them.

In the event that more than one place can be offered, e.g. at a VA school and a Community/VC school or at two Community/VC schools, the place that will be offered will be the one that is highest preference in the application.

For example, if the Community/VC school is 1<sup>st</sup> preference and the VA school is 2<sup>nd</sup> preference but both schools can offer a place, the place will be offered at the Community/VC school. However, if the VA school is the higher preference then the place will be offered at this school. In the case of two Community/VC places being available for offer, the offer will be made for the higher preference school. The Admissions Team will advise the VA schools of any children who are offered places at higher preference schools.

#### 8. LATE APPLICATIONS

Any application submitted after the closing date will be treated as a late application. These will not be processed until after the on-time applications.

#### 9. UNPLACED CHILDREN

Any child who remains unplaced after their application has been processed, either because they failed to get into any school requested or did not complete a form, will be offered a place at their catchment school, if places are still available. If there are no places available at their catchment school, they will be offered a place at the nearest school with places available to their home address. Distance to the home address will be measured by public roads and footpaths.

#### 10. DECISION LETTERS

All parents/carers resident in Southampton will be notified of the outcome of their application on 16 April 2015. This date is set in regulations. Southampton LA will make the offer of places at those schools (Community/VC) where it is the admission authority and will also offer on behalf of the governing bodies of VA schools where it is not the admission authority. Email notifications will also be sent to those parents who applied online. Applicants who are not offered their first preference school will receive a formal letter from the Admissions Team giving the reasons for refusal and guidance on how to appeal

Parents who receive an online notification will be able to accept their offer of a school place online. Those parents who receive a decision letter will also receive a reply slip that parents must complete to accept the place offered to them. The Admissions Team will notify own admission authority schools of any places they have offered that have been refused so that alternative offers can be made, if necessary. Parents will be offered the right of appeal against a refusal of a place as laid down in the School Standards and Framework Act 1998, as amended by the Education Act 2002, and supporting regulations.

#### 11. DATA TO SCHOOLS

Data will be provided to schools regularly from 8 May 2015 through to July 2015. The Admissions Team will work closely with schools to ensure that they have as much data as possible on potential numbers of reception class starters as soon as is possible. From 16 April 2015, schools will receive student data in the form of lists showing who has been allocated places at their schools either on line or otherwise electronically.

#### 12. SUMMARY

This proposed scheme encompasses all the elements of the co-ordinated admissions scheme outlined in the law. A timetable showing how the process would work for the September 2015 intake is attached at the annexe.

#### **Annexe**

# CO-ORDINATED INFANT/PRIMARY SCHOOLS ADMISSIONS SCHEME TIMETABLE FOR 2015/16

DATE	ACTIVITY
June 2014	Admission Team obtains details of "rising 4" children. Transfer group of all eligible children set up in the ONE database
Mid – August 2014	Letters outlining application procedure sent to all parents in the transfer group; letters advise parents to make online applications, or to use paper forms where they cannot.
Early September 2014	Parents collect admission brochures and blank application forms from any infant or primary schools.
8 September 2014	Online application window opens.
15 January 2015	Closing date for online applications and paper forms.
21 February 2015	Admissions Team sends details of all on time applications to other LAs if necessary
28 February 2015	Admissions Team sends details of all relevant applications to own admission authority schools in Southampton
20 March 2015	Own admission authority schools return ranked applications details to the Admissions Team
16 April 2015	Parents advised by letter and email from the Admissions Team of the result of their application.



## Agenda Item 11

Appendix 5

## SOUTHAMPTON CITY COUNCIL THE CO-ORDINATED SCHEMES FOR ENTRY TO JUNIOR SCHOOLS

#### SCHOOL YEAR 2015/16

#### 1. INTRODUCTION

This scheme details proposals for the co-ordinated admission arrangements for junior schools in Southampton. The proposed scheme is in accordance with the School Admissions (Co-ordination of Admission Arrangements) (England) Regulations 2008 and the School Admissions Code (2012).

#### 2. BACKGROUND

The School Standards and Framework Act 1998, as amended by the Education Act 2002, and the School Admissions (Co-ordination of Admission Arrangements) (England) Regulations 2008 set a duty on Local Authorities (LAs) to formulate a scheme covering every maintained school in their area, to co-ordinate the admissions process for primary intakes.

Once a LA has formulated a scheme for its area it must pass the scheme for review to the Admission Forum. The LA must then consult all other admission authorities in the area who it proposes should adopt the scheme.

#### 3. THE SCHEME

The purpose of the co-ordinated admission scheme is to establish mechanisms for ensuring that every parent of a child living in the LA area who has applied for a school place in the 'normal admissions round' receives an offer of one, and only one, school place on the same day. Schemes should also address how late applications will be handled. Co-ordinated schemes are an administrative process to make school admissions easier, more transparent and less stressful for parents.

Parents must now apply for places in different LAs via their home local authority. This means that parents resident in Southampton applying for junior schools in, say, Hampshire must apply through the Southampton City Council Admissions Team.

The co-ordinated scheme has been broken down into the following headings:

- Data capture
- Brochures and application process
- Closing date
- Processing of applications
- Late applications
- Decision letters

#### 4. DATA CAPTURE

In June 2014 Year 1 pupils' data will be downloaded, by the Admissions Team, from the school databases and the Year 3 transfer group created.

#### 5. BROCHURES AND THE APPLICATION PROCESS

- Details of the process for junior transfer will be issued direct by post to the parents of Year 2 pupils early in September 2014.
- Registration for online admission application commences 8 September 2014.
- Parents of children living outside the city but wishing to apply for a place at a Southampton junior school must apply through their Home LA
- Parents who live in the city who wish to apply for a place at a school in another LA area (e.g. Hampshire) must apply for those schools via the Southampton application system

#### 6. CLOSING DATE

The closing date for applications will be 15 January 2015.. Online applications will come direct to the Admissions Team.

#### 7. PROCESSING OF ON-TIME APPLICATIONS

The Admissions Team will process first all those applications submitted by the closing date. Applications will be input onto the ONE database in order that initial allocations can be made. In the event that two places can be offered, e.g. at two Community/VC schools, the place that will be offered will be the one that is the higher preference on the application form.

#### 8. LATE APPLICATIONS

Any application received after the closing date will be treated as a late application. These will not be processed until after the on-time applications. They will be processed in the same way as the on-time applications as detailed in paragraph 7 above.

#### 9. UNPLACED CHILDREN

Any child who remains unplaced after their application has been processed, either because they failed to get into any school requested or did not complete a form, will be offered a place at their catchment school, if places are still available. If there are no places available at their catchment school, they will be offered a place at the school with places available nearest to their home address. Distance to the home address will be measured by public roads and footpaths. Distances are calculated using a computerised GIS system that uses data supplied by Ordnance Survey. Addresses are identified and positioned using the LLPG database or the Post Office Address database

#### 10. DECISION LETTERS

the outcome of applications will notified to parents on 16 April 2015. Email notifications will also be sent to those parents who applied online. Parents who did not receive an offer of their first preference school will also be notified in a formal letter accompanied by a reply slip that parents must complete to accept any place offered to them. Parents will be offered the right of appeal against a refusal of a place as laid down in the School Standards and Framework Act 1998, as amended by the Education Act 2002, and supporting regulations.

#### 11. DATA TO SCHOOLS

Data will be provided to schools on a regular basis from April 2015 through to July 2015. Although the Admissions Team will already know the names of 1<sup>st</sup> preference applicants it cannot be assumed that these are the children who will be offered places after the oversubscription criteria have been applied. It is possible that an applicant who has named the school as 1<sup>st</sup> preference may have lower priority under the oversubscription criteria than children who have expressed a 2<sup>nd</sup> or 3<sup>rd</sup> preference for a school. The Admissions Team will work closely with schools to ensure that they have as much data on potential numbers of year 3 starters as soon as possible. On 16 April 2015, schools will receive student data electronically showing who has been allocated places at their schools. From June 2015 onwards, junior schools will receive transfer files from the infant schools their children are coming from.

#### 12. APPLICATIONS TO PRIMARY SCHOOLS

Applications for places in year 3 at a primary school for September 2015 will not be included in this process. Parents who want such a place must make a normal in year transfer at the appropriate time. This is normally in June/July.

#### 13. SUMMARY

This proposed scheme encompasses all the elements of the coordinated admissions scheme outlined in the regulations. A timetable showing how the process would work for the September 2015 intake is attached at the annexe.

#### Annexe

### **CO-ORDINATED JUNIOR SCHOOLS ADMISSIONS SCHEME**

### **TIMETABLE 2015/16**

DATE	ACTIVITY
June 2014	Admissions Team downloads details of Year 1 pupils in city infant schools and receives data Frm HCC of Southampton children in HCC infant schools
Early September 2014	Letters outlining application procedure sent to all parents in the transfer group.
8 September 2014	Online application window opens.
15 January 2015	Closing date for applications
27 February 2015	Admissions Team sends details of all relevant applications to own admission authority schools in Southampton
20 March 2015	Own admission authority schools return ranked applications details to the Admissions Team
16 April 2015	Parents advised by letter and email from the Admissions Team of the result of their application



## Agenda Item 11

Appendix 6

## SOUTHAMPTON CITY COUNCIL THE CO-ORDINATED SCHEME FOR PRIMARY TO SECONDARY TRANSFER

#### SCHOOL YEAR 2015/16

#### 1. INTRODUCTION

This scheme details proposals for the co-ordinated admission arrangements for secondary schools in Southampton. The proposed scheme is in accordance with the School Admissions (Co-ordination of Admission Arrangements) (England) Regulations 2008 and the School Admissions Code 2012.

#### 2. BACKGROUND

The School Standards and Framework Act 1998, as amended by the Education Act 2002, and the School Admissions (Co-ordination of Admission Arrangements) (England) Regulations 2008 set a duty on Local Authorities (LAs) to formulate a scheme covering every maintained school in their area, to co-ordinate the admissions process for secondary intakes.

Once a LA has formulated a scheme for its area it must pass the scheme for review to the Admission Forum. The LA must then consult all other admission authorities in the area who it proposes should adopt the scheme.

#### 3. THE SCHEME

The purpose of the co-ordinated admission scheme is to establish mechanisms for ensuring that every parent of a child living in the LA area who has applied for a school place in the 'normal admissions round' receives an offer of one, and only one, school place on the same day. Schemes should also address how late applications will be handled. Co-ordinated schemes are an administrative process to make school admissions easier, more transparent and less stressful for parents.

For September 2015, the co-ordinated scheme will comprise the following elements: -

- Data capture
- Brochures and application process
- Closing date
- Processing of applications
- Late applications
- Decision letters

#### 4. DATA CAPTURE

In June 2014, year 5 data will be downloaded from the school databases and filtered. Details of children living in Hampshire County Council's (HCC's) area will be passed to HCC's Admissions Team. Likewise, HCC will provide the Southampton Admissions Team with the details of those children who live in Southampton City Council's (SCC's) relevant area but attend a HCC primary/junior

school.

#### 5. THE APPLICATION PROCESS

- Details of the application process will be issued to direct to parents/carers in early September 2014.
- Online application commences 8 September 2014.
- Details of the application process will also be sent to children resident in the city but attending a HCC primary or junior school in early September 2014.
- Children resident in the city who wish to apply for a school in Hampshire must apply using Southampton online application/paper form.
- Children resident in Hampshire but who wish to apply for a Southampton school must apply using Hampshire processes
- The Southampton "form" will enable parents to express a preference for a school outside the Southampton/Hampshire area.
- Applicants to St Anne's or St George should complete the necessary Supplementary Information Form (SIF) for that school and send them direct to the school
- Applicants for Bitterne Park School wanting their child to be assessed for aptitude for the performing arts must indicate this in their application

#### 6. CLOSING DATE

The closing date for applications will be 31 October 2014. This date is set in the regulations. Online applications will come direct to the Admissions Team.

#### 7. PROCESSING OF APPLICATIONS

Own admission authority applications: —Any application that shows a preference for any own admission authority school, regardless of the ranking of the school on the form, will be processed as a priority and the relevant data from the application forms will be sent to the schools no later than Friday 28 November 2014.

Other LA school applications: - Data will be sent to the relevant LA's Admissions Team for processing by 28 November at the latest.

<u>Southampton school applications:</u> – applications will be input onto the ONE database in order that initial allocations can be made.

By Friday 9 January 2015, own admission authority schools advise the Admissions Team of the ranking against their criteria of all the applications referred to them.

In the event that more than one place can be offered, e.g. at St George and a Southampton Community school or two Southampton Community schools, the place that will be offered will be the one that is highest preference on the application form. The Admissions Team will exchange information as required with other LAs to enable a single highest possible offer to be made

#### 8. LATE PREFERENCES

Any application received after the closing date will be treated as a late application. These will not be processed until after the on-time applications. They will be

processed in the same way as the on-time applications as detailed in paragraph 7 above, in close consultation with other admissions authorities.

#### 9. UNPLACED CHILDREN

Any child who remains unplaced after their application has been processed, either because they have not been eligible to be offered a place at any of the schools requested or because they did not complete a form, will be offered a place at their catchment school, if places are still available. If there are no places available at their catchment school, they will be offered a place at the nearest school to their home address with places available. Distance to the home address will be measured by public roads and footpaths.

#### 10. DECISION LETTERS

Parents of children living in the Southampton City Council relevant area will be notified of the outcome of their application by the Admissions Team on 2 March 2015. Southampton LA will make the offer of places at those schools (Community/VC) where it is the admission authority and will make the offer on behalf of the governing bodies of VA schools or other LA at schools where it is not the admission authority. Email notifications will also be sent to those parents who applied online. Offer letters to parents of children resident in Southampton but attending schools outside the city will be posted first class on 2 March 2015. Parents who receive their notification on line will be able to accept the offer they receive online

Parents who do not receive their first preference offer will be sent a formal letter by post; letters will be accompanied by a reply slip that parents will need to complete to accept any place offered to them. The Admissions Team will notify other admission authorities and LAs of any places they have offered that have been refused so that alternative offers can be made if necessary. Parents will be offered the right of appeal against a refusal of a place as laid down in the School Standards and Framework Act 1998, as amended by the Education Act 2002, and supporting regulations.

#### 11. DATA TO SCHOOLS

Data will be provided to schools regularly from November 2014 through to July 2015. Although the Admissions Team will already know the names of 1<sup>st</sup> preference applicants it cannot be assumed that these are the children who will be offered places after the oversubscription criteria have been applied. It is possible that an applicant who has named the school as 1<sup>st</sup> preference may have lower priority under the oversubscription criteria than children who have expressed a 2<sup>nd</sup> or 3<sup>rd</sup> preference for a school. The Admissions Team will work closely with schools to ensure that they have as much data on potential numbers of year 7 starters as soon as possible. From 2 March 2015, schools will receive student data electronically showing who has been allocated places at their schools. From March onwards, secondary schools will receive transfer forms from the primary/junior schools their children are coming from.

#### 12. SUMMARY

This proposed scheme encompasses all the elements of the co-ordinated admissions scheme outlined in the law. A timetable showing how the process would work for the September 2015 intake is attached at the annexe.

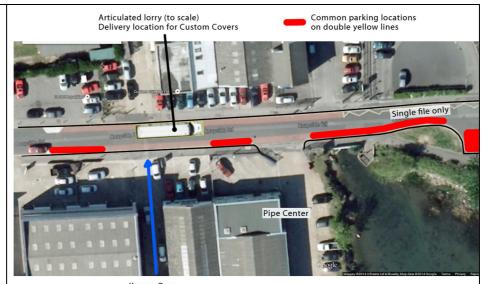
## CO-ORDINATED SECONDARY SCHOOLS ADMISSIONS SCHEME TIMETABLE 2015/16

DATE	ACTIVITY
June 2014	Admissions Team obtains details of Year 5 pupils in city primary/junior schools and advises other LAs of any children who currently attend a SCC school but live in the other LA's area. Other LAs do the same for their children.
Early September 2014	Application details sent to parents living in the city area.
8 September 2013	Online application window opens.
31 October 2013	Closing date for applications; online window closes.
28 November 2014	Admissions Team sends relevant details of all applications for own admission authority schools/other LAs to these admission authorities.
9 January 2015	Own admission authority schools /other LAs advise Admissions Team of outcome of ranking applications.
January 2015	Admissions Team to add VA schools/other LA results to processing of Community applications to determine offers.
By end of January 2015	Details of late applications sent to VA/other LA schools.
By mid - February 2015	VA schools/other LAs advise Admissions Team of result of late preference applications. Unplaced children to be allocated to their catchment or nearest school
2 March 2015	SCC parents advised by email, and some by letter, from the Admissions Team of the result of their application.



# Agenda Item 11 Appendix 7

Date Received	Comments / Questions
28/02/2014	RESPONSE TO THE PROPOSAL TO EXPAND BITTERNE MANOR
	PRIMARY SCHOOL
	We would like to take this opportunity to express my objection to the proposal to increase the PAN to 60 for the 2015/16 intake. Whilst we understand that there is a requirement for the local authority to provide school places for the additional children who are expected to start school in 2015/16, we do not believe that Bitterne Manor is the most suitable option for expansion.
	We would like to address the physical location of the school and the means by which children travel to the school.
	According to the latest version of the School Organisation Guidance - Annex B Guidance for Decision Makers, in the section concerning travel and accessibility:
	24. The decision-maker should bear in mind that a proposal should not unreasonably extend journey times or increase transport costs, or result in too
	many children being prevented from travelling sustainably due to unsuitable walking or cycling routes.
	25. A proposal should also be considered on the basis of how it will support and
	contribute to the LA's duty to promote the use of sustainable travel and transport to school.
	It is clear that being able to travel to school in an active or sustainable way is something that the policymakers believe is important, however due to the location of Bitterne Manor and the location of the additional children, the proposed expansion would result in very few if any of these children travelling to school in a sustainable manner.
	Figure 1 is an annotated map based on Google's aerial photography showing the section of Quayside Road immediately outside the school.



Kemps Quay Vehicle Access

Bitterne Manor Primary School is located on Quayside Road adjacent to a light industrial area. Pedestrians and cyclists can access the school from the east via the railway bridge link to Athelstan Road, or from the west through the industrial area. Vehicles, however, can only access from the west and parking is limited in the dead-end section. The industrial area can be particularly hazardous due to the movements of heavy goods vehicles which often coincide with school drop-off or collection times.

There are currently 210 pupils on roll. They arrive at school between 08:30 and 08:45 and most leave school at 15:20. Every day, between 20 and 40 children will be participating in after school activities so there will be typically 180 children leaving the site at 15:20.

In the morning this results in a steady stream of cars coming and going whereas in the afternoon cars will typically start arriving from 14:45 and stay until the children have been collected.

We estimate that there is space for 20 cars in the on-street parking and for a further 20 cars in the two residents' car parks, however, there are typically 10 residents' cars already parked so this section of road can accommodate 30 cars for parents.

On three separate afternoons we counted the number of cars entering the 20mph section of Quayside Road (on the left edge of fig.1) counting those either parking and waiting on Quayside Road in the areas marked in red or those passing the school gates but not those turning into the business premises.

My observations made between 14:45 and 15:20 were as follows:

Friday 7<sup>th</sup> Feb 61 cars dry weather Wednesday 12<sup>th</sup> Feb 63 cars wet weather

Friday 14<sup>th</sup> Feb 66 cars wet and windy weather

It is clear that there are already far more cars trying to wait in this area than there are legitimate spaces to accommodate them, the result is that cars are almost always parked on the double yellow lines opposite the school and along Quayside Road and sometimes on the zigzags, on the pavements, on the grass verges and across residents driveways.

Figures 2, 3 and 4 on the following pages are photographs showing the parking situation outside the school shortly before 15:20 on the 7<sup>th</sup> February –

these illustrate a relatively quiet afternoon on Quayside Road.

Figure 2. In the foreground cars are parked on double yellow lines restricting the remaining carriageway to single file only. The nearest car is completely blocking the only dropped kerb on this section of pavement which would cause considerable inconvenience to users of mobility scooters or wheelchairs. Beyond the verge on the right, two cars have parked in the turning area and a third car has double-parked alongside them. On the left, a goods vehicle is driving past the school gates further into the dead end section presumably hoping to find a convenient spot to turn around – the truck came back past 5 minutes later.



Figure 3. Plenty of cars parked on the south side of Quayside Road – there is insufficient space remaining on the carriageway for two cars to pass – this often leads to a gridlock with streams of traffic travelling towards each other in the single file areas unable to pass each other. The resolution often involves waiting several minutes until one side either reverses or drives up onto the pavement.



Figure 4. Looking in the other direction along Quayside Road, cars are parked up along the southern side of the road outside the business premises.

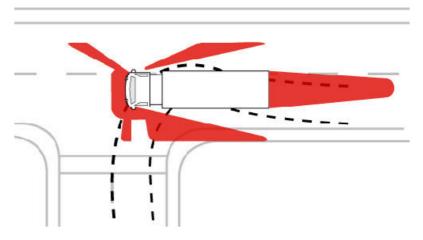
Clearly the quantity of cars being used to transport children to and from school does pose a hazard to children on foot and on scooters and bicycles. The parked cars present a safety risk to children crossing the road particularly with regard to visibility. Furthermore, some drivers drive very aggressively and tempers can be short — most weeks a car will be heard to accelerate furiously, sometimes with wheel spin and when drivers see a red mist they aren't looking out for children crossing. We have witnessed on several occasions parents having to haul children back onto the pavement at the crossing point outside the school to remove them from the path of a vehicle being driven aggressively.

It is, however, the heavy goods vehicles that pose the greatest risk to the children's safety.

Quayside Road is a light industrial area and the businesses adjacent to the school are regularly visited by HGVs making deliveries. Two businesses in particular often have large trucks manoeuvring or loading on Quayside Road during school drop-off and collection times.

Pipe Center are located on the southern side of Quayside Road and the end nearest the school. They are visited by articulated HGVs which need to reverse into a relatively narrow entrance to reach the loading bay. The trucks need to park in Quayside Road whilst the driver reports to reception and returns with a banksman to assist with the reversing. The manoeuvre requires the whole width of Quayside Road and often some of the pavement on the opposite side and some drivers require several attempts before they find the right line. Sometimes two trucks arrive at the same time and one has to wait out on the road until the other has finished.

When this happens during the school run, cars have to wait for the road to clear before they can proceed (and some drivers hate waiting) but more alarmingly, children are trying to walk along the northern pavement whilst the HGV is manoeuvring. Most children and many adults are unaware of how surprisingly little an HGV driver can actually see of the area around their vehicle from the driver's seat.



The areas marked in red cannot be seen at all by the driver, and objects in the other areas are only visible if the driver happens to be looking out of that window or mirror. When the vehicle is turning, the whole of the outer side behind the trailer is obscured and when reversing the driver will be mostly looking at the banksman (assuming there is one).

Children are particularly vulnerable due to their short height, their unawareness of how a vehicle might move and their lack of danger perception. To have children walking anywhere near a manoeuvring truck is very hazardous indeed.

Custom Covers is located on the northern side of Quayside Road opposite the access road to Kemps Quay. Their delivery vehicles usually park parallel to the edge of the road adjacent to their forecourt as shown in figure 1 by the truck highlighted in yellow. Sometimes, however, their drivers park the vehicle partially on the pavement and in some cases completely blocking the pavement. Goods are loaded on and off the truck by a forklift truck which mostly works on the pavement side but occasionally loads on the side of the vehicle in the road.

When this happens during the school run, drivers travelling east towards the school have their view up the road obscured and need to pass with care. Pedestrians, however, generally use the pavement on the northern side of the road. Some try to continue along the pavement beside the truck, others cross the road and then cross back again. For those who continue, they need to avoid the fork lift truck and also avoid open doors on the sides of the truck children would be particularly vulnerable to not being seen by a fork lift driver, especially when a load is being carried. For those who cross, they need to find a safe place to cross and still be seen by drivers making their way past the truck on the road – crossing immediately behind the truck gives a risk of not being seen, but crossing away from the truck gives a risk of clashing with drivers who, having passed the truck, are moving back over to the left of the road. On the other side of Quayside Road, opposite Custom Covers, is the access road to Kemps Quay where vehicles cross the pavement on a large dropped kerb to enter or leave the area. Once this area has been negotiated, some pedestrians will then need to cross back over to the northern pavement. Each of these aspects presents a hazard to pedestrians and in particular





Figure 7. One Pipe Centre HGV waits whilst another manoeuvres in their gateway.



Figure 8. In order to manoeuvre in and out of the gates at Pipe Centre, an HGV needs to use part of the pavement to complete the turn. In these three images, the railings beside the lamppost mark the western pedestrian entrance to the school grounds.

This is the situation currently faced by children travelling to and from Bitterne Manor Primary School. With 60-70 cars collecting 180 pupils, we would suggest that well over half the children are travelling to and from school by car once families and childminders with more than one child per car are taken into consideration. Of the children who walk, scoot or cycle, we would suggest that at least 2/3 of these travel to the east which would leave maybe 20 - 30 children who walk through the industrial area on their way to and from school.

So what would change should the proposed expansion go ahead? Having studied the forecasted number of pupils and school places carefully, we asked James Howells at the public meeting held at Bitterne Manor on 28<sup>th</sup> January whether the council had more specific information about where the additional places were needed geographically and would the extra demand would be from within our catchment or another areas of the city. The response was that the council do have some more specific data than the three areas outlined in the report and that the additional places would be mostly filled by children from outside our catchment and from the central area of the city.

The boundary between Bitterne Manor's catchment area and adjacent schools in the central area of the city is the River Itchen. This would then imply that the majority of the 30 extra children would be travelling across the Northam Bridge and through the industrial area on their journey to and from school.

The nearest houses on the Northam side of the river are a 0.7 mile walk away. The trip across the Northam Bridge is very unpleasant in wintry conditions, there is no shelter at all from the wind, the rain or the cold. One of us had the misfortune of being caught in a squally shower on the bridge with my child in January and we were soaked and shivering with cold within a minute. The footpaths on either side of the bridge are shared with cyclists and are bounded by a busy dual carriageway on one side and the river on the other.

We can't imagine many parents would choose to walk a four year old child across the bridge in the winter months and doubt many more would walk during the summer. Whilst it's possible that one or two may use a bus to cross the bridge and get off at Rampart Road, they might cycle or scoot in the summer but they'll still have to negotiate the hazards of the industrial area, the chances are that most of these extra children will be travelling to school by car. That seems to be in contradiction to the emphasis placed on sustainable travel in the school organisation guidance

If the school were to expand by 30 pupils, then there would be 30 additional journeys being made at 15:20 as the after school clubs are already full. A significant proportion of these journeys would be made by car. There are already more than twice as many cars arriving in Quayside Road as there are reasonable places to park, an additional 20-30 cars would lead to far more competition for parking near to the gates, more obstructive and unreasonable parking, more likelihood of lost tempers and aggressive behaviour. This area will become significantly more hazardous to pedestrians, especially children. Some drivers will choose to park further away on Quayside Road or Rampart Road but they and their children will then need to walk through the hazardous

section of Quayside Road with the HGVs and over-saturated parking. There is no doubt that the extra pupils will cause more hazardous situations to arise and that they themselves are likely to exposed to more of that risk.

By choosing to expand Bitterne Manor Primary school under these circumstances, you will be exposing children to a greater risk of injury on their journeys to and from school and you will be making it far less likely that the extra children accommodated in the 2015/16 intake will be able to choose to travel in a safe and sustainable way.

Considering the unusual location of Bitterne Manor and the hazards on the journey between the proposed pupils and the school, we feel it would be far more prudent to find the extra accommodation for these children in a school that is closer to them, or one that wouldn't require them to travel across a ½ mile long bridge in all weathers and through an industrial area frequented by HGVs. We already have regular near-misses between vehicles and children near our school, please don't make a decision which could result in a child being injured or worse still, killed.

#### 28/02/2014

I am a serving governor for Bitterne Manor Primary School.

I would like to put in writing my objections to SCCouncil current proposal to place another 30 children in the school.

OBJECTION: Letter Objections Governors Not fundamental part of Decision in direct conflict with

#### "STATUTORYINSTRUMENTS 2013 No. 3110 EDUCATION, ENGLAND

The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013"

When SCCouncil Makes the statement that the enlargement of the school intake does not need to adhere to a statutory process. I presume SCCouncil is relying on the below regulation guidance.

**"4.** An expansion without a physical enlargement to the premises of the school does not require a statutory proposal. Increases in pupil numbers may be achieved through an increase in the Published Admission Number under the School Admissions Code. "

REF: School
Organisation Maintained Schools
Guidance for proposers
and decision-makers
January 2014.
Department of Education
Annex A: Further
information for proposers

Annex A.1: Prescribed Alterations Expansion (enlargement to premises) Page 3

I would like to ask if SCCouncil also taking Note of Very first page of text in this document called the summary Page 2.

This Clearly states the key objectives of the underlying statute this documents is created to give guidance on.

I would like to ask if SCCouncil to please demonstrate how they are supporting BMPSchool Governing Body to "allow schools to have more control when making decisions about their size"?

"The regulations support the **government's aim of increasing school** 

autonomy and reducing bureaucracy. They allow schools to have more control when making decisions about their size and composition and therefore enable them to be more responsive to the needs of parents and local communities." **REF: School Organisation Maintained Schools Guidance for proposers** and decision-makers January 2014. **Department of Education** Chapter 1 : Summary About this guidance Paragraph 3 Page 3 BMSchool is a superb and successful school. This is a testament to the Head teacher, the current teaching staff, the governing body and the pupils. 28/02/2014 Ref: I am concerned about the proposal to expand the pupil numbers at Bitterne Manor Primary School, Southampton in 2015/16 I am a serving governor for Bitterne Manor Primary School. I would like to put in writing my objections to SCCouncil current proposal to place another 30 children in the school. OBJECTION: Funding, Public money should not be spent on reducing facilities for children SCCOUNCIL proposal to spend up to £50,000 on reducing current facilities for every one of the 210 existing pupils. This is Not good Value for money, no matter how you define it. This proposal is in direct conflict with guidelines on spending public money Once and sustainably use not just for the short term. The seemingly cheap new 30 school places are cheap on capital outlay only for SCC. Taking the loss of currently good facilities in the school the final hidden cost is much "6.3 Principles Underpinning Expansion in the Schools Sector In selecting which schools to expand and the means by which this is achieved, the Local Authority has to consider a number of factors. Whilst all decisions to expand are taken in partnership with the schools concerned, the key principles underpinning any such decision are as follows: □ Demand ☐ Feasibility (Cost) ☐ Feasibility (Site) □ Value for Money" **REF: School Organisation Plan Southampton City Council** 2013-2022 Paragraph 6.3 Page 17 Being a governor at BMPSchool I cannot approve of spending up to £50,000 of public money resulting reduced facilities for all year R, Key stage 1 and Key stage 2 children at BMPSchool. BMSchool is a superb and successful school. This is a testament to the Head teacher, the current teaching staff, the governing body and the pupils. 28/02/2014 I am writing to express my opposition to the proposed expansion of Bitterne Manor Primary School in 2015 and for the following seven years by the increase in the 2015 entry year group from 30 to 60 pupils. The reasons I am opposed to this expansion are outlined below. My concerns are written as a parent, for the wellbeing and safety, and for the quality of education of children at BMPS, both now and in the future. For

these reasons I am writing, as I believe such a proposal is to the detriment of all pupils and the wellbeing, safety and resources available for the education of our children are at risk. I trust that these points will be taken into account when the council makes its decision.

- 1. The proposal has not been given enough funding to support the children and the school for the full seven years through which BMP will be affected by this increase. As far as I am aware (from the little information we as parents have been given), funding has been allocated to make the changes and provide resources for a new year R classroom. The resources will be needed for a full seven years of 60 children and these resources change every year.
- 2. The safety of the children attending the school has not been given full consideration. There has been much discussion of a risk assessment and whether a risk assessment exists for this purpose or not. There is no such thing as a generic risk assessment, all we ask is that one be carried out and it has not. The council have not thought through the proposal to add a further 30 children (likely many from out of catchment) and the effect this may have on the safety of all children attending BMP. There are already considerable risks at school pick-up and school drop-off times with a lot of traffic from parents and the industrial units around the school. We would like to see some effort made before agreeing to this proposal to assess these risks, and to consider how they may increase with the addition of perhaps 20 cars at peak times.
- 3. Ofsted require consultation with parents of 'wrap-around' care. No such consultation has taken place with parents. By removing the music room the council are removing the options that parents have for wrap-around care, which the school currently does not provide, and has not consulted with parents on.
- 4. The proposal is short-sighted, dealing with a bulge year in the city centre when the need for more city centre schools is likely given the increase in population in these areas. It is clear that this proposal is a cheapest option to deal with a problem in the short term. Having already expanded all the available city centre schools, I am surprised that the council believe this will be a satisfactory answer and I wonder how robust their analyses of the city population increases and demographics are. I think decisions as important as this need to be backed up by reliable and robust analyses of longer term data. There must be some information that will provide prediction of birth rates in the city based on migration and the current demographic.
- 5. There will be ongoing issues with the sibling rule affecting access to a local school meaning that local children may have to go to other schools out of their catchment area. This is both unfair and short sighted, continuing the problem of travel to school and the risks associated with such as mentioned in point 2.

#### 28/02/2014

Ref: I am concerned about the proposal to expand the pupil numbers at Bitterne Manor Primary School, Southampton in 2015/16

I am a serving governor for Bitterne Manor Primary School.

I would like to put in writing my objections to SSCouncil current proposal to place another 30 children in the school.

OBJECTION: Governors support and Responsibilities

(24/2/2014-09:00) SSCouncil Proposal as put to BMPSchool governing body is in its proposal phase. This phase ends on the last day February 2014. This is in 4 days time.

As a Governor I have personally attended 7 meetings with SSCOUNCIL over the past 4 months. My primary aim was to clarify the details of the proposal. Details for Physical infrastructure of the school. Regard to SSC proposals for increasing intake 2015/16.

Legally to cover the governing bodies requirements for Staff and child safety. Including SEN children's well being in the school.

Impact on BMSchool budget and resources.

To have a physical design along with known costing and agreed funding would be in line with what is expected from SSCouncil.

There are no written proposals or agreement on any of the above. In short, there is no solid proposal at all.

I feel SSCOUNCIL have fallen far short of the recognised clarity of procedural planning and consultation regarding BMPSchool 2015/16 expansion.

Being a governor of BMPSchool I cannot approve of a proposal which has no fixed definition or detail.

I Object strongly to SSCouncills putting BMPSchool governing body in this position.

I can state as fact, the current Governors of BMPSchool, cannot answer the first two questions below. We have a duty to be able to in this document! More importantly these are very practical Questions with very real implications for the education of all the current 210 children of BMPSchool I would like to ask if SSCouncil were is the proposed detailed plan to go with their consultation framework which ends 28-Feb-2014.

The lack of any finalised, costed and funded proposal from SSCouncil before deadline for consultation. Currently prevent a Maintained school Governing Body carrying its duty in assessment of the proposal.

"2. Before making any changes governing bodies should ensure that: they have secured any necessary capital funding;

they have identified suitable accommodation and sites;

they have secured planning permission and/or agreement on the transfer of land where necessary2;

they have the consent of the site trustees or, other land owner where the land is not owned by the governing body;

they have the consent of the relevant religious authority (as required); and the admissions authority is content for the published admissions number (PAN) to be changed where this forms part of expansion plans, in accordance with the School Admissions Code."

REF: School
Organisation Maintained Schools
Guidance for proposers
and decision-makers
January 2014.
Department of Education
Chapter 2: Significant
changes: expansion, age
range changes and adding
boarding provision
Governing Bodies
Item 2
Page 6

BMSchool is a superb and successful school. This is a testament to the Head teacher, the current teaching staff, the governing body and the pupils.

Ref: I am concerned about the proposal to expand the pupil numbers at Bitterne Manor Primary School , Southampton in 2015/16

My children that will be affected are Sally Sear aged 3 Henry Sear Age 5 Ellen Sear Age 7

I am a serving governor for Bitterne Manor Primary School.

I would like to put in writing my objections to SSCouncil current proposal to

place another 30 children in the school.

OBJECTION: Loss of the music room as a specialised teaching resource. Reducing the Facilities in the School namely the loss of the music room as the 'only' class size available teaching space that is not fully timetabled. So reducing the schools flexibility for everyday use for children's education. Instruments are expensive, large bulky items. The storage of these will now have to take up another part of the school used currently for other essential school activities.

Why is SSCOUNCIL proposes to remove the music room from BMPSchool when other primary schools in Southampton are keeping theirs? In this one action the schools facilities are cut to bare essentials for core subjects only.

The hall timetable is very full. Only 2 sessions currently not full on the timetable. These will be needed for Physical Education if the extra 30 children

Leaving the school with no free area for all the existing Music lessons, Booster Pupil tuition, Staff meetings, Governor meetings, Parent Teacher Association meetings. Which constitute the current use of the music room. BMSchool is a superb and successful school. This is a testament to the Head teacher, the current teaching staff, the governing body and the pupils.

#### 28/02/2014

I've read the proposals for increasing school places.

The proposals for educating the year R children in the future are based on a large number of children moving to locations across the city away from where they live. Additional this burden falls mainly on the poorest families in the centre of town. This will increasingly disadvantage these children further with increased travel time and making family involvement less likely.

Can further consideration be given to schooling these young children locally to where they live? What further options have you reviewed for the children in the central location, particularly those living in the centre of Town?

#### 28/02/2014

I am writing regarding the discussions with Portswood Primary School about increasing their Pupil Admission Numbers.

Your notice indicates proposals for four schools to increase their admission numbers for one year only in 2015, and separately advises that discussions are ongoing with Portswood School. It is unclear whether the discussions with Portswood are also for an increase in numbers for 2015 only or whether this would be a permanent increase in admission numbers. I am a local resident and whilst I appreciate the pressure on finding school places, I am concerned about the impact increasing numbers at Portswood School by a whole class size would have for the following reasons:

Space within the school. Neighbouring houses in Somerset Road had to be compulsorily purchased to create extra space for the school when the admission age was lowered from 5 to 4 years old. If the admission numbers are permanently increased extra classrooms would be required, (ultimately 7 extra allowing one for each Year group) which would necessitate building on the existing playground reducing the already confined and limited free play space. This reduced play area would have to accommodate extra children; potentially 210 at an additional 30 per year group, which would raise health and safety issues at play and lunchtimes.

There is no room to expand the school for a permanent increase in admission numbers without further compulsory purchase of family homes, which are already in short supply in this area.

Whilst appreciating the need to increase pupil places across the city, surely the extra places should be created in schools where there is a greater demand for places. Viewing the latest; 2011, published statistics for the Portswood Ward, the age group with the highest number of children was Age 1, with 149, compared with 124 aged 5, who presumably were already in

education. Given that this data includes children in homes in other school catchment areas, I would question the need to increase the intake at Portswood by 50%, especially given the detrimental impact of reduced space for the pupils.

It is evident by the amount of cars at school pick up and drop off time that many children are currently being driven to school. Indeed, I understand that following complaints by the school itself, the Council has asked a school travel officer to investigate the problems a number of parents who drive and park inconsiderately at these times are currently causing. I would therefore suggest that a number of children already at the school are from outside the catchment area and are being driven to school because of the travelling distance involved in getting there. This implies that the demand for places is not in the Portswood School catchment area, but in other areas of the City. Increasing the admission numbers by 50% will exacerbate this problem and cause increased congestion and parking problems in an area that already suffers due to the number of HMOs and the proximity to the University. I trust my views will be taken into account in your consultations with Portswood Primary School.

#### 28/02/2014

I am concerned about the proposal to expand the pupil numbers at Bitterne Manor Primary School , Southampton in 2015/16

I am a parent of children at the school as well as a local and national voter.

My children that will be affected are Sally, Henry and Ellen Sear aged 3, 5 and 7.

I have been a volunteer helper at the school, working with children, hearing them read and supporting in other aspects of the curriculum. This costs the school nothing but gives children with identified needs a specific boost in their education.

At present the single [central corridor] of the school is crowded. When teaching assistants conduct lessons with small groups outside each classroom, the corridor becomes busy and the noise level increases. It is often difficult to find a suitable space for me and a single child to work in. I think the changes you propose will reduce the space in the central corridor currently used for 1 to 1 help for all of the current 210 children at the school for the next 7 years.

The same is true for the Teaching Assistant led focus lessons. How can this be good for the Children's Education? Have you taken this into account in the plans being proposed?

#### 27/02/2014

Thanks for the reply.

The whole point about a risk assessment, as I have explained before, is that the organisation running it defines it. The council knows full well that there is NOT a predefined risk assessment for ANY organisation.

The H&S website simply provides templates for many situations.

I am outside the school today and have seen two near misses involving children. Further, there was an RTA directly outside the school before Christmas. The police did attend. Your information is incorrect.

It is clear that the council have no intention of assessing the impact of the increase in numbers on the health and safety of the children at the school. I am most disappointed in and ashamed of my city.

#### 27/02/2014

We write to pass on our concerns to you during the consultation period for the above proposal, and request that they be forwarded with others to Southampton's cabinet.

We primarily write, as parents of two children who currently attend, and one who has recently left the above school which has resulted in our involvement with the school extending over the last eight years (ten years if one also includes our involvement with the onsite Bitterne Manor Preschool) However, we both feel passionately about the welfare of children and young people through our careers, one in education the other in child and adolescent mental health. We have, ourselves, benefited from an excellent State education during the nineteen-seventies and eighties and aspire that our children will at least do the same. We are very happy with the education our children and their peers are currently receiving at Bitterne Manor Primary school, rated as a "good school with outstanding features" by Ofsted, and together with the staff and other parents we wish to see this continue and improve. We hope that any decision to change the dynamics of this successful formula is taken with gravity and due care and consideration both in prior research and appropriate funding.

Prior to writing, we have attended the public meeting on 28th January, put forward in advance questions for that meeting, and read the minutes and the subsequent council replies to questions raised at that meeting. We are also party to the history of the development of the current plans as they were negotiated between the school's Senior Management/Governing Body and representatives of Southampton City Council.

Firstly, we understand that Southampton City Council has predicted from birth statistics, that there will be an increase in the number of admission age children in the Central and East of the city in 2015/16, but that with only 4 years of birth statistics data available, the numbers of admission age children are expected to drop down again. We have been told by the council that this doesn't take into account any other changes in population such as immigration which has increased and is continuing to increase into the area. Thus together with the city councils limited financial budget for expansion or building of new schools, the belief that the population is not increasing over the medium to long term is driving this as a *temporary* expansion only. It is the temporary nature (the low funding this attracts) and then the return to current admission numbers and the ramifications of this, which causes us concern. Adding to this the fact that the increased numbers of children will come largely from out of the schools catchment area, poses issues of travel distance and the safety of travel between home and school for the out of catchment children and future siblings.

We will consider each of our concerns in turn:

### 1 The effect this temporary expansion will have on subsequent admissions to the school over the following ten years or so.

We know Bitterne Manor with an intake of 30 each year is already an oversubscribed school. Already there are instances of catchment area children failing to get a place at the school. Already children with siblings currently at the school in some instances fail to get a place at the same school as their sibling, even with the sibling rule in their favour. We also know that there is a government directive to only expand successful schools with waiting lists, so Bitterne Manor is a good candidate. It makes sense so those who currently would struggle to get a place at this, their catchment school, close to where they live and in many instances within walking distance, now get a place and those families can get all their children into the same school. But this directive only makes sense and is beneficial if it is a *permanent* expansion. Expanding temporarily and then contracting again over the following years means more siblings many from out of catchment, all competing for 30 spaces each year and getting in line behind them are those

first born children in catchment who will struggle even more to get a place at Bitterne Manor, a short and safe travel distance from their homes. A domino effect ensues with local children then travelling greater distances to find a school with places.

We have been told following the public meeting, that an extra 30 children attract 1-4 extra year R pupils in any one year under the sibling rule. Unfortunately, we were not told how many children currently on average get in under the sibling rule. If it is 1-4 year R admissions per 30 children, then with 6 year groups of 30 that's currently 6-24 places, so the extra 1-4 coming in from the temporary expansion could mean that 7 to 28 year R places could be taken up under sibling criteria in subsequent year R admissions following this "bulge". Potentially filling the 30 place class, effectively blocking access to new local families. When this becomes an acute problem it cannot be remedied because we have been told by Oliver Gill that the school site is too small for a permanent expansion.

We have also been told SCC is only legally obliged to find a school place for every child irrespective of whether it is in the child's local area or not but surely it would make more sense to reduce travel distance and the risk of travel to the child by placing them in schools where they live. If one considers the effect the temporary expansion will have on future admissions, more and more children are going to be travelling greater distances from their homes to school.

Oliver Gill was asked at the public meeting why other schools with empty classrooms in the catchment areas where the increased child numbers are coming from aren't being used. We were told that any classrooms that are currently empty (and they do exist) will "likely" fill up as children progress through year groups. Also that building a new school to meet the needs of these increased child numbers in their local area is not an option, because there is no current statistical birth rate evidence to suggest a permanent population increase (again not taking into account immigration).

# 2. The impact a temporary expansion will have on education at the school:

# The yearly allocation of teachers to year groups:

As current school parents this obviously greatly concerns us. We have observed that as such a small school with currently 7 class teachers, the yearly reshuffle allows each teacher to stay teaching a particular year group for at least two years, building experience and expertise with that year before moving to a different year. In fact it has been our observation that around 50% of the teachers have taught the same year for 3 consecutive years. With only one new member of teaching staff. How will this previously successful formula change as the doubled year group moves up the school? Two teachers every year required to teach a double year group that won't exist the following year? The permutations of dividing this staff allocation between only 8 individuals, even with skill, are likely to only allow each teacher to stay with the same year group for 2 years.

This question was asked at the public meeting but hasn't been answered. Oliver Gill was to research how other schools have managed this, bearing in mind larger schools will have had more flexibility with greater numbers of teaching staff to rotate in the first place. We have only been told that "the school standards team do not believe that the proposal will have a negative impact upon the quality of education at the school" We have only heard how "the leadership team will recruit the best person for the post", which wasn't even in question at the public meeting and is taken as read.

# The Music Curriculum:

Many questions were asked about the effects on changes to the teaching of music at the school. Largely because the school is being targeted for temporary expansion as a result of its non-core teaching space "the music room" (which in reality is used for many additional activities other than music and storage e.g. for extracurricular activities during and after school). Following the public meeting we were advised that Southampton music services will still be continuing music lessons at the school which is reassuring. What concerns us however is the impact on the choice of instrument offered, particularly for the whole year group lessons in year 3. One of our sons was offered flute or oboe in year 3. Two years later our next child's class all got to try a guitar each (our son continues with guitar as a result). This year our youngest son's group have a small recorder that is mentioned in the councils reply to the concerns at the public meeting: "One year group receives whole group recorder lessons and given the small size of this instrument, storage of these should not prove problematic if whole class lessons continue". This reply concerns me as it suggests that it has been the practice that year 3 only ever play the recorder. This is not the case. We are not aware that the whole class lessons are, from now on, being restricted to small easily storable recorders. This is a change to the curriculum which reduces the variety of musical education available to the children of Bitterne Manor. I would like the council to be aware that previously the size of instrument has not dictated what musical education our children received in year 3 and this should not change after the expansion. For example we have been invited to whole class year 3 recitals of the guitar, and flute/oboe in previous years. If from now on the children only get to try the recorder because SCC have failed to provide previously available instrument storage then the standard of their education in music is being affected by the expansion.

# The appropriate financial resourcing of the extra year group de novo as it progresses up the school:

Again this was asked at the public meeting and we feel not yet addressed or adequately answered. So far as we understand it, there is an agreement to furnish the extra classroom which will hold an extra 30 children. This money being made available at the outset. We have also been told that "the majority of schools budget is closely linked to the number of pupils at the school. If there are more pupils at the school, the school would have a larger budget to cover the costs of extra teaching staff and resources". What concerns us and the other parents at the public meeting and we don't believe has really been taken on-board, is that this is no ordinary progression of a year group up a school, making use of equipment and resources that have been paid for, provided and handed down from previous years. This year group will need extra resources every year that aren't already in existence at the school e.g. books, IT, topic resources. The school has currently only sufficient of these resources for 30 children per year. Even a set of larger classroom furniture will be required as they get older and bigger. We are fairly sure that the ordinary increase in a schools budget linked to the number of pupils is not set to provide a brand new set of resources for that pupil for every year they are there.

When *permanent* school expansion occurred recently in Central Southampton, Bassett Green were given 1.4 million, St Johns 2.1 million and Bevois Town 1.45 million. A funding investment of approx £3500 per new pupil in the Central catchment area. Our new pupils will come from the same catchment area but even under current proposed financial funding (an improvement on the original proposal), our new pupils from the same area will have something in the region of £300 invested in them to attend our school. To appropriately fund this year as it moves up, we feel extra *adequate* resource funding is required over and above that which is routinely set per pupil in a schools budget. If this does not happen the money will have to

come from the schools budget (set for 240 children in a fully equipped status quo) and this will inevitably take away from spending on resources and opportunities for all the other children. We feel that it is imperative that if this proposal goes ahead it is funded in such a way so as not to take away the current good level of resources and facilities for the current and future children.

The 3 issues above we feel are most important to maintaining education at the school as we now enjoy it. We also are concerned about overcrowding in the already noisy central thoroughfare of the school which is currently used simultaneously for small group teaching currently by adjacent classes. We also feel saddened that the family events which make Bitterne Manor such a friendly "whole school" community will inevitably have to change as the school hall, whilst it might meet size regulations for 240 children, will not have capacity to invite parents to a whole school event such as the Christmas show which our family has enjoyed over the last 8 years. Having 3 children in a primary school and being able to see them all perform *together* in a school show has been a very important part of our family experience. This will not be possible after the expansion. We would predict capacity will dictate separation of such events into KS1 and KS2.

# 3. Travel distance from school: safety of travel to and from school and "human traffic" in the school grounds.

We have been helpfully informed by a parent governor that previous government directives have recommended that councils take into account travel distance between home and school and the safety of that travel.

Many parents and local residents are already concerned about both the current levels of traffic and risk to children outside the school and how this will increase during the 7 year expansion. We recognize Bitterne Manor is not unique in being sited in a cul de sac, and that whilst it is busy other schools are also busy at peak times. The council recognize that an expansion is likely to result in an increase in traffic levels of at least another 6-7 cars, but has no way of predicting how many over and above this will result from the expansion largely coming from "out of catchment" i.e. Central Southampton. The council hopes that these new pupils' families, travelling longer distances to school, will be willing to sign up to the SCC Travel Plan. Our own children walk to school, along an off-road cut way and the quiet part of the cul de sac. They have one single lane road to cross in front of the school. Some of their friend's cycle or scooter the same route. We are very lucky we live in catchment.

Children and families in the expansion coming from central Southampton will walk along a busy dual carriageway in rush-hour and enter Quayside Road on the side of the industrial estate, where the pavement is more open driveway than footpath and contend with the arrival and parking of heavy goods vehicle traffic on their walk to school. I personally think it is very unlikely that if a car is available, any of these families will choose to walk this hazardous route. This is not a safe walk to school for young children. I would also say that currently on road parking in Quayside Rd is already taken up before and after school so parking a little further away is not an easily available option.

An issue which wasn't raised in the public meeting is actually an onsite issue and involves "human traffic" on the pathways and front of the school. The majority of the school frontage is taken up by its own car park and the large Mosaic sculpture, which is effectively a no-go area safety wise. This area has been a health and safety risk for years and is recognized by the school as

such. One of our own children received a minor head injury from a trip on it as a preschooler. This leaves two narrow pedestrian pathways up to the front of the school, which are already overcrowded at the beginning and end of the school day, made worse by scooters, bikes and prams all trying to pass on a narrow single-file passage. Recently our youngest son attempted to pass others on this path trying to get to school on time. The path being too narrow, he had to pass onto the mosaic which was lying in water in places. He tripped and lacerated his knee and was soaked to the skin. There will be an extra 30 children, carers and younger siblings on these narrow paths at the beginning and end of the day. Given that there is a recognized risk already from the mosaic we would predict that increased footfall will compound this problem further.

To conclude, we ask that the Southampton Cabinet take seriously our own and other parents concerns about the impact of a temporary expansion on future access to the school for local children, on the organisation of the small numbers of teaching staff, the variety of the music curriculum, the adequate yearly resourcing of the new class and the impact of travel distance and safety of that travel between home and school. Most importantly if the expansion goes ahead that it is *properly* funded beyond the building alterations, so that the current good level of educational facilities and resources are maintained for the existing children and not diluted or drained by the need for the school to spread the budget to continually *re-resource* a new year group for 7 years.

# 26/02/2014

I am writing to express my opinion about the proposed plans to expand four primary schools in the city.

As far as I can see from reading the School Organisation Plan the biggest need for reception class places is in the city centre - not Bitterne Manor, Bitterne Park, Mansbridge or Thornhill.

What alternatives have you considered for greater provision on the city centre?

# 26/02/2014

I am writing to you concerning the proposals for the 2015/16 intake. I have worked as a Primary Class Teacher in the city centre for the last 5 years. I have become aware of the proposals for the coming few years and I am slightly concerned that the proposed class increases are being targeted in the wrong part of the city.

It appears that there is indeed a shortage of 180 places across the city, but that the majority of those places (119) are actually in the Bargate Ward, and not in fact in places like Thornhill, Bitterne Park or Mansbridge. It would therefore seem more logical to provide places for these children in the city centre rather than these other areas. Having worked closely with families in the city centre, I am also aware that a vast number of these families would not have the transport or means to travel to schools in these types of areas. Their need would be met far better if there were school facilities within close proximity to the city centre.

Thank you for taking the time to read this. I am sure that we are all working to improve the lives of children across our wonderful city and I look forward to seeing how you go about doing this.

# 26/02/2014

I have read the proposal to expand school places in the city and the School Organisation Plan published in November. The planned provision does not provide school places in all the areas of the city where there is an expected increase in demand.

As founder of the CLEAR project working in SO14 I am particularly concerned

about some of the families we work with and the availability of school places in close walking distance. It is already an area of concern and with no expansion in the Bargate ward, I can see their position worsening. I will be exploring, open-handedly, the demand locally for a Free School in SO14 that will better serve city centre families. The proposal for a new free school will be openly made available in the Echo this week. I am very happy to talk about how this could fit within the city's plans. 26/02/2014 I have been reading the information about the proposed entry numbers for 2015/16 for primary schools within Southampton City. I am a parent and teacher myself and am wondering if there is any way that there is a scheme that would not affect the schools in the proposal? Bitterne Park Primary (I use as an example as I know it well) already has a large number of pupils, and an additional 30 to take on in one year will make this school significantly different to what it is now, and not necessarily for the better. Have you considered the impact that this will have on parents and children who live in Woolston, Shirley, Thornhill etc? Many of them do not have transport to travel further than their local community area, and some would have to cross the Itchen Bridge which is no easy task during the school run even if you do have a car! I'd be interested to hear what alternative plans there are to ensure all children are given a fair and equal opportunity for their education, rather than just adding on to what are already full and difficult to manage schools. Have there been any considerations of opening a new school within the catchment area. which would then allow for all pupils in the community to attend easily? This would also provide more job opportunities in the area, which surely can only be a good thing! Thank you for taking the time to read my comments, and I look forward to a response or more information about other possibilities. 26/02/2014 The proposal to expand four, possibly five, primary schools in Bitterne Manor, Bitterne Park, Thornhill, Mansbridge and Portswood seems rather strange to me given that the majority of places required for reception children are in the city centre. What arrangements have you considered for transport for families from the city centre to enable to get to these schools safely? What alternatives have you considered for greater provision in the city centre? 25/02/2014 I am concerned about the Local Authority's response to many of the entirely reasonable concerns raised by parents of children at Bitterne Manor Primary School. The response is largely negative, with the focus on the minimum requirements for schools, such as space. The LA's viewpoint appears to be that, even with the expansion, BMPS still meets all the minimum requirements for education provision, so the LA has fulfilled its obligations. I cite some examples below: Addressing parents concern over the use of the school hall, the LA's response is: "By way of comparison, Wordsworth Primary (which will eventually have up to 630 pupils) has a hall of 152m<sup>2</sup>. Even with the additional pupils, Bitterne

Manor would better off, in terms of relative communal space, than many other schools in the city."

Addressing the removal of the small music room, the LA's response is: "There are very few primary schools in the city that have a dedicated music teaching space" [Surely this is not something to highlight!]
And

"Our data shows that the proposed classroom 51m², which is adequate for a classroom. There are other schools in the city have smaller classrooms than this."

Addressing the traffic problems outside the school, the LA's response is: "For example, Bevois Town Primary on Cedar Road currently has 257 pupils (and will eventually have 420); is located on a non through road; and has significantly less on road parking than Quayside Road."

I am sorry that the LA seems to believe that to address parents' concerns, the appropriate response is to find an example of another school which is worse off, or to check that we meet the minimum requirements. There should be some positivity and aspiration in Southampton to create and maintain the schools with more excellent facilities.

The parents are rightly concerned about the proposed change. It would disrupt any school. BMPS will lose a valuable resource in the Music room (which is unlikely to ever return to this use, and is used for other activities not limited to music lessons). I am sure that the teachers will do a sterling job to minimise the disruption and to maintain BMPS as a welcoming and highly valued local primary school. I would like to see the LA aiming higher. Southampton's schools should not be content with attaining the minimum. A key to success is to aim high, and then, even if we do not attain all our aspirations, we will still be well above the minimum threshold. Returning to BMPS, please do not just see a room not utilised as a year group's classroom, and take what appears to be the easiest option.

# 22/02/2014 & 24/02/2014

Thank you for informing me of the details.

I am reassured to hear that you have taken the necessary steps to accommodate additional school children.

I believe the extra places are for Year R children.

What will be the impact on the other Years classes (Year 1 and above) in the coming years?

I read that you are proposing to increase the Published Admission Number (PAN) of some primary schools in the city.

The information was made available at the following link:

http://www.southampton.gov.uk/learning/applyingforaschool/consultation/ If I understand this proposal correctly, it is proposed to increase the number of places available for Year school children.

What I do not know is if this increase will be matched by an increase in the number of teachers.

Also, this increase will require additional space to accommodate additional children.

It is not clear to me if and how these points are being addressed by the council.

# Could you please clarify?

### 23/02/2014

I am a resident of Quayside Road and am not happy at the proposal for an increase in the number of pupils attending the school. I am appalled at the attitude of Oliver Gill - which suggests that he has no regard for the views or

well being of the local residents. Is this just his view or is it the attitude of Southampton City Council in general? The traffic disruption caused by parents transporting their children to and from the school is significant and the attitude of a number of parents is unacceptable. On occasions I have been sworn at or otherwise abused when I have asked parents not to obstruct access or egress from my house. These parents have no regard for other road users and attempt to force their through the traffic regardless of whose right of way it is. A visit by Oliver Gill at school start or close times will show how parents park on double vellow lines and in Private parking areas. Perhaps he should speak to the police - who have on occasions been in attendance to deal with the situation. Perhaps Mr Gill would do the residents the courtesy of arranging a meeting with them to hear their views and concerns? Which must also impact on the safety of the children who have to work their way through illegally parked cars. The school in general enjoys the goodwill and support of the majority of the residents but an increase in pupil numbers and attendant difficulties could seriously damage that. If the numbers increase perhaps the school should deploy staff to manage the traffic issues and support the residents? Maybe parents wouldn't treat the staff in the same manner they do local residents? It seems this proposal has not been well thought through or researched and only at a late stage have the residents been consulted. By way of this response I am requesting that our local councillors engage with this process and support the views of their constituents. 20/02/2014 Now that the consultation period is drawing to a close, attention turns to the Cabinet Meeting in March. Can you confirm that, as per point 1 in James Howells email to me on 20/12/13 below, all submissions will be included in the report and that this will be able to be evidenced on request. Many thanks for a swift response. 19/02/2014 Our child will be affected by this surge in 2015/2016 on entry into primary school at Portswood. I am VERY concerned that there will be a 50% increase, will there be capacity/staff/premises for this? Why has Highfield not been adjusted? Is this a national problem? Or what it just a high birth rate in 2010/2011? Would you recruit an extra teacher for 1 year only? Will that teacher then move along with the. "Bulge" in that year throughout their primary school? How does Portswood's head teacher feel about this? Is there going to be a public consultation? Will the catchment area be enlarged?

### 14/02/2014

I am writing as a parent, an ex-governor at the school, and a member of the community of Bitterne Manor Primary School, to provide you with my views of the above proposal. I understand the reasons for the proposal, and as a citizen of the city I can see that all children who will be school-age in 2015 must have a place at a school within the city. BMPS is an excellent school and for that reason it could be a good place to make extra places for the seven years from 2015 to 2022.

However, my concerns all revolve around the impact on the school as a whole and the apparent lack of consideration of that issue by the LA. Having listened to Mr Howell and Mr Gill presenting their plans and arguments, I conclude that their priority is to place the extra class in 2015 regardless of the quality of the learning environment for those children and all other children within the school. Indeed, Mr Gill made this very statement to me as a governor last term; he told me that the quality of the educational environment for these children is not important to him, they just need to be in school. This attitude is exactly the kind of thinking that will reverse the recent improvement in educational standards across the city and it is my view that elected councillors should protect the children of Southampton from it.

The staff and governors of Bitterne Manor Primary School are perfectly capable of ensuring that an additional class in 2015 will receive the same outstanding education that the children of the school presently receive. However in order to do this, they will need the full support of the LA, and you as Councillors must ensure that they receive that. In the short term this boils down to one simple issue; properly resourcing the adaptations that are needed. Mr Gill stated that the LA will fund the minimum requirements for fitting out an Early Years classroom, toilets and outside space; that ensuring the additional classroom and facilities meets the highest standards that Ofsted expects in an Outstanding school was not necessary. In short, he is aiming for an environment that "Requires Improvement" in Ofsted terminology. This is absolutely not acceptable for any children in the city.

A further issue that the LA has been denying is the impact on the rest of the school in terms of the use of space within the school building. The school makes maximum use of its small and quirky spaces already; one-to-one lessons, nuture groups, and care for children with special needs, including physical treatment and help with emotional and behavioural needs, are taken in corridors and small rooms, plus the music room. The library is already less than ideal; it is in a corridor and it not accessible for disabled children. The use of all of these spaces for small group and one-to-one lessons has been a key tool that has raised the standards achieved by the children of the school over the past 4 years. The loss of the music room as part of the flexible system for managing all these activities will impact on all children for seven whole years. The argument given to parents by Mr Gill and Mr Howell is that other schools within the city are worse off in terms of space; once again, their

willingness to race to the bottom in terms of quality of environment for our children in disappointing in the extreme. Other schools in the city have better spaces, but apparently this is not something for the LA to aspire to. We should all be fighting to make sure all children of the city have the best provision, not saying the worst provision is acceptable to all. It is my view that the LA must provide the resources to ensure that BMPS can continue to have enough physical space in the school to continue their highly successful work in improving standards.

The LA also appear to be considering only short-term issues. There has been no satisfactory response to concerns about what happens after 2015. If the admissions policy remains the same, what will the impact be on families who have siblings of children in the two-class cohort? It is a reasonable assumption that for seven years after 2015, this school will be even more over-subscribed for in-catchment children than it is now. The LA seems to have no plans for this inevitable consequence of the 2015 cohort, and I don't think the proposal should be allowed to proceed until they do.

Further evidence of the short-term thinking is that the requirements for the extra 30 children will be very different in 2022 than they will be in 2015. Mr Gill and Mr Howell have made it quite clear to parents that once the children are in the school, the need for extra basic equipment like larger chairs and desks, computers etc when they are older is not their concern. The school runs on a very tight budget (as do all schools) and resources to buy these very basic items will detract from the teaching budget. Once again, the whole school will be disadvantaged by this decision.

Finally I would like to state that I do read the papers and I am well aware that the LA and the City Council are having to make very difficult decisions regarding their budgets, and that many services are now of poorer quality than they were before the cuts. I would argue, however, that none of us can afford to reduce the quality of our children's education and that the resources to implement this proposal sucessfully absolutely must be found. Mr Gove has enough money to spend on free schools including ones that have failed and ones that are not full; the Cabinet should fight to make sure the DfE provides the resources that are needed for all children.

### 11/02/2014

Thank you for your reply. My only concerns, solely as a parent, are the wellbeing, safety and education of children at BMPS, both now and in the future.

Your response is very disappointing. I could take the time to explain, point by point, why, but two things persuade me not to.

- 1. The proposal will be enacted regardless. This is because no alternatives have ever been considered.
- 2. James Howells has taken the positive step of contacting the H&SC. He is keeping me posted. By way of good communication, he is demonstrating a level of consideration that I have seen absent from anyone else connected to this project. I don't expect any fundamental changes as a result of his effort, but I can be persuaded that someone has the taken my concerns, as described above, into account and tried to help deliver the best possible project.

The single point I will pick up from the below is the following:

To be as clear as possible, there was no way Mr Gill's statement regarding having "googled" the requirement to perform a risk assessment regarding road safety for the children could have been misunderstood. Many other parents were also clear about his statement. It demonstrates a very poor value that he places on their wellbeing and safety. That you have not commented on it directly is very disappointing and inflames the point. As James is proving, clear communication is very helpful to all parties. I would be happy for us to clarify the situation between us at a meeting.

# 11/02/2014

Thank you for the updates and your efforts. Especially the interaction with the H&SE. It is much appreciated. I look forward to your assessment of their response

### 10/02/2014

I am writing regarding the proposed expansion to BMPS. I am a parent of children who attend the school, and also as a resident of Quayside Road. My first concern is regarding the extra traffic that will be incurred with parents driving their children to school. I don't think that the guestimate of an extra 6 cars is accurate, especially as no-one can comment on whether the new pupils will be in the catchment area of the school. It is currently a nightmare and I can only assume it will get worse. I have seen parents driving whilst talking on their phones, one very nearly crashed as he wasn't paying attention. People park over driveways, and I have been asked to move from my own driveway entrance as a car wanted to turn around. One day a parent was obviously getting frustrated with the traffic and drove aggressively on the pavement whilst I was walking on it. I asked her to stay on the road, and her response was "people walk on the road, so why shouldn't she drive on the pavement". A lot of the cars are people carriers or 4x4 driven by women who are not able to safely drive large vehicles. Most days when I walk my children to school, I am having to avoid cars driving on the pavement, or parked blocking the pavement. It is so unsafe. I used to complain to the school, and they put the concerns in the school newsletter, but things do not improve. We have contacted the local PCSO's who say they can only stop people parking on the zigzags, and that we need to contact the council to deal with people parking on the double yellow lines.

I have read through the answers given after the school parents meeting. There was a recommendation for staff to park on the road, as the carpark is not big enough. Comments like this are just going to make matters worse between the school and local residents. If all staff decided to do this, then there would not be any availability for residents or visitors. Parents evening or school productions cause chaos in the evenings, as it seems that all parents drive to these events. this will be worse if the school numbers were to be increased

I can't see that the additional pupils will be in catchment, which would mean that there would be more traffic and added risk. I have trouble getting to work in the mornings because of the school traffic. There is congestion at the road narrowing, outside the school, as people are trying to park as close to the school as they can. The traffic lights at the junction of Rampart Road are only set to green for a few seconds, and only a couple of cars can get out at a time. I am also a pet owner, and worry every day that someone will run over the cat, as usually the road is quiet, except for school pick up times. I already think that the school is at capacity, and do not think that an increase in numbers would benefit the school. Year R children have a separate play area to the rest of the school, and this would not be big enough for 2 classes. So any changes that would have to be made would only be a temporary measure, which I feel is a waste of resources. The school puts on after school clubs, which soon get booked up. An extra class would mean more people would miss out on this opportunity.

If the increase has to go ahead then surely a better idea would be to move the preschool to another site rather than giving up the music room. I hope my concerns are taken into account, especially regarding the added risk with parents driving to school.

Thank you for your timely response. I can only presume, from the tone of your email, that the views of residents are not going to have any impact on the outcome.

I am grateful that someone will be sending officers down to address the current traffic concerns. Things are generally at their worst on rainy days. Are you able to ask the highways dept to alter the time on the traffic lights during school times also?

The response sent to the school, after the parents meeting states that staff can park on the road. Maybe a follow-up email needs to be sent to the school

to clarify the parking issue. My reference to the after schools club was about limited spaces, which soon get filled, not rooms or teachers availability. It will be harder for children to attend clubs that have limited numbers, if there are another 30 children competing for space. I am presuming my other comments are valid and justified, as you haven't attempted to argue against them! 10/02/2014 Thank you for including me on your swift response to Councillor Lewzey. I am curious, however, as there was an RTA outside the school in December that was attended by the police. This would endear the below statement incorrect immediately. Also, parents would be reassured if advice Re. Risk assessments were sought for the Health and Safety Executive. They are most closely linked with such matters. This would help to mitigate the concern raised when Mr Gill mentioned that the Council had "googled" the requirement. 03/02/2014 Reading page 4 of the SCC School Organisation Plan that you have written and published, we can see that the birth rate for Southampton is projected to continue rising: "The School Organisation Plan presents this data over the longest possible planning horizon (five years for primary and ten years for secondary) so that the Council, Schools and other key stakeholders are able to take well informed, longterm, strategic decisions, aimed at securing the best possible outcomes for current and future generations within the City. Primary level are likely to be required. In addition, we are also aware that as the expanded Year R cohorts flow through, we are likely to see a significant requirement to increase the number of Secondary School places on offer in the City." Further: "Beyond 2017/18 it is difficult to forecast likely demand, however even if 2012/13 levels (which is not the peak year of demand) are maintained, pressure on primary school places will remain constant." And in 7.2 on page 19: "To ensure reliability, these figures are cross checked with birth data provided by the Office for National Statistics (ONS). Furthermore, a fifth year of intake data is produced on the basis of the birth data, to provide a longer forecasting horizon." This seems at odds with the statements made at the parents meeting on 28th January and further statements in the same document which state that the bulge in 2015/16 would then recede and the birth rate would be flat. There was no mention of the fifth year of intake data either. I am sure that this is a misunderstanding on my part. I only need to understand. Can you explain how those statements, which seem to conflict, are resolved

please?

24/01/2014	Has the LA paid due consideration to the risk assessment for additional traffic in the area at drop off / pick up time?			
24/01/2014	1. Temporary expansion's effect on subsequent admissions particularly accessibility of Bitterne Manor Primary to catchment area first born children (without siblings already at the school). We understand that the extra class is likely to be made up of children from central Southampton and outside the schools catchment area. This is likely to consist largely of young parents starting new families (after all entry next year to year R at Bitterne Manor is only likely to be taken up by these families for their first school age childthose with older children are likely to be already at another primary and so seek subsequent children to go there as well).			
	So 30 probably first born children will enter year R at Bitterne Manor from outside catchment next year. They will join 30 other children made up of siblings of children already at school (both from within and outside catchment) and first born children from catchment.			
	These 60 children will then be at the school for the next 7 years. Bearing in mind the" Sibling Rule" will give all these families priority admission for subsequent children. If these 60 families have more children entering school over the next 7 years and beyond, they wil all be competing for 30 spaces. Where does this leave them and more importantly local catchment area families for the future?? (Those local couples planning families now or already with babies and toddlers?). They will stand in line behind all those who had their eldest children admitted in September 2014 and in all likelihood they won't get a place.			
	We would be interested to know what percentage of year R places have gone to catchment area children, and in particular children in catchment without siblings already at school, for each of the last 5 years. Then we would be keen to learn of the Local Authorities views on how this is likely to change after Sept 2014 (bearing in mind there may be at least a 2 year lag before the "sibling peak" becomes obvious).			
	2. We are concerned how the movement of this 2 class year will effect the yearly organisation of teaching staff? And will this be to the detriment of teaching standards? On the whole it has been our observation that teachers tend to teach the same year for at least 2 consecutive years. Some teachers around 50%, have taught the same year for at least 3 consecutive years. This may well be a successful strategy contributing to the good ofsted results. How will this change when we are going to see 2 teachers every year required to teach a double year group, and a reshuffle now a necessity?			
	3. For 7 years extra resources are going to have to be purchased yearly for the extra class that are relevant to their stage of educational development as they move up the school Resources that might be required for only that one year. Is extra money available for this on an ongoing basis?			
	4. We too are concerned about the overcrowding in the central aisle of the school (already often noisy from year R role play and small group teaching), the assembly hall, the loss of the music room, its existing music storage and the storage resources in it bought last year by the PTA for the benefit of the children (plus			

its use for meetings and after school clubs).

We are also concerned about the increase to the already chaotic and dangerous traffic outside the school at the beginning and end of the day and would point out that the addition of 30 families living outside catchment are more likely to drive to school and add to this.

Have the school's neighbours been invited to comment during the consultation period?

- 5. Why are the schools local to where these children live not being used for them or expanded? I was told there are empty classrooms in one city centre school.
- 6. Are the demographics of the central Southampton area (where we understand the "bulge" to be), different to the current catchment area in terms of social deprivation and/or the percentage of non-English language speaking children at school entry? If so is this move likely to increase the diversity of needs in the class and inevitably affect the way education is delivered to the group? And if this is anticipated, is adequate language support going to be put in place to ensure that every child develops optimally and the teacher can still do her job to the same standard as currently at Bitterne Manor?
- 7. Are there any plans to permanently increase the size of the school?

20/01/2014

Firstly, many thanks for your reply. It is much appreciated, though it leaves me much disturbed.

I shall be attending the Q&A meeting with the LA at the school on 28<sup>th</sup> January, where I, among others will be asking questions.

Top of the list of questions will be those of health and safety. Mine will be – "Has the LA paid due consideration to the risk assessment for additional traffic in the area at drop off / pick up time?"

Your statement

"While there may be some additional traffic we do not feel that this would be significant enough to create a safety concern." is far from satisfactory. Only last month there was an RTA as a direct result of congestion due to school related traffic.

The school has already put schemes in place that cover your statement:

"we expect that the school will seek to encourage more sustainable travel to and from the site, via its School Travel Plan"

That being the case, traffic will increase pro-rata. Therefore, the risk to children will increase. There can be no other outcome.

A policy forced upon the school that includes the public highway cannot be their responsibility.

Parents and, I am sure, the school will expect a satisfactory answer to the above question.

16/01/2014

Thank you for your rather quick response to my concerns. I however am a little disappointed that there is no comment with regards to someone visiting the school site at 3.20pm to visualise the utter chaos at this time of day and that yes a further 30 cars would indeed have a major impact on the children's safety.

I am disappointed at your response to the fact that facilities at the school are

currently adequate for the number of pupils at the school at present and will not accommodate a further 30 children, and certainly when there are 60 year 6 pupils the facilities such as the hall will not accommodate the whole school. I am fortunate that my daughter will be in years 4, 5 and 6 when these changes happen and therefore I am hoping will not effect her too much and that I shall be looking at alternative schools for my youngest daughter due to start school in 2017 which is a great shame after 3 of my other children attending this lovely little primary school.

I understand you need to accommodate children but a couple of years ago a local school was closed down which put strain onto our already popular school

I am unsure whether there is any point in attending the consultation evening at the school as the answers you have given would suggest to me this is not a debatable subject but a forgone conclusion.

# 15/01/2014

I am writing as a very concerned parent from Bitterne Manor Primary School. In connection with the proposal to expand Bitterne Manor <u>Primary</u> School in September 2015. I have massive concerns to an increase in our small primary school.

Firstly the school is situated in a small part residential and part industrial dead end road, as it is the amount of cars and lorries frequenting this area in the mornings is far greater than the road should be able to cope with however it is accessible due to the drop off times for children being a 15 minute window. However the evenings are a much different scenario. I would like to suggest you pay a visit to the school at 3pm onwards particularly if it is raining! the road is congested and parents already park over pavements and residents driveways, at times it is gridlocked due to the number of parents collecting their children in a vehicle, it is already a very dangerous area with no safety patrol and no control over parents illegal and unsafe parking/driving without adding a further 30 parents and cars. I have taken a few pictures of various evening pick ups from school of which I will forward on to you.

Secondly the school I picked for all of my children from 10 years ago to my third daughter now being in year 2 is a primary school and the fact that both my older daughters knew the majority of children in their school right through from reception class to year 6 and when they left the school. The assemblies involve all year groups and the children benefit from seeing younger and older childrens' achievements. Sports day also involves all the children from reception through to year 6 and encourages all the children despite ability.

Also the Christmas performance involves all the children and all parents manage to see their children perform in this if there is an increase in numbers none of this will be possible for safety reasons.

Thirdly as the children get bigger 60 year 6 pupils will have a massive effect of the school we have a small primary school and surely increasing the numbers, even for one year takes away the whole ethos of a "Primary" school.

I have had a child in this school since 2002 and it is very upsetting to think of these changes happening to our school but my biggest concern will be the safety of our children on this small road with such a huge amount of school traffic.

I shall look forward to hearing your response to my concerns.

# 18/12/2013

Many thanks to Bitterne Manor Primary School for forwarding the recent letter (attached) Re. the above from the People Directorate at Southampton City Council.

I am writing to you as a parent of a year R child at Bitterne Manor Primary School. I would be grateful for a response which expands on the information given and helps to show a completeness of vision for the seven years of increased numbers to be addressed.

I have CC'ed out Peartree Councillors, as they may wish to be involved in the

consultation process.

Answers to my questions below will demonstrate the Councils completeness of vision and reassure the co-cosignatory parents below, among others.

The letter does not set any expectation for response times to communications. A swift response would be appreciated so that I may input to the consultation if appropriate. I will follow this letter up by telephone to your office in five working days. Please be assured that, if no expectation is set, I shall repeat that process until a response is obtained.

The Council letter explains the pending pupil numbers problem that the Council are seeing and current measures proposed, related to Bitterne Manor Primary School, to address it. I understand the proposed measures to be:

- 1. The music room would be converted into a staff room:
- 2. The current staff room would be converted into an early years space; and
- 3. The early years space would be converted into a classroom.

This limited information is clear, but questions remain and detail is lacking. It is not, therefore, possible to come to a conclusion as to how well constructed the plans are and significant parental concern exists. My questions are as follow:

 What are the parameters for the Consultation Process for Southampton City Council?

A detailed timetable, terms of engagement and sought outcome would be helpful. Indeed, it seems odd not to have them.

Note – neither of the DoE or SCC web portals provide information. In the absence of direct published material, I have used the reasonable SCC Compact Consultation Code of Practice as an initial benchmark for engagement.

http://www.southampton.gov.uk/Images/Compact%20Consultation%20code%20of%20practice\_tcm46-280614.pdf

- 2. Are the proposed measures above specific to Bitterne Manor Primary School?
- 3. If the answer to 2 above is "no" why not?
- 4. What is the plan for Music lesson provision post Music room conversion to staff room?
- 5. How will lesson schedules be modified to accommodate the increased class number? E.G. for shared area lessons such as PE, Music and Assembly.
- 6. Has the, already congested, parking situation at school start/end been considered?
- 7. How will out of catchment intake impact in-catchment intake of those in the additional year be handled? (Siblings, new movers?)

I look forward to a swift and helpful response,

# 09/12/2013

I am a parent of Bitterne Manor Primary School with children in years 3 and 5. I have received a copy of the letter proposing the changes to be made to accommodate an extra class intake for September 2015...My concerns are.

At present the internal area of the school is crowded. When teaching assistants conduct lessons with small groups outside each classroom, the corridor becomes busy and the noise level increases.

The hall currently cannot accommodate all parents at one time for events like school Christmas production. This has to be held on 2 sessions and then

tickets limited to 2 per family which causes problems already for families with children at secondary school. Does that mean we just don't hold those events which the children proudly take part in?

The hall doubles as the lunch canteen too...Already lunches have to be arranged in 2 seating's surely another 30 children would put strain on the space and the staff.

The current Early Years room have their own Toilet facilities, to move their room to the staff room, would this involve moving these facilities too or are they expected to use the main schools which would mean staff having to supervise the children there too. At present early years have no reason to enter the area of the main school, they have everything they need in their own classroom and their own outdoor space. I think too the staff room is a much smaller space for them than their current room.

This will not apply to myself. However if many of the 60 children on that intake are first children families, then for 7 years their siblings will take priority and be guaranteed a space whether they remain in catchment or not, reducing the chances of local children getting a place in future. Do local families know that the chances of them getting a place in their very local school will be very slim? This happened a couple of years ago where families within a stones through of the school did not get a place and now travel to Glenfield each day.

I believe the PTA have paid for a lot of storage and equipment in the music room. If our parents knew that this facility paid for with their contributions would be taken away then we may lose the support of parents' donations for future projects.

I know these changes won't affect myself in the long term as my eldest will be at secondary and my youngest only 2 years to go when these changes are planned but the school has always had great support from parents, the staff work really hard to make things work with the limited space they already have.

I thank you for taking the time to read my concerns.

Southampton Civic Centre **Education Department** Southampton City Council **Head of Education Services** To Mr Graham Talbot

92 Athelstan Rd Hand delivered date 28 Feb 2014 to SSC SO194DF Southampton Bittern Mr Guy Sear (Parent) **Petition Contact Details** 

budget and resources available for the current children's education in a negative way. Please take note of this public petition created by Bittern Manor Primary School parents. It is in response to SSC proposal to double the 2015/16 year intake from 30 children to 60. The current proposal will impact the school

This is a 20 Page petition made up of 256 signatures to the petition statement below.

# Petition Opposing the proposed closure of the music room at Bittern Manor Primary School, currently Autumn 2015

city of the school by 30 pupils with No New PARKING

NAME	(Print)	POSTCODE	ne closure is to increase the capacity of the school by 30 publis with no new Pakking.  POSTCODE ROAD NAME & NUMBER (Address) SIGNA:	SIGNATURE

# BITTERNE MANOR PRIMARY SCHOOL PARENT MEETING TO DISCUSS THE BUILDING PROPOSALS

Held on Tuesday 28<sup>th</sup> January at 6pm

Representatives from Southampton City Council (SCC): James Howells (JH) – School Organisation Manager Oliver Gill (OG) – Strategy & Capital Programme Manager Parents, members of the Governing Body, Suzy Hayward (Headteacher) and Mike Adams (Deputy Headteacher) were present.

SCC representatives had been invited to the school to enable parents to ask questions regarding the proposed additional class in Year R from September 2015 onwards, the building works required to accommodate this and the future implications of an additional class through the school.

JH explained his role at SCC. He gave a background of pupil numbers – there has been an increase in numbers of primary school pupils in Southampton city in last 10 years. There are in excess of 3200 in 2015 for YR places, which is significantly greater than the usual statistics.

SCC therefore plan to expand 20 infant/ junior schools around the city to accommodate this 'bulge'. This expansion is for one year only – SCC are expecting numbers to reduce afterwards and therefore do not wish to have empty classrooms by over-expanding school spaces.

JH explained the music room at BMPS was identified, with the plan to relocate the pre-school to the current staff room, move the staff room to the music room, and the current pre-school becomes a classroom.

### Q Why 2015?

The number expected to peak that year. Statistics and birth data has been collated, which has been reliable in the past.

Q Will there be another peak?

There is no plan to expand other than this 2015 year based on the data available now.

Q Do statistics show a continuing increase in birth rate? With the 4 year's data analysed it is expected to dip back down.

Parents argued that the trends mentioned initially would imply planning for longer term increases rather than just this time would be better.

JH – SCC are planning to ensure there are places for the expected bulge in 2015 but with the 4 year's data available where no further peak is seen it is difficult to plan further ahead.

SH noted that there are other schools which are being expanded longer term. 15-20 schools will expand on a permanent basis from that year.

SH has been assured that this will only be for the one year at BMPS.

Parents suggested that as expanding several schools is adding pressure to their resources perhaps it would make more sense to introduce a new school?

JH noted that schools cannot just be built on the belief that the birth rate will increase continuously. Statistics do not indicate this trend.

- Q Is it the case that previously some schools had to close? Yes this is an example that 10 years ago some were closed but now having to expand.
- Q Re the general trend of increasing population, would that suggest the number of children was increasing perhaps this could be used to project population increases? JH noted that the councils use the actually birth stats rather than other projections. Parents suggested asking other Local Authorities if they have a differing method for measuring increase for service provision.
- Q Do you know where the 'bulge' residents are in the city? Mostly city centre and East of the city. There is already a shortage of places in this catchment area.

Parents noted that this already causes issues with obtaining places for siblings, is adding another class for one year going to compound the problem?

JH agreed it could be seen as this but noted that sibling priority had already been confirmed for this school.

Oliver Gill joined the meeting and apologised as he was stuck in traffic.

OG noted the same planning is being applied across all areas, not just BMPS.

Parents noted that it would be better to have extra spaces in schools rather than keep putting pressure on individual schools. Logically if several schools are being expanded, perhaps building one new school would resolve the problem.

OG noted that this is one bulge year and the trend is not for all those spaces being needed. The funding is only provided for the projections of numbers and only the 4 year's of data is available.

There is a statutory obligation by SCC to provide sufficient school places.

Q Why this school?

Many schools are looked at and SCC considered the space and financial issues.

- Q Do the public have access as to how the decision was arrived at? We would need to investigate this.
- Are there any examples where adding a class to a school has created benefits; has it been successful somewhere else?

  JH and OG did not have this but would look into it. (Action)

A Parent gave an example of Mansel Park where they originally took an extra year but then expanded overall. JH to look for examples. (Action)

SH noted the main issue was the sibling places – there is the bulge but then when it drops down again how can siblings will be accommodated over catchment.

JH noted that some areas of the city have a greater population in catchment than the school can accommodate already.

- Q Have there been considerations other than financial reasoning? No, other than there are some schools that physically cannot expand.
- Q Is it a 'done deal' that this school will expand? No – the decision will be made at the cabinet meeting on 18<sup>th</sup> March (However OG mentioned April later on) (**Action-find out date**)
- Q Where will the children go if the expansion is turned down? This was not known. If another £1Million as available in budget then another option could be available!
- Q How do parents put their views forward?

  <u>All</u> responses are presented at the cabinet meeting report.

OG explained that in the meeting the concerns and considerations are discussed so all can be taken in to account in making the decision. The evidence needs to significantly strong to over take the current information.

- Q Have the local residents been informed, rather than just parents? No letter has been sent there is no obligation to do this.
- Q Would any response from residents be taken in to account at the meeting? Yes it would.

Q Has the assessment taken the local area into account? No – only admissions.

Parents noted the current difficulties in vehicle movements and the industrial area next door, presenting a health and safety risk.

OG noted this was not an unusual problem. The assessment of the additional places is that it would not produce 30 extra cars because some alternative methods of transport can be used. Other schools (eg Bannister Park) have increased in size and used travel planning officers to incentivise alternative modes of transport.

Parents commented that offering out of catchment places would mean car traffic as the only viable option.

A Parent had written prior to Christmas highlighting the traffic – has a risk assessment been carried out?

This had not been done and OG noted there was no obligation to do this.

Parents suggested SCC representatives come to the school at 3.20pm to view the traffic issues, and that the HSE should be contacted to query an obligation towards child safety implications.

OG noted that this is not the first expansion that has been undertaken and has not been risk assessed.

Q Have any of the schools which have been expanded got the same comparable access?

JH did not think of any with industrial areas nearby but cul de sac expansions have taken place. OG will explore this. (action)

There was discussion on the proportion of car users and using alternative transport.

JH noted a travel study was carried out in 2012 – 20% of parents drove to the school (JH to look up catchment vs out of catchment data - **action**)

- Q The school was built 1991 for 7 classes of 30 (plus 1 mixed class but there is now a pre-school instead of the mixed class). Has there been an assessment on the building reference fire safety standards, accessibility, toilet provision etc, for the building work to be done?
- OG the statutory guidelines have been consulted on the needs and with the expanded number this building could accommodate the size although with some additions.
- Q Is this within the budget? Yes
- Q Moving the pre-school may result in more staff needed, reducing places available and it may then need new premises which will cost more money? This has been assessed and the move should not have an effect.
- Q Budgets are stretched for both SCC and the school to accommodate changes for this expansion, will some school money that is allocated for existing pupils be used? No the expansion will be fully funded.

Parents noted that additional equipment will be needed in each year the expanded class goes through the school as each year needs appropriate resources.

JH – the money follows the pupils through the school so should not have an impact.

The parents' example – small chairs and tables are needed in Year R (which will be provided) but compared to Y6-size children, the impact is the school would have to fund this.

Q Is there a guarantee on the works carried out in terms of repairs?

OG noted this was irrelevant to the expansion argument; the capital funding allocated to the school is not having to fund an increased in size of building.

Parents noted that the curriculum offer at BMPS is based on the current resources and this is the reason many parents chose this school – if there is no where to keep resources eg for music, then this will detract from the school offer.

During the school day there are many small teaching groups using the whole school area and by adding more pupils this will reduce this space and opportunity for small group teaching.

JH and OG noted that there is no intention to detract from the curriculum offer but the expansion complies with legal guidelines and expansion has worked in other schools with less space.

Parents felt the focus from SCC is on finance rather than the needs of the children and their achievement. The school is working very hard to increase educational standards but this may be impacted and reduce standards.

OG noted that the newer schools built have less space than BMPS and still achieve good Ofsted grading.

Parents felt that the additional class was adding pressure to the staff, pupils, and parents who are trying to achieve standards, although stated they felt the staff would continue strive to maintain those standards with the added pressure.

JH to consult education advisors (former teachers themselves) but the trend previously has not shown a drop in standards (action)

Parents noted the current success at BMPS in teachers remaining with the same classes for more than one year which seems to add to the achievement, but this would not be possible with an additional class.

OG/JH to look up ways to manage this from other schools. (action)

Q Has SCC feedback from teachers and staff from other schools which have been expanded?

JH will speak to colleagues (action)

SH noted that this would not be the SCC decision on how the school was run. It makes an extra consideration for the SLT - parents voiced concerns for the staff and governors in having to manager this.

OG again noted that as this was not the first time expansion has been done and there has been no negative impact elsewhere.

SCC are willing to engage with the standards team to review impact.

Q The city centre residential make up is different form current catchment for BMPS – what happens if population demographics are different and more support needed for, say, EAL?

It was not known, but SH noted that currently additional language support is funded by the school not the LA. The school gets money per pupil and some extra money for children with statements.

- Q What time frame is in place to deal with the actions from this meeting? JH to start on the actions this week.
- Q Will there be a further opportunity to feedback on the questions asked? JH could send a 'Q&A' sheet. If a meeting is useful there may be time to have another meeting.

JH encouraged parents to send their questions and concerns to the email address provided in SH's letter. (action). SH to resend email (action)

JH clarified that the comments by parents would be featured in the report to the cabinet meeting as this was a requirement of the consultation.

One parent noted they had not had response to their email – JH to **action**.

Meeting closed 7.15pm

### Question & Answer document produced by the Local Authority

# Bitterne Manor Primary School – Proposed Expansion

The Local Authority estimates having approximately 3,250 Year R pupils in September 2015 and, at present has, plans in place to provide 3,135 places. As we anticipate that the cohort will drop after the 2015/16 peak, the proposal is to expand several schools for one year only (i.e. the Published Admission Number would increase in September 2015 and drop back down to its current number in September 2016). One of the schools proposed for expansion is Bitterne Manor Primary School. To create the extra teaching space, the proposal is to relocate the pre-school to the staff room, the staff room to the music room and convert the pre-school into a classroom.

Unfortunately, I'm afraid there has been some miscommunication at the Council and the notice that we had planned to publish in the Daily Echo has not been published. While there is no legal obligation to publish a notice in the newspaper, the Authority has historically done this in order to notify as many people in the City as possible. We will endeavour to notify as many people as possible via the council's website and other notification services.

The questions and answers below provide some further details about the proposal and the potential impacts.

# What effect will expansion have on future applicants trying to get a place at the school?

Those with a sibling at the school will get a place ahead of those that live in the catchment area. If the school had 30 additional pupils, we estimate that 1-4 extra year R pupils in any one year could be eligible for a place via sibling criteria. While those with a sibling at the school would have priority over those in catchment but no sibling, if we didn't expand the school there will be some children that currently live in the catchment now (as well as some pupils that live close by, but not in the catchment area) that may not get a place. Due to financial constraints and the limited space available at many school sites, it is not always possible to provide a place for every child that lives in a schools' catchment area, but the Local Authority is legally obliged to provide a school place for every child in the City and we will endeavour to provide places in areas of the City where demand is greatest.

# How will having one bigger year group affect teaching staff and standards?

Officers within the school standards team have advised that they do not believe that the proposal will have a negative impact upon the quality of education at the school. When any school has new members of staff, the leadership will want to recruit the best person for the post. This will then, as a 'good school', be followed up by a strong induction process and ongoing professional development to ensure that the teaching is consistently good or better. This would be 'normal' practice and therefore the school systems and processes should ensure that any appointment would achieve the best outcomes for the pupils and the school. Benefits could include the wider socialisation for pupils across both classes and the opportunities for teachers to share the 'workload' in activities such as planning (taking into account the responsibility for teachers to adapt this to their own class needs) and assessment. We expect that most teachers would welcome working with a colleague.

# Will there be money for additional resources?

The majority of schools budget is closely linked to the number of pupils at the school. If there are more pupils at a school, the school would have a larger budget to cover the costs of extra teaching staff and resources.

# Is there enough space within communal areas (hall, central area of school) to accommodate additional children?

Department for Education guidance provides an indicative allocation for schools with 240 pupils for a hall with a total area of 172m². Bitterne Manor Primary School has a hall of 170m² and, as such, the council believes that there will be an adequate amount of space at the school to accommodate extra pupils. More to the point, it is now standard practice to build new schools with less space than the guideline allowance for ancillary areas (see, for example, the national Priority Schools building Programme). By way of comparison, Wordsworth Primary (which will eventually have up to 630 pupils) has a hall of 152m². Even with the additional pupils, Bitterne Manor would better off, in terms of relative communal space, than many other schools in the City.

# How will increased traffic levels and the health and safety risks associated with this be managed?

SCC's Highways Department state that schools are responsible for doing risk assessments for onsite vehicular movement. Moreover, it is apparent that there is no such thing as a dedicated risk assessment pertaining to the expansion of a school in respect of offsite vehicular movements.

We would not deny that there may be an increase in traffic levels and, based on previous traffic survey data, we estimate an additional 6-7 sets of parent/pupils might travel to the school by car. To mitigate traffic/safety issues and encourage active travel, we would recommend that schools sign up to SCC's school travel plan programme.

# Would an increase in the number of pupils attending the school from out of catchment increase traffic levels near the school?

Unfortunately, there is no way of knowing the proportion of out of catchment area pupils that travel to and from the school by car (as requested at the meeting). We would hope that parents would be willing to travel by more sustainable means or park away from the school and walk to the school gate. This would limit traffic congestion associated with the increase in pupil numbers.

Have any of the schools which have been expanded got the same comparable access? SCC officers have visited the site at the end of the school day and, while recognising that it is busy, it is no busier several other school sites in the City, many of which have a greater number of children. For example, Bevois Town Primary on Cedar Road currently has 257 pupils (and will eventually have 420); is located on a non through road; and has significantly less on road parking than Quayside Road.

# There is a small car park and limited parking space near the school, so how will the school accommodate extra vehicles?

The Local Authority anticipates that a maximum of 1-2 additional spaces would be required and we would encourage parents/visitors to use more sustainable methods of transport, or to park a little further away from the site and walk. For example, there are on road parking spaces available on Quayside Road.

Why are other schools not being considered, especially those with empty classrooms? There are limited options for further expansion and lack of funding means we are prioritising those schools that have a non-core teaching space. Any classrooms that are currently empty will likely fill up in future years as children progress through year groups.

# Are there plans to permanently increase size of school?

There are no plans to increase the size of the school on a permanent basis (i.e. to have 60 pupils in each year group) because we do not expect demand across the City to remain at 2015/16 levels and there is not enough space on the site to permanently expand the school.

### How will the music curriculum be affected?

Music Services advise that music lessons will still be available at the school even if there is no dedicated music room. Children who receive individual lessons can take their instruments home, thus negating the need for them to be stored at the school. At present, one year group

receives whole group recorder lessons and, given the small size of this instrument, storage of these should not prove problematic. If whole class lessons continue, the school will need to consider what instruments are used and where these could be stored.

Other spaces could be used for music lessons, for example, some of the spaces upstairs or the hall. There are very few primary schools in the City that have a dedicated music teaching space and many of those without such a space achieve outstanding educational outcomes, so the LA does not believe that this would have a detrimental effect on the music curriculum at the school.

### Is the proposed classroom space big enough to accommodate 30 children?

Our data shows that the proposed classroom 51m<sup>2</sup>, which is adequate for a classroom. There are other schools in the City have smaller classrooms than this.

### Will any building works will be disruptive to staff and pupils at the school?

If the proposal is approved, any building works would take place during the school holidays so there should not be any disruption to staff or pupils.

# Has consideration given to health & safety regulations, fire risks and toilet requirements associated with the expansion of the school?

The Local Authority, as the owner of the school building and employer of staff, would ensure all statutory obligations met.

# Is the proposed space for the pre-school adequate to accommodate their needs and requirements?

Early Years colleagues and the pre-school have been consulted about the proposal and are content that the space is suitable.

# Will the pre-school still be able to use communal areas in the school if the school expands?

The school can decide if/when the pre-school uses other parts of the school. Use of communal areas could be phased to allow all parties to continue to use these areas.

# If the pre-school is moved to a different space, will it be able to accommodate enough children to cover its costs?

If relocated, the pre-school would accommodate the same number of children as it currently does.

# What will happen if demand for school places remains at 2015/16 levels in subsequent years and wouldn't it make sense to build more permanent school places?

Our forecasts indicate that pupil numbers will rise to 3,250 across City in 2015/16 and then drop to 3,100 in 2016/17. If we permanently expanded schools we could end up with lots of unused classrooms which would not be a good use of Council money and would be financially difficult for schools to manage.

# Are there any examples where adding a class to a school has created benefits; has it been successful somewhere else?

Colleagues at Portsmouth City Council and Hampshire County Council have informed us that they have established bulge classes at a number of schools, thus indicating that this is not an uncommon practice. We anticipate that they will be able to provide us with some examples of practice that we can share with the school, to aid their planning for this change.

### Is it a 'done deal' that this school will expand?

Southampton's Cabinet (made up of the City's councillors) will make the decision about whether or not to increase the PAN. Thus far, we have not received objections that would make the option unfeasible so officers' recommendation would be that the numbers should be increased.

### How can we comment on the proposals?

You can send any comments to <u>james.howells@southampton.gov.uk</u> or James Howells, School Organisation & Strategy Manager, 4<sup>th</sup> Floor One Guildhall Square, Southampton, SO14 7FP. Any responses need to be sent in by 28 February 2014 and will be included in the cabinet report on 15 April 2014.

# What happens next?

The consultation runs until 28 February 2014. After it closes, a report will go to Southampton's Cabinet on 15 April 2014, requesting approval to implement the admission arrangements that have been consulted on for 2015/16. The Cabinet will be asked to approve (or otherwise) the recommendations and will have copies of all responses to the consultation to help inform their decision.

If approved, officers would then start planning for the building works to be completed in time for September 2015.

Additional questions / answers raised after this document was issues:

Loss of music room - You ask why the Council is proposing to remove the Music Room at BMPS when other schools in the City are keeping theirs? I think we've been over this before, but the simple answer is that this proposal isn't about the relative space afforded to different schools in the City. Rather, it's about executing the Council's statutory responsibility to deliver sufficient pupil places across the City to meet demand and, further, to aim to locate this provision in close alignment to where the demand presents itself. Furthermore, contrary to the underlying assertion that BMPS is (or will be) in some way constrained/relatively underprovided for in terms of space, I can assure you that such is simply not the case. To take the issue in the abstract, the Government's Guidelines for Primary School Buildings provide a guideline total floor area for a Primary School of 210 pupils (Bitterne Manor's current NoR) of 1,285m<sup>2</sup> and for a Primary School of 240 pupils (Bitterne Manor's proposed NoR, should the expansion be approved) of 1,420m<sup>2</sup>. Bitterne Manor's actual floor area is 1,487m<sup>2</sup>. This demonstrates that the school is currently significantly over-provided for in terms of space and, moreover, that if the expansion proposal were to be approved, they would still have surplus area, relative to the Guidelines. Furthermore, looking at the issue through the lens of the Southampton context, it is again clear that the school is extremely well provided for in terms of space. Of the five 1FE schools (i.e. those with 210 pupils) in the City, Bitterne Manor has the second largest total floor area. Indeed, it has 36% more space than the smallest of these schools.

Governors' support and responsibilities – You assert that the Council's having not provided you with the full details of the proposed means of expansion prevents the Governing Body of BMPS from executing its duties under the School Organisation Guidance (2014). Your reference to the list of tasks that a governing body have to complete before making a change to the school (i.e. capital funding, suitable accommodation) is not relevant in this case because it is the Local Authority and not the Governing Body who are proposing this expansion and will be the decision maker. As such, there is no obligation for the governing body to ensure that these tasks have been completed.

Conflict with the Government's aim to increase the autonomy of schools – You ask the Council to demonstrate how it is supporting BMPS to "have more control when making decisions about their size" (School Organisation Guidance, 2014). I am afraid that you have taken this quotation out of context. The Guidance that you refer to is directed at providing autonomy to schools in cases where they want to expand the size of their school, not in cases where they wish to veto a Council-led expansion. If, in line with this Guidance, a school with the resources to do so approached the authority expressing a desire to expand, all else being equal, we would be fully supportive of any such ambition.

Value for money – You assert that the conversion of the music Room does not represent good value for money, on the basis that it results in the loss of this facility. Firstly, with reference to your quote from the School Organisation Plan, you will note that value for money

is one of four considerations that the Council takes into account when making assessments of where to locate expansions. It is not the case that a given proposal must fulfil all of these criteria. Rather, it is a case of weighing up all four of these factors for different expansion options, so as to determine which option best delivers against the four on balance. This does not necessitate/require that all four criteria will always be satisfied. Moreover, I cannot concur with your assessment that this proposal does not represent value for money. Quite simply, there are many schools within the City that deliver an outstanding level of education without access to a Music Room. Furthermore, a number of schools within the City have lost access to such ancillary space through our expansions programme, without a subsequent deleterious impact on educational attainment. The implication is that a Music Room, whilst potentially being a "nice to have", is not a necessary component of a school in terms of the delivery of education. As such, the conversion of such a space (if more cost effective than new build) does represent good value for money.

Ofsted require consultation with parents of 'wrap-around' care. No such consultation has taken place with parents. By removing the music room the council are removing the options that parents have for wrap-around care, which the school currently does not provide, and has not consulted with parents on.

Should the school wish to establish a breakfast/after school club the Local Authority believes that this provision could be delivered from a classroom space. This approach is used by a number of other schools in the City.



DECISION-MAKER:		CABINET		
SUBJECT:		CITY SERVICES CAPITAL PROGRAMME – APPROVAL TO SPEND		
DATE OF DECISION:		15 APRIL 2014		
REPORT OF:		CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT		
		CONTACT DETAIL	L <u>S</u>	
AUTHOR:	Name:	John Horton Tel: 023 8083 4281		
	E-mail:	john.horton@southampton.gov.uk		
Director	Name:	Stuart Love	Tel:	023 8091 7713
	E-mail:	stuart.love@southampton.gov.uk		

STATEMENT OF CONFIDENTIALITY	
NOT APPLICABLE	

### **BRIEF SUMMARY**

The purpose of this report is to update Cabinet on the option to re-equip Southampton City Council's mechanised street sweeping fleet for 2014/15 through the City Services Division's capital programme, and seek approval for this expenditure. The capital purchase of a new and fit-for-purpose mechanical sweeping fleet will help ensure the continued provision of an effective and economic street cleansing service for the City that meets citizen, business and visitor expectations.

# **RECOMMENDATIONS:**

(i) To approve, in accordance with Financial Procedure Rules, capital expenditure of £350,000 in 2014/15 for the Purchase of Compact Sweepers scheme, contained within the Environment & Transport Portfolio (City Services) Capital Programme, in order to procure five mechanical sweepers to help secure the economy and effectiveness of the street cleansing service over next 5 – 7 years.

# REASONS FOR REPORT RECOMMENDATIONS

- 1. The fleet of mechanical sweepers currently deployed by the street sweeping service is now fast approaching the end of its useful operational life. This means that under-performing equipment and downtime due to breakdowns are adversely affecting outcomes achievable by the front-line street cleansing teams.
- 2. An opportunity exists to reverse to a significant extent recent reductions in street cleansing service standards through capital investment in a new and up-to-date street cleansing fleet, selected and specifically configured to maximise the street cleansing outcomes achievable by the reduced front-line staffing resources now available to the service.

### ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. Do nothing - units within the current fleet of street cleansing mechanised street sweeping are not replaced and the street cleansing function is carried out in the future entirely by front-line staff with brushes and litter pickers, with severe consequences for the level of street cleansing standards deliverable and frequency of operation achievable.

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

- 4. In 2001 a Best Value Review of the Street Cleansing Service was completed and approved. The Review contained an Action Plan aimed at transforming the service from its traditional 'brooms and barrows' orientation to delivery based around an innovative and empowered front-line team, deploying up-to-date and efficient technology and caring for the local streetscene in the most flexible and cost-effective way.
- 5. Implementation of the Best Value Review Action Plan resulted in net satisfaction levels with the street cleansing service rising from 19% in 1999 to 73% by 2009 (last measurement), with the Audit Commission judging the service to be 'high quality and low cost' in 2010. National Performance Indicators results relating to litter and detritus have over the past decade consistently put Southampton in the top quartile within Comparator Groups.
- 6. One of the most important components in the transformation of the street cleansing service over this period was the procurement in 2002 of a new fleet of Compact Sweepers to help clean the City centre, district centres, and the City's residential streets and pavements.
- 7. Procurement of the City's first fleet of Compact Sweepers was funded through the corporate capital programme as part of the 'Sparkling Southampton' campaign.
- 8. When it was time to replace the original fleet with a 'second generation' of cutting edge equipment in 2007, government reward money gained by the street cleansing service through hitting a range of challenging performance targets was specifically allocated to enable the direct purchase of five new compact sweepers, with a further three units obtained on lease.
- 9. Southampton's second generation of eight Compact Sweepers is now in its seventh year and fast approaching the end of its useful life. The initial life span of the fleet was anticipated as five years. At the end of 2012, three leased units were returned as part of the service's 2013/14 savings programme. Five units procured through capital purchase were retained and their maintenance contract extended, but the reliability and effectiveness of these units has reduced considerably over the course of the past year, and a further year's extension into 2014/15 is not considered viable.
- 10. On 10<sup>th</sup> December 2013 a Briefing Paper was taken to the Council's Capital Board setting out the above information. As a result, £350,000 was included within the Environment & Transport Portfolio (City Services) Capital Programme, approved by Council on 12<sup>th</sup> February 2014, to fund a new street sweeping fleet, and the service began scanning the market to identify the street sweeping equipment that would deliver the best results for the money available within Southampton's operating environment.

- 11. Operational trials of a wide range of mechanised street sweeping equipment have taken place since December to identify the optimum machinery configuration to deliver effective and economic street cleansing services within the specific Southampton environment.
- 12. These trials have conclusively demonstrated that the most efficient combination of new mechanical sweepers would be four Compact Sweepers and one larger 12 tonne chassis mounted sweeper. Taken together with two existing 15 tonne chassis mounted sweepers already in use within the existing fleet, this would allow the deployment of one larger mechanical sweeper and one compact sweeper into each of the East, West and Central Districts, with one further Compact Sweeper deployed exclusively to maintain standards in the City Centre and central estates.
- Due to the extensive lead times on machinery of this type, the procurement process for this combination of equipment is already well advanced. However, award of contract can not be made until after formal approval by Cabinet of the required expenditure (anticipated at circa £350,000) from the City Services capital programme.

# RESOURCE IMPLICATIONS

# **Capital/Revenue**

- 14. A capital bid to help re-equip and modernise the mechanical street sweeping fleet and sustain an effective and economic street cleansing service into the future was submitted for consideration to the Council's Capital Board and £350,000 subsequently added to the Environment & Transport Portfolio (City Services) Capital Programme, as agreed by Council on 12<sup>th</sup> February 2014. Capital expenditure approval of £350,000 is hereby sought, in accordance with Financial Procedure Rules. The expenditure is to be phased wholly in 2014/15 and is funded by use of Council Resources.
- 15. The estimated revenue costs of the five new vehicles is £113,000 per annum which can be met from the existing approved revenue estimates contained with the City Services (Open Spaces) service within the Environment & Transport Portfolio.

# Property/Other

16. The recommendations of this report have no property implications.

# **LEGAL IMPLICATIONS**

# Statutory power to undertake proposals in the report:

17.. The Council has a duty under section 89 of the Environmental Protection Act 1990 to ensure so far as is practicable, land that it is responsible for and public highways are kept clean and free from litter and refuse.

# **Other Legal Implications:**

18. Pursuant to the Public Contracts Regulations 2006 the Council has a statutory obligation to undertake an open, transparent and fair procurement process awarding the contract based on objective evaluation criteria that is clearly set out in advance in the Invitation to Tender and supporting Tender documents.

Version Number 6

# POLICY FRAMEWORK IMPLICATIONS

- 20. The substantial impact a new and fit-for-purpose mechanised sweeping fleet will make towards the cleanliness of the City will contribute towards the aims and objectives of a number of core strategies, i.e.
  - Encourage existing business to stay within Southampton, and new businesses to locate to the city (Economic Development Strategy).
  - Enhance the experience of people shopping within the city or district centres, and underpin the City's cultural and tourist offer (Economic Development Strategy).
  - It has been evidenced that a clean and well-maintained environment reduces crime and the fear of crime, while dirty streets have the converse affect ('broken windows' theory) - Crime and Disorder Reduction Strategy.
  - Clean streets, pavements and cycleways encourage people to walk and cycle to their destination rather than travel by car, improving the health of the City's population and reducing traffic congestion (Health and Well Being Strategy / Local Transport Plan)

KEY DECISION? N/A
WARDS/COMMUNITIES AFFECTED: All

# SUPPORTING DOCUMENTATION

# **Appendices**

1.	None		
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

DECISION-MAKER:		CABINET		
SUBJECT:		RECOMMISSIONING OF SCHOOL NURSING SERVICE		
DATE OF DECISION:		15 APRIL 2014		
REPORT OF:		CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE		
CONTACT DETAILS				
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Director	Name:	Andrew Mortimore	Tel:	023 8083 3204
	E-mail: Andrew.mortimore@southampton.gov.uk			v.uk

STATEMENT OF CONFIDENTIALITY	
None	

# **BRIEF SUMMARY**

This report sets out the reasons for a proposal to re-tender the School Nursing Service against a service specification that better meets its commissioning responsibility for public health outcomes. Putting the service out to tender will establish a service that improves overall frontline capacity, better delivers the Healthy Child Programme for 5-19 year olds, and improves links with other services in relation to safeguarding vulnerable children and delivers earlier intervention. If approved, a service against the new specification would be in place January 2015.

# **RECOMMENDATIONS:**

- (i) To delegate authority to the People Director, in consultation with the Director of Public Health to revise the service specification for the School Nursing Service and, following consultation with the manager of the Integrated Commissioning Unit to recommission the service subject to the new service remaining within approved budgets
- (ii) To delegate authority to the People Director, in consultation with the Director of Public Health, following consultation with the Head of Property and Procurement, to do anything necessary to secure the commissioning of the School Nursing Service up to and including entering into appropriate contract(s).

# REASONS FOR REPORT RECOMMENDATIONS

- 1. The review undertaken of School Nursing in Southampton by the Council's Public Health Team identified a number of gaps in unmet child health needs. It identified ways in which the current service, falls short of the requirements of the Healthy Child programme.
- A recommissioned School Nursing Service, based upon a service specification aligned to the outcomes set out in the Healthy Child Programme would provide better public health outcomes for the City's 5-19 year olds.

# ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 3. Not to go out to market test the service, and/or make changes to the service specification was also considered. It was rejected on the basis that it would not enable the Council's leadership role in delivering better outcomes for the City's children under the Healthy Child Programme, or improve value for money through creating a service better equipped to support partnership working.
- 4. To delay market testing of the service until after Health Visiting services have transferred into the Council in October2015was considered. This was rejected on the basis that there are a number of ways in which the service needs to be enhanced to deliver the Healthy Child Programme. The scope of the change required exceeds what could be achieved through a contract variation. Going out to tender now means that the Council will be broadly in line with the commissioning cycles of neighbouring authorities, and able to take advantage of the new national service specification for a School Nursing service. Waiting until after Health Visiting has transferred into the Council would mean a significant delay in recommissioning the service, and realising the anticipated benefits.

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

- 5. Responsibility and associated funding for commissioning school nursing services transferred into Southampton City Council on 1 April 2013 when it became responsible for Public Health.
- 6. The Council reviewed the School Nursing Service during 2013-14 to determine how well it met the public health and wellbeing needs of local children. The review updated the needs assessment against which the service is currently commissioned. It also considered the extent to which the existing service and service specification can address health and wellbeing needs to improve outcomes overall and reduce the gap for groups who have poorer outcomes.
- 7. A review of the existing service included financial analysis which enabled officers to cost the current service more accurately. This has resulted in room to consider more accurately how to specify a service that would be better placed to deliver the Healthy Child Programme whilst also retaining the capacity to work more effectively in support of local partnership arrangements to keep the City's more vulnerable children safe in any recommissioned service
- 8. As a result, the Director of Public Health recommends the service is put out to tender. Commissioners and Public Health colleagues are developing a revised specification for the School Nursing Service. The new service would cover existing School Nursing Service activities and would more accurately be described as a Health and Wellbeing Service for school aged children and young people (5-19).
- 9. It is anticipated that the revised specification for the service would deliver scope for significant specific improvements in the capacity of the new service in relation to the following not covered in the existing specification:
  - Stronger leadership for delivery of the Healthy Child Programme (5-19)

- Provision for 16-19 year olds in college provision in the City.
- Year round provision in relation to some of the activities carried currently within the School Nursing Service.
- Additional capacity within the service to provide more comprehensive specialist support to children and families and more effective working with professionals from a range of services to ensure more vulnerable children are kept safe from abuse and neglect.
- Better coverage and provision of the Healthy Child programme in respect of children and young people educated at home.
- Improved support from the service for children whose attendance at school is poor due to persistent poor health.
- Improved capacity for the service to provide a child health leadership role for its work with schools in the development and delivery of their Personal Social and Health Education (PSHE) and Sex and Relationships Education (SRE) curricula.
- Improved coverage and capacity for the service in relation to mental and emotional health and wellbeing issues among children and young people.
- Significant increases in the capacity of School Nurses to deliver face to face work with children and young people.
- Increased capacity to support NHS England in the co-ordination of immunisation programmes to protect children and young people from a range of conditions.
- 10. A report on the findings of the School Nursing Service Review is incorporated into the Executive Summary of the Needs Assessment for 5-19 year olds attached as Appendix 1 to this report. Delegated authority to finalise the specification for the new service is sought to ensure consistency with a national service specification for core elements of a School Nursing Service. Locally, commissioners will need to ensure that local needs inform this specification as identified within the Council review.
- 11. The review of the commissioning specification for this service has also been informed by a major refresh of the Needs Assessment for the service in relation to changes in the child population served by the service, the socio economic and wider social context of the city for its children, lifestyle and health improvement priorities, current health and wellbeing outcomes, variation in outcomes between schools and some more customer focussed work in relation to the current service with children and young people, parents, service partners (such as schools) as well as sessions with staff from the current service. This resulted in a comprehensive needs assessment which underpins the need for the Council to sustain a significant investment in the level of school nursing and related health and wellbeing work towards children and young people of school age. A summary of the revised Needs Assessment has been made available in the Members Meeting Room.

12. Consultation with children and young people, parents, school based and other partners of school nurses as well as work with staff from the existing service formed part of the needs assessment. All clearly identified a committed and professional service in relation to the delivery of its services against the existing service specification. Identified needs through engagement helped shape proposals for the new service.

# **RESOURCE IMPLICATIONS**

# **Capital/Revenue**

13. Funding for the new service would continue to come from City Council Public Health budgets. The final cost will be subject to this exercise and to the tender submissions but it is envisaged that the service can be delivered within approved budgets.

# **Property/Other**

14. The proposal should not have any property implications for the service as it relates to services commissioned from an external provider which have no specific implications for Council owned property or land.

# **LEGAL IMPLICATIONS**

# Statutory power to undertake proposals in the report:

15. The Council currently commissions School Nursing services under its statutory responsibility for Public Health. Responsibility for this service transferred to the Council under the Health and Social Care Act 2012.

# Other Legal Implications:

16. The proposals set out in this decision are consistent with the Human Rights Act 1998, and statutory guidance relating to Public Health functions in respect of the NHS Act 2006.

# POLICY FRAMEWORK IMPLICATIONS

17. The decision sought is wholly consistent with the Council's Health and Wellbeing Strategy and other policy framework strategies and plans.

# **KEY DECISION?** Yes

WARDS/COMMUNITIES AFFECTED:	All
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# **SUPPORTING DOCUMENTATION**

# **Appendices**

1. School Nursing Service Executive Summary Health Needs Assessment for Young People Aged 5-19

#### **Documents In Members' Rooms**

1.	None
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# **Equality Impact Assessment**

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

# **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	
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# Agenda Item 13

Appendix 1



Southampton City Clinical Commissioning Group



Appendix 1 -School Nursing Service Executive Summary Health Needs Assessment for Young People Aged 5-19

# **Executive Summary Health Needs Assessment** for Young People Aged 5 – 19 years old

Version	Date Issued	Brief Summary of Change	Owner's Name
1	04/12/2013	Initial draft	PL
2	23/12/2013	Updates from Commissioning Team	PL
3			

#### 1. Introduction

- 1.1 A health needs assessment is "a systematic review of the health issues facing a population leading to agreed priorities and resource allocation that will improve health and reduce inequalities".
- 1.2 Health and well-being needs assessments are conducted so that commissioners can make plans for healthcare and other services, based on a thorough understanding of current service provision and young people's needs. In this document, health refers to physical, mental and social health. This use of the term 'health and well-being' is consistent with the World Health Organisation definition of health: a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity.

#### 2. Context

## 2.1 National Policy in relation to Public Health Service for children and young people aged 5-19

- 'Maximise the School Nursing Contribution'. "Getting it right for children, young people and families Maximising the contribution of the school nursing team: Vision and Call to Action" (DH 2012) this sets the vision for the role of School Nursing as the lead health agency for the delivery of the Healthy Child Programme (HCP) 5-19 years. The HCP is a nationally developed evidenced based initiative that embraces the concept of "progressive universalism" and includes five aspects of service delivery the Community Offer, Universal, Universal Plus, Universal Partnership Plus and Safeguarding.
- Marmot Review 'Fair Society, Healthy Lives' (2010) an evidence based strategy to address the social determinants of health, the conditions in which people are born, grow, live, work and age and which can lead to health inequalities. It reinforces the need to take a proportionate universalism approach where actions are universal but with a scale and intensity that is proportion to the level of disadvantage.
- Healthy Child Programme: From 5 to 19 Years Old (DH 2009) this provides a robust evidence based framework and sets out good practice for prevention and early intervention services for children and young people aged 5-19. It identifies the school nursing service as crucial to the effective delivery of the HCP and recommends that health, education and others work together across various settings

### 2.2 Local Context

- Commissioning public health services responsibility for commissioning public health service for children and young people aged 5-19 transitioned from NHS Southampton City to Public Health, Local Authority on 1 April 2013
- Southampton Joint Health & Wellbeing Strategy (2013-16) —sets out strategic vision for improving the health of people of in the city and reducing health inequalities. The strategy covers three themes and Best Start in Life is one of the themes
- 5 19 year old Early Help Model –

### 3. Needs Assessment Summary

A full needs assessment was carried out in autumn 2013. The full document is available from xxxxxxxxx.

#### 1. Population

- 41,408 children aged between 5 and 19 live in Southampton.
- The primary school population is estimated to increase by 12.7% in the next 5 years (an average of 400 per annum). The secondary school population is also set to increase but by 2.7% in the same time period (an average of 76 children per annum).
- There is increasing ethnic diversity in Southampton, 77.7% of all residents were recorded as White British (compared with 88.7% in 2001) this proportion was lower for school age children with 69.8% of school aged pupils in the January 2013 census
- A total of 124 different languages are reported to be spoken by primary schools pupils and 91 in secondary schools with the most prevalent language spoken as a first language second to English is Polish.

#### 2. Social Place and Wellbeing

- Deprivation is a major issue in Southampton and children are particularly affected. Around one third of primary and secondary school aged children are living in the 0-20% most deprived areas based on the Index of Multiple Deprivation (IMD). This is also reflected in their high rates of eligibility for free school meals.
- Children in Southampton are not performing as well in GCSE attainment and achieving a good level of development at the foundation stage compared with national figures. Southampton is one of the worst performing areas in the country with regard to school absences and exclusions.
- Children in Southampton are more likely to be Not in Employment, Education or Training than compared with the England average.
- Domestic violence is an issue in the city, it accounts for 20% of violent crimes. Over 500 cases of domestic violence were presented to the Multi agency Risk Assessment Conference in Southampton between July 1st 2012 and June 2013. The number of children of victims going to MARAC in that time was over 600.

#### 3. Lifestyles and health improvement

- Southampton has lower, but not significantly so, proportion of overweight and obese children compared with national figures. The prevalence of obesity and severe obesity more than doubles between the ages of 4-5 years and 10-11 years of age.
- Although the percentage of children in Southampton who are participating in at least 2 hours of HQ/PE or school sport is comparatively high, the participation in one or more community sports, dance or multi-skill clubs with links to the school is lower than expected. It is important to note that children should be doing at least an hour of physical activity a day so there is still room for improvement.
- Children in Southampton are more likely to be admitted for alcohol specific conditions than the national figures but admissions for substance misuse are not significantly different to the national figures. 4% of children in years 6, 8 and 10 reported that they smoked.
- The testing rate for Chlamydia is lower than it should be. The teenage pregnancy rate in Southampton, traditionally the highest in the region, is falling; however it is not decreasing as quickly as national figures and is higher than all its comparator areas. Last year in Southampton, 96 births were to mothers under the age of 19.

# 4. Health & Wellbeing

- Mental health problems are a widespread issue in Southampton and it is estimated almost three thousand children aged 5-16 in Southampton have a mental health disorder, of which almost two thirds have a conduct disorder.

- Alternatively using CAMHS tier definitions it is estimated that 7694 young people aged under 18 in Southampton have mild emotional and behavioural difficulties, 3590 have moderately severe problems requiring input from professionals trained in mental health, 949 have severe and complex mental health problems requiring a multidisciplinary approach and 38 have very severe, persistent problems requiring specialist tertiary provision. This need is reflected in current services where 37% of school nursing referrals are for emotional and mental health and the high rate of admissions for self harm.
- Children with disability are a very heterogeneous group and it is estimated that there are almost 10,000 children in Southampton aged 0-19 who are living with a longstanding illness or mild disability and approximately 40 who have a severe disability. Continence issues (urinary and faecal) are difficult to quantify but 427 Southampton children aged 13-19 are estimated to suffer from bedwetting, 155 aged 15-16 are estimated to suffer from daytime wetting and 45 aged 11-12 have faecal incontinence. The younger age groups are even more affected by continence issues.

#### 5. Social Health

- Bullying rates in Southampton are comparable to national rates with almost 10% of children reporting having being bullied.
- There are almost 7000 lone parent families in Southampton and they have high unemployment rates compared with national figures.
- The demand for Social Care in Southampton is very high with Southampton having higher rates of service use than national figures and comparative area figures, sometimes dramatically so e.g. the rate for child protection investigations is well over 200% higher than the national rate and similar area rates. There are higher than expected rates of initial assessment, core assessments, child protection investigations, child protection conferences, child protection plans, children designated in need and children looked after in care.
- Children in Southampton who leave care also fare poorly in achieving suitable accommodation and in being in education, employment and training at aged 19 compared with national figures.

## 6. Physical Health

- Infant and child mortality rate is similar to the England average and the proportion of children born with low birth weight is also similar to the England average.
- Almost half of emergency or urgent care admissions in children in Southampton are due to abdominal pain, asthma/wheeze, gastroenteritis, fever/minor infections, bronchiolitis and head injury. Southampton has a high rate of admissions for lower respiratory infections compared with the Clinical Commissioning Group Cluster.
- Southampton has a high rate of emergency admissions caused by unintentional and deliberate injuries to children. In 2012 there were 303 admissions for this in under 5s and 407 admissions in those aged 5-17.
- Children in Southampton also have poor dental health (42% aged 5 have decayed missing or filled teeth) and approximately 500 children have dental extractions under general anaesthetic every year. There is variable access to NHS dentistry across the city.

#### 7. Current service provision

#### **Staffing Structure**

- The school health team teams are based on a locality model across three different localities with a named School Nurse for each school. The team include a range of practitioners with a Senior School Nurse Lead for each locality.
- The school nursing service currently employs 21.5 whole time equivalent staff (33 headcount). 88% (18.89 out of 21.46) staff time is clinical staff and 45% (15 out of 33) of all

- staff employed are term time only however only 2 out of 15 B5 school nurses work the full year
- The service has a higher proportion of Band 5 staff (47%) compared to 25%, 40% and 17% and a lower proportion of Band 6-7 staff (21%) compared to 72%, 35% and 76% based on the benchmarking exercise with comparators
- Based on 27,740 pupils on the mainstream school roll and 17.89 WTE Clinical Time excluding Learning Disabilities Nurse the average Southampton school nurse caseload is approx. 1,550 and based on all staff a caseload of 1293. This is lower compared to the average caseload provided as part of the benchmarking exercise where average number of children per WTE was 3102 (Range 1502 6013) however it should be noted that it is difficult to compare likewith-like due to the quality of the information provided.

## **Service Activity**

- Referrals: 1,800 received by school nursing service in 2012/13. The majority of referrals for primary school children are for treatments (40%) and secondary schools children, risk taking behaviour (25%) and emotional needs (21%).
- *Contacts:* In 2012/13 the school nursing service recorded a total of 8,865 contacts. 42% of contacts are first appointments, 18% follow up, 2% telephone consultation and 38% non-face to face client related activity.
- Primary School: the number of recorded contacts are highest within the most deprived IMD school centiles, this is an indication that the service is engaging with the more vulnerable pupils however the range in the number/rate of contacts between schools is significant within the 20% most deprived schools there is a 9 times difference in the highest contacts rate per pupil than the lowest, and city wide the difference is 72.5 times
- Secondary School: the number of recorded contacts are significantly different between schools, the lowest rate is 10.7 compared to highest of 270.8 this is a 25.3 times difference.
- *Groups:* the service has 227 groups from April September 2013, they covered 17 different topics e.g. including health promotion, HPV, sex education, puberty, anaphylaxis
- Children Educated at Home: 51 children on the caseload who are educated at home and known to the service. The number of children in Southampton educated at home children is September 2014 is 144 (Sep-14) so 35% are known to the service.

#### 8. School Nursing Workshop and Stakeholder Surveys

Surveys were undertaken to gain opinions from school nurses, teachers and school staff, primary and secondary school aged children, parents and other stakeholders. A further workshop was held with members of the school nursing service to get more qualitative information and suggestions for service improvement. The headline results are summarised below.

#### School nurse Service

- Almost 75% of teachers and school staff that had worked with the current service rated it as 4 or 5 stars (out of 5) in their responses.
- More specialist school nurses are needed for robust health leadership
- An appropriate team skill mix was needed to address a range of issues, such as mental health and behaviour issues.
- Strong working relationships are needed with schools to allow for better school health.
- Better engagement is needed with stakeholders such as CAHMs and GPs.
- There is the need for consistency, which is currently affected by part time and term time only contracts.

#### **School nurse Role**

- There is a need to clearly define the role of the school nurse and ensure partners are aware of the role and how to access the service.

- It was felt that health promotion, safeguarding, health screening and checks, and immunisations and vaccinations were important parts of role
- It was felt that more time was needed in schools.

#### Mental and emotional health and wellbeing

- Mental and emotional health and wellbeing was identified as a significant gap by most responders to the survey, and this was further reinforced at the school nurses workshop.
- The majority of school nurses have received emotional first aid training but stated they are not confident in dealing with clients who are just below the CAMHs criteria, at the 'Tier 2' level of need.

#### Safeguarding

- Safeguarding was identified as a key pressure on the service and the number of cases is increasing. Case conferences are intensive and time consuming and the service write reports for children where there are no health concerns.
- The service have also highlighted that they receive very short notice with regard to the date of the case conference and on some occasions are not notified at all.

#### Administration

- Information reporting via RiO is a particular area of concern and accounts for a significant amount of time for school nurses.
- It is reported that admin support is inconsistent across the city, therefore the school nurses are carrying out a significant amount of admin work. This does not appear to be a good use of resources

#### Other

- It was felt that school nurses should be better linked with the school curriculum and with PSHE and lesson delivery from Year R to Year 11.
- There is a need for school nurses to help with intelligence on infectious diseases in school aged children
- It was felt that school nurses can play a key role in signposting, negotiation with and referral to specialist services for a range of health needs
- Healthy eating / physical activity and weight management came out as key health concerns for parents
- Health issues where the child's family speak English as their second language or have very little English vocabulary are a challenge

### 4. Key Priorities from Needs Assessment

Given the extent of deprivation in Southampton, it will face challenges around a number of health issues. A number of health issues have already been highlighted as areas of needs. Additionally there is going to be an increase in the size of the child population which indicates demand for services in this age group will increase.

- 1. Mental Health: This is an area with potential for high demand and currently unmet need. Local evidence indicates that there is some service fragmentation without clear pathways of care and that there isn't enough provision to identify children at risk of emotional and mental health problems early.
- 2. Attainment, Attendance and Exclusion: Southampton has a high proportion of school absences and exclusions. Children inside and outside the care system are performing less well as regards education and further attainment. School attendance must be a high priority given its

relationship with educational success. Many children have long term illness or disability which may be affecting their participation. This is an area that require further investigation.

- **3.** Lifestyles and physical health: Sexual health is a priority given the high rates of teenage pregnancy and lower rates of sexually transmitted infection testing. Accidents and injuries are also important as are those due to road traffic accidents. Dental health is also important given the poor dental health and variable access to NHS dentistry across the city. Alcohol consumption in children is also a priority.
- 4. High risk groups and targeted intervention: Some groups are at higher risk of poor health. This review has identified that those with disabilities or long term conditions form a sizeable proportion of the total child population. Young offenders and looked after children are also high risk groups. Children with development issues are also a priority as failure to meet developmental milestones can impact on longer term achievement. Some children are outside mainstream or special schools i.e. are educated at home or are in Pupil Referral Units. Any health interventions planned must consider these groups and their specific challenges and needs.
- **5. Linkages across providers**: There are a lot of organisations and agencies across the city who work with children on important issues such as child health, child healthcare, safeguarding and child protection and the wider determinants of health e.g. education. It is essential that the system is linked appropriately so that children at risk or who have specific needs are able to access appropriate and prompt support.

## 5. Key Recommendations for Future Commissioning

The needs assessment key recommendations are summarised as follows:

- 1. To clearly define the role of the school nurse and actively promote the role
- 2. To provide a service throughout the whole year, being less focussed on term time
- 3. To align School Nursing teams by agreed School Locality Clusters and to develop health priorities at a school cluster level to be signed off by partners
- 4. To provide health leadership and work in partnership with the school, school cluster, other health and wider social care provision to ensure that a child has their health and wider social care needs met and build capacity within these settings to deliver the Healthy Child Programme. There will be a named school nurse to each school
- 5. To provide a more qualified service with Band 6 Public Health Leaders and School Nurses with special interest in key areas
- 6. To further develop the service capacity to meet the emotional health and wellbeing needs of young people who do not reach the CAMHs criteria, this should be an integrated a 'team around the child' approach. The new model should include identified school nurses with special interest in emotional health and wellbeing
- 7. To improve accessibility to meet the needs of service users and ensure all young people, education, health, and other stakeholders know how to access the service.
- 8. To allocate resources based on the needs of the school/cluster highlighted within the School Health Outcomes matrix and School Cluster modelling tool. This will include a clear minimum offer to all schools and a targeted extended offer to those with greater levels of need
- 9. To ensure early identification of vulnerable families is clearly identified through the transfer of care from HV to SN, and ensure contact is made with the family either prior or as soon as the child enters school
- 10. To develop working protocol with schools for appropriate School Nursing intervention. This will include recurrent school absence and clear referral pathways to and from Primary Care to ensure children who are recurrently ill and of school age are followed up by the service

- 11. To promote uptake and deliver the locally agreed NHS England Childhood Immunisation programme
- 12. To define the public health offer to Special Schools for children with disabilities
- 13. The service will play a greater role in targeting children in need, addressing the wider determinants of health and taking a whole family approach, working as part of a multiagency model. This will include school nurses being actively involved in the new Early Help team for 5-19

# 6. Proposed Model for Health and Wellbeing Service for School Aged Children and Young People aged 5-19

- 6.1 The Health and Wellbeing Service for School Aged Children and Young People will be the lead health agency for the delivery of the Healthy Child Programme (HCP) 5-19 years. This is a nationally developed evidenced based initiative that embraces the concept of "progressive universalism" and includes 5 aspects of service delivery the Community Offer, Universal, Universal Plus, Universal Partnership Plus and safeguarding.
- 6.2 School Public Health Nurses will provide leadership in health for school aged children and young people in Southampton. They will work closely with schools, a variety of other health and social care partners, and other stakeholders, to improve the overall health and wellbeing of the children and young people of Southampton so they can their full potential.
- 6.3 The service will deliver provision based on the four service offer levels within A Call to Action

Theme	Service Provision	
Community Offer	To provide a Public Health Leadership role in the school and wider community lead for health for the $5-19$ year old population during the full year.	
	To building the capacity within schools, school cluster, other health and wider social care provision schools to deliver the HCP	
	To work with stakeholders/service users to increase community participation in promoting and protecting health thus building local capacity to improve health outcomes.	
Universal Provision	To provide "core" offer that will cover the following key areas in line with the Healthy Child Programme for all irrespective of needs.  - Health leadership - Health promotion and protection - Identifying and responding to health needs - Integrated working	
	To actively promote the role of the school nurse to schools, young pe health services, and other agencies and ensure they know how to act the service	
	To provide a named Public Health Nurse (B6) for each School Cluster responsible for developing school cluster action plans based on identified population needs	
	To provide a named School Nurse (B5) for each School and GP Practice	
Universal Plus (Health agency intervention)	To respond to the identified health needs in a timely and organised way to minimise the impact of the health concern and improve the child's ability to learn and participate in school life.	

	To ensure young people get extra help and support when they need it through providing the care and/or signposting to other services.  To provide a minimum of 3 x school nurses with special interest in emotional health and wellbeing (one for each School Locality Cluster)
Universal Partnership Plus	To have identified through a holistic health assessment the health and wider needs of the child and promote responsive partnership working.
(Multi-agency intervention)	To provide in partnership with other agencies ongoing additional support for vulnerable children, young people and families requiring longer term support for a range of special needs such as disadvantaged children, young people and families or those with a disability, risk taking behaviours, etc
	The service will also be required to play an active part in the 5-19 Early Help Team. Three School Nurses will work as part of this team providing intensive casework support to families of children in need.
Safeguarding	To be responsible for their contribution to the LSCB: Southampton Safeguarding Children Board safeguarding process
	To be trained to Level 3 (according to Working Together 2010 guidance), adhere to the competencies within 'Children and young people: roles and competences for healthcare staff' (2010) and are trained in professional challenge / leadership (key message from the current serious case reviews).
	To contribute to assessing the health of the child for children who are subject to child protection planning. To prepare a report in advance of the conference, share it with parents and child prior to the conference and attend and contribute to CP conferences and core groups where appropriate.

## 7. Outcomes, Performance Monitoring and Review Process

- 7.1 The service will contribute towards improving the health and well-being needs of children and young people in Southampton City to ensure they reach their full potential and narrowing the inequalities gap within the most deprived areas of the city.
- 7.2 The service will contribute towards improving a range of outcomes for children (with other partners contributing to these), this includes Public Health (PHOF) and NHS (NHSOF outcome framework indicators:
  - Potential Years of Life Lost (PYLL) from causes considered amenable to healthcare for Children and Young People (NHSOF 1aii)
  - Child Poverty (PHOF 1.1)
  - School readiness (PHOF 1.2)
  - Smoking prevalence 15 year olds (PHOF 2.9)
  - School attendance (PHOF 1.3)
  - Self harm (PHOF 2.10)
  - First time entrants to youth justice system (PHOF 1.4)
  - 16 18 year olds in education, employment and training (PHOF 1.5)
  - Children killed and seriously injured on roads (PHOF 1.10)
  - Domestic violence (PHOF 1.11)

- Childhood obesity (PHOF 2.6)
- Emotional health and wellbeing including Looked After Children (PHOF 2.8)
- Diet (PHOF 2.11)
- Alcohol admissions (PHOF 2.18)
- Hospital admissions for asthma, diabetes and epilepsy in under 19s (NHSOF 2.3ii)
- Emergency admissions for children with LRTI (NHSOF 3.2)
- Hospital admissions for Hospital admissions caused by unintentional and deliberate injuries in children and young (PHOF 2.7)
- Teenage conception rate (PHOF 2.4)
- Chlamydia diagnoses, 15 24 year olds (PHOF 3.2)
- Population vaccinations coverage (PHOD 3.3)
- Reduction in social care referrals
- Educational attainment
- Oral health
- Young people's participation in sport and positive activities
- Sexual health and STIs
- 7.3 The service will be responsible for delivering the following indicators.
  - Ensure immunisation uptake for the routine immunisation programmes meet or exceed WHO targets of 95% uptake for primary vaccinations and 90% uptake for booster vaccinations
  - Coverage of the National Child Measurement Programme (NCMP)
  - Coverage of the school entry reviews and the year 7 health reviews and developing individual care plans from the reviews
  - Development of public health action plans at a school cluster level that are signed off by stakeholders
  - Regular attendance at x GP Practice meetings
  - Improving uptake of service with children excluded from school and children educated at home
  - 80% young people know how to access the school nursing service
  - 100% of schools know who their school nurse and how to contact them

DECISION-MAKER:		CABINET		
SUBJECT:		AWARD OF CONTRACT FOR AN ADULT CARER SERVICE AND A YOUNG CARER SERVICE.		
DATE OF DECISION:		15 APRIL 2014		
REPORT OF:		CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE		
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STATEMENT OF CONFIDENTIALITY	
None	

#### **BRIEF SUMMARY**

Following a review of the Joint Carer Strategy for Southampton it was agreed a Commissioning Framework was needed to progress city wide work to support carers. This was completed and approved in 2013 across Southampton City Council (SCC) and Southampton Clinical Commissioning Group (SCCG).

One element of the Commissioning Framework was the recommissioning of services in Southampton to support carers in their local communities. This would result in two contracts, one for adult carers and one for young carers. This would require the pooling of resources from a variety of contracts and services. The new Adult service will be required to provide a significant increase in the identification of carers alongside increased provision of advice and support, while retaining some of the smaller vital and valuable services currently operating in some areas of the City.

The procurement process for these contracts commenced in December 2013 with final submissions on 6<sup>th</sup> February 2014. Submissions have been evaluated in line with SCC procurement requirements and resulted in the Adult service being recommended to be awarded to Tenderer A of the Adult submissions, and the Young Carer service being awarded to the successful bidder (also referred to as Tenderer A) for this contract). Tenderer A is not the same provider for both contracts.

## **RECOMMENDATIONS:**

(i) To approve the award of the contract to Support Services For Adult Carers in the City of Southampton to Tenderer A to commence on 1<sup>st</sup> September 2014 for a period of 3 years.

- (ii) To approve the award of this contract to provide Supported Services Targeted at Young Carers in Southampton to Tenderer A (for this contract) to commence on 1<sup>st</sup> September 2014 for a period of 3 years.
- (iii) To delegate authority to the Director of People, following consultation with the Head of Legal & Democratic Services, to enter into a Section 256 agreement with Southampton City Clinical Commissioning group for a period concurrent with the Support Services For Adult Carers contract.

#### REASONS FOR REPORT RECOMMENDATIONS

- Through the award of this contract for the Adult Carer service there will be a move away from the current short term and ad hoc funding approach currently in place for a number of services.
- 2. Through the award of this contract the new Young Carer service will be able to continue to provide current level of high quality support while incorporating new initiatives in line with emerging evidence
- 3. The new service for adult carers will streamline current provision while expanding the identification, advice, information and support provided to the increasing number of unpaid carers. It substantially increase the number of carers identified from April 2014, rising from under 3,000 to over 5,000 by March 2015. This will be supported by the creation of a single contact point for advice and information for all adult carers in Southampton. The new service will provide good practice, reduce duplication and address gaps. These changes and improvements will ensure services help carers to be healthy; and promote their wellbeing both physically and mentally
- 4. The new service for young carers will continue to provide a high quality targeted service to young carers in Southampton. The service will provide individual and group support to young carers to support them to attend school, achieve equivalent educational levels as their peers, have access to mainstream leisure activities and are supported in maintaining their family and personal relationship. The new Young Carer service has been reviewed and developed through this procurement to align with two key priorities in the Council plan 2013-16, which will

raise the ambitions and improve outcomes for children and young people; including the reduction of school absence rates and the gap in attainment. Improve health and keep young people safe; including improvement in the safeguarding of vulnerable children and young people, improved health and reduced health inequalities and a reduced number of young people entering the criminal justice system

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. For the reasons detailed above other possible alternative options were discounted.

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

- 6. On behalf of the Southampton Clinical Commissioning Group (SCCG) and Southampton City Council (SCC) a review of current support for carers was undertaken. The information gathered was collated into a Commissioning Framework which has set out both the SCCCG and SCC intentions to improve the support for carers in Southampton. The Commissioning Framework for Carers was developed through consultation and approved through both SCC and SCCG management structures (SMT and DMT). The Commissioning Framework covers a broad range of support services, of which these services will form a part of ongoing and future improvements
- 7. Southampton has a large number of carers, over 20,000 identified through the 2011 Census, of which only a small proportion receive carers allowance or support from Local Authority services. Population estimates (used by Royal College of GPs and Carers Trust) estimate around 12% of the population are carers. This equates to around 36,000 for Southampton yet the very limited data we have shows we have contact with only a very small number of carers. For those we are in contact with the local Carers Survey reflects the majority of carers report good quality of life, satisfaction with social services and feel included in discussions about the person they care for. However, a small number say they feel isolated and have little information of available support. Local feedback (Carers Together events) also tells us that there needs to be an improvement in the identification of carers, increased advocacy services alongside improved information and access points.
- 8. We know around 200 young carers are provided with support each year in Southampton. The integrated commissioning intention is to ensure young carers receive timely and effective support for young carers and their families, in doing seek to keep families together, give due consideration of children at risk of harm and where appropriate enable them to maintain their engagement with education and leisure equitable to their peers
- 9. The integrated commissioning unit's intention is to substantially improve the number of adult carers who are identified, provided with advice and where appropriate signposted onto relevant services. Carers are a valuable part of the overall health and social care system. The new service will ensure appropriate information, advice and support is available to assist them to maintain their own health and in doing so, continue their role as a carer.
- 10. The specification used in the procurement sought to drive quality and increased identification. This, supported by key performance indicators (KPIs) with a direct read across into the contract terms and conditions, will provide clarity for providers and a strong framework for effective implementation. For example the contract for the Adult carer service provides the mechanism to monitor how the services would meet the requirements for significantly increasing the identification of adult carers. For Young carers the contract provides the mechanism to monitor how the services would meet the requirements for young carers, ensuring they have equal opportunities and access to services as their peers.

# 11. Adult Carer Service

Two agencies tendered for the adult carer service. For both contracts the evaluation process run was reasonable, fair and transparent and complied with the applicable requirements of the Public Contracts Regulations 2006 and in accordance with the process the council stated within its Invitation to Tender.

12. The Council completed the tender evaluation and in accordance with the Regulations the Council has informed the tenderers of their scores. The results are as follows

### Tenderer A

- Quality 60.00
- Pricing 38.31
- Overall score 98.31

#### Tenderer B

- Quality 46.80
- Pricing 40.00
- Overall score 86.60

Both these scores have been shared with the tenderers as part of the procurement process.

# 13. Young Carer service

Only one agency tendered for the young carer service. For this contract the evaluation process run was reasonable, fair and transparent and complied with the applicable requirements of the Public Contracts Regulations 2006 and in accordance with the process the council stated within its Invitation to Tender

14. There are few agencies in the local area seeking to provide services for young carers. The agency submitting the tender held a strong track record of providing young carer services. These factors were taken into account and the evaluation of the tender undertaken in accordance with above stated requirements. Tenderer A is therefore reccommended.

#### RESOURCE IMPLICATIONS

## Capital/Revenue

- The proposed new services will be jointly funded by the Council and Southampton City Clinical Commissioning Group. The funding will be held by the Council under section 256 of the National Health Service Act 2006. The S256 agreement will run concurrently with the proposed Carers contract. Both contracts will run for an initial period of three years.
- 16. Within Health and Adult Social Care and Education and Change Portfolios there is a recurring revenue budget which funds a variety of contracted support services for carers. The Council's contribution to the proposed contract will be funded from within, and limited to, this existing resource.

17. Should a recurring saving be realised from these proposals the resource will be used effectively to maximise the impact on the wider financial position of the Council.

# **Property/Other**

18. There are no implications in regards to property

#### **LEGAL IMPLICATIONS**

## Statutory power to undertake proposals in the report:

- 19. The design and the running of this procurement has been in accordance with the authority's Contract Procedure and Financial Procedure Rules. Due to the size, value and complexity of this project, the appropriate procurement rule, with the necessary Governance outlined in the above will be followed. The procurement of this contract will be run in accordance in the requirements outlined within The Public Contracts Regulations 2006 and the EU Procurement Directives 2006
- 20. Carers (Recognition and Services) Act 1995. This legislation provides a definition of a carer, but places a duty on local authorities to undertake carer assessments. The adult carer service will only signpost to the local authority those individuals eligible for an assessment. There is no relevance to Young carers in this act.
- 21. Carers and Disabled Children Act 2000. This act also states that a carer is entitled to an assessment of their own needs (by local authority). They may also be offered caring services in their own right. The adult carer service will only signpost to the local authority those individuals eligible for an assessment. There is no relevance to young carers in this act.
- 22. Carers (Equal Opportunities) Act 2004 (as amended). The act seeks to ensure that carers are able to take up opportunities which those without caring responsibilities take for granted. Securing community based services provides support in meeting this legislative requirement.

## Other Legal Implications:

- The proposals in this report have been determined having regard to and are fully compliant with the Council's duties under the Equalities Act 2010 and associated guidance and having regard to the Council's Financial and Contract Procedure Rules respectively.
- 24. In addition a number of national documents have been taken into account. These are:

NHS Outcomes Framework;

Public Health Outcomes Framework;

Adult Social Care Outcomes Framework;

Care and Support Bill (pending);

Children and Families Bill (pending)

### POLICY FRAMEWORK IMPLICATIONS

19 None

#### **KEY DECISION?** Yes

# **SUPPORTING DOCUMENTATION**

# **Appendices**

1. None

# **Documents In Members' Rooms**

1. None

# **Equality Impact Assessment**

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

# **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.	Joint Carer Strategy, Southampton	http://www.southamptoncarers.org. uk/carersstrategy.html
2.	. Carer Commissioning Framework	Southampton Clinical Commissioning Group, NHS Southampton, Oakley Road, Southampton, SO16 4GX
3.	Equality Impact Assessment - carers	Southampton Clinical Commissioning Group, NHS Southampton, Oakley Road, Southampton, SO16 4GX

DECISION-MAKER:		CABINET			
SUBJECT:		BANK TENDER- DELEGATED AUTHORITY TO AWARD CONTRACT			
DATE OF DECISION:		15 APRIL 2014			
REPORT OF:		CABINET MEMBER FOR RESOURCES			
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STATEMENT OF CONFIDENTIALITY	
N/A	

#### **BRIEF SUMMARY**

The Council's contract with the Co-operative Bank (the Co-op) expires in September 2014. In addition the Co-op is withdrawing from the local authority banking market following its high profile financial difficulties. The Council is leading a joint procurement with five other local authorities to appoint a single bank for general banking and merchant acquiring with each council having a separate contract. This report requests that delegated authority is given to the Chief Financial Officer (CFO) to award the contract to the preferred bidder following rigorous evaluation of quality, price, financial standing and terms and conditions.

## **RECOMMENDATIONS:**

(i) Delegate authority to the Chief Financial Officer to award the bank contract to the preferred bidder for both general banking and merchant acquiring.

## REASONS FOR REPORT RECOMMENDATIONS

1. This report is being brought forward to Cabinet to allow for the decision making of the joint procurement with five other local authorities to proceed and ensure that the project to change banks can be implemented in time for the contract expiry date of 21 September 2014.

## ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. The Council has no alternative but to change banks as the Co-op is withdrawing from the Local Authority banking market. The current contract expires on 21 September 2014. Without delegated powers being approved for the CFO the contract award would be delayed with the risk that the Council would be without a bank or that less favourable terms may be agreed due to time pressure.

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

- 3. The current general banking and merchant acquiring (card services) contract ends on 21 September 2014. The Council therefore needs to re-tender for these services that are essential to the operation of all services.
- 4. Over the last year the Co-op has had well-publicised financial difficulties and the Council has implemented a number of contingency arrangements to reduce risk. The Co-op has announced it is withdrawing from the local authority banking market.
- 5. The Council has entered into a joint procurement arrangement with five other local authorities (New Forest, Test Valley, Slough, Reading and Purbeck) with a view to obtaining competitive tariffs from the banks left in the market. A single preferred bidder will be chosen for each of the two lots (general banking and merchant acquiring) and each council will enter into separate contracts for an initial seven year period with the option of three one-year extensions.
- 6. The joint banking procurement is working to a tight timetable in order to meet the needs of all the councils that want to move away from the Co-op as soon as possible to reduce risks. Southampton City Council has the first contract expiry date so it is important that the decision to award the contract is taken as soon as possible.
- 7. Banking contract specialists BRC Consulting are assisting with the tender process and have helped write the specification and tender documents. In addition as lead authority Southampton City Council have consulted with colleagues in Legal and Procurement to ensure it strictly adheres to policies and procedures.
- 8. As part of the evaluation process there will be a detailed assessment of the quality and price of the bids along with the financial standing and terms and conditions. The assessment will be jointly carried out by all six councils plus Southampton's Legal and Procurement teams.
- 9. Once a preferred bidder is selected and following a ten day stand-down period it is intended to award the contract by mid-May 2014. This report requests that the authority to award the contract is delegated to the CFO in order to avoid further delay in the process, reduce risk of not moving from the Co-op and allow the joint procurement to move forward as one.
- 10. Councillors have been kept updated on the arrangements that have been put in place to reduce exposure to the Co-op and on the project to move to a new bank, for example through the Treasury Management Strategy and Prudential Limits Mid Year Review report presented to Council on 20 November 2013 and this report is the next step in that process.

# **RESOURCE IMPLICATIONS**

## Capital/Revenue

## **Capital**

11. None.

# Revenue

12. There is annual budget provision for general banking and merchant acquiring and it is anticipated that the joint procurement should result in very competitive tariffs, although the final contract prices will not be known until bids are received and assessed. At this stage it is anticipated that the costs of the new contracts will be met from within existing budget provision and any variation will be factored into the savings proposals for Finance which are being reviewed as part of the budget development for future years.

# **Property/Other**

13. There are no specific property implications arising from this report.

#### LEGAL IMPLICATIONS

## Statutory power to undertake proposals in the report:

14. Local Government Acts 1972 and 2000 and the Localism Act 2011(general power of competence).

## Other Legal Implications:

15. None directly, but in preparing this report, the Council has had regard to the Human Rights Act 1998, the Equality Act 2010, the duty to achieve best value and statutory guidance issued associated with that, and other associated legislation.

## POLICY FRAMEWORK IMPLICATIONS

16. The banking contract fits in with the overall Budget Strategy of the Council.

KEY DECISION? Yes	
WARDS/COMMUNITIES AFFECTED:	All
SUPPORTING D	OCUMENTATION .

## **Appendices**

1.	None

### **Documents In Members' Rooms**

1.	None
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# **Equality Impact Assessment**

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

# Other Background Documents Equality Impact Assessment and Other Background documents available for inspection at: None

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	
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DECISION-MAKER:		CABINET		
SUBJECT:		HERITAGE PARTNERSHIP AGREEMENT WITH ENGLISH HERITAGE FOR WORKS TO THE CIVIC CENTRE		
DATE OF DECISION:		15 APRIL 2014		
REPORT OF:		CABINET MEMBER FOR RESOURCES		
	CONTACT DETAILS			
AUTHOR:	Name:	Kevin White Tel: 023 8083 3192		
	E-mail:	kevin.white@southampton.gov.uk		
Director	Name:	Stuart Love	Tel:	023 8083 7713
	E-mail:	stuart.love@southampton.gov.uk		

STATEMENT OF CONFIDENTIALITY	
N/A	

#### **BRIEF SUMMARY**

To consider the report of the Cabinet Member for Resources seeking a delegation of authority for the Head of Planning, Transport and Sustainability to enter into a Heritage Partnership Agreement (HPA) with English Heritage. The HPA will remove the necessity to obtain Listed Building Consent for certain works on the Grade II\* Listed Civic Centre planned over the next five years, thus saving the Council the fees associated with preparing applications, and reducing time delays while applications are considered and approved.

## **RECOMMENDATIONS:**

(i) To delegate authority to the Head of Planning, Transport and Sustainability, following consultation with the Head of Legal and Democratic Services, to enter into a five-year Heritage Partnership Agreement (HPA) with English Heritage in respect of the Southampton Civic Centre building.

# REASONS FOR REPORT RECOMMENDATIONS

1. The HPA will achieve considerable savings over the five-year period both in terms of fees that would normally be required to prepare and submit Listed Building Consent applications, and by reducing the time lag between project inception and commencement of the works.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. Not to enter an HPA. This would result in a continued requirement for Listed Building Consent Applications for works to the Civic, with related expenditure, uncertainty and delays

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

- 3. In 2013 the Government passed the Enterprise and Regulatory Reform Act. The Act was aimed at reducing regulatory burdens on private enterprise. Section 60 (2) of Part 5 of the Act provided for an amendment to the Planning (Listed Buildings and Conservation Areas) Act 1990 by inserting a new provision (Section 26A) allowing for Local Planning Authorities to enter into HPAs to remove certain works from the control of the 1990 Act.
- 4. The secondary legislation required to enable this part of the Act will come into force on 6 April 2014. Although the precise details of this are currently out to consultation, it seems fairly clear that the HPAs will be time-limited (no more than five years) and that they will need to contain sufficient detail requiring programmed works over that period to satisfy both English Heritage and the Secretary of State for Culture Media and Sport that the HPA is viable and robust.
- 5. Heritage Partnership Agreements, once entered into, would be capable of relating to one or more listed buildings, or parts of listed buildings, and may specify works that do not require consent or provide for works to be carried out whilst dealing with public access, maintenance and funding. The agreement would run with the land, subject to any terms and any new regulations made by the Secretary of State. Secondary legislation will set out the requirements for consultation and publicity for agreements prior to them being made or varied and may specify in more detail additional criteria that must be satisfied and any specific terms that must be included in agreements and not to be avoided.
- 6. Submission of a programme of works will not equate to a commitment to carrying out those works within the five years. Thus entering into an HPA will not carry a financial commitment, it will simply enable the Council to carry out exempted works as need arises and resources become available.
- 7. Examples of what could be covered by an HPA are:
  - Replacement of the copper roofs
  - Replacement of the asphalt roofs
  - Erection of additional photovoltaic arrays on the flat roofs
  - Replacement / upgrading of the original boilers
  - Anti-skateboarding measures
  - External signage
  - Conversion of office space to storage
  - Reconfiguration of existing office space (removal of walls, partitions etc).
- 8. The HPA would cover all areas of Medium-Low Heritage Merit (as defined in the adopted Civic Centre Conservation Management Plan) within the Civic buildings and its environs. Most works (excluding repairs and maintenance) in areas of High Heritage Merit would still require Listed Building Consent. It will also set out the standards which will be expected of contractors working on or in the Civic, and the monitoring procedures that will ensure these standards are met.

9. As part of both the ASAP and Sea City projects detailed method statements for intrusive works were prepared to support the respective Listed Building Consent applications. These are still valid and it is intended to append them to the final HPA to give additional comfort that any works will be carried out to previously consented standards.

#### RESOURCE IMPLICATIONS

# Capital/Revenue

10. Officer time needed to form and agree the HPA is included in the existing Planning, Transport and Sustainability revenue account. There is the potential to achieve significant capital savings over the five year period of the HPA.

# **Property/Other**

11. There are no Property or other implications

#### **LEGAL IMPLICATIONS**

# Statutory power to undertake proposals in the report:

12. The Enterprise and Regulatory Reform Act 2013 and the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended provide the statutory powers to enter into an HPA.

# **Other Legal Implications:**

13. There are no other legal implications at this stage, but further legal advice should be sought in the event that secondary legislation, once in force, alters the essence of the scheme or introduces unanticipated obligations on partners to the HPA.

# POLICY FRAMEWORK IMPLICATIONS

14. The proposals comply with the Policy framework

#### KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Bargate

# **SUPPORTING DOCUMENTATION**

# **Appendices**

1.	None		
Docum	ents In Members' Rooms		
1.	None		
Equality	y Impact Assessment		
Do the i	Do the implications/subject of the report require an Equality Impact No		

# **Other Background Documents**

Assessment (EIA) to be carried out.

# 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

DECISION-MAKER:		CABINET		
SUBJECT:		*PROPERTY AUCTION SALES		
DATE OF DECISION:		15 APRIL 2014		
REPORT OF:		CABINET MEMBER FOR RESOURCES		
CONTACT DETAILS				
AUTHOR:	Name:	Neville Payne	Tel:	023 8083 2594
	E-mail:	l: neville.payne@southampton.gov.uk		
Director	Name:	Mark Heath	Tel:	023 8083 2371
E-mail:		Mark.heath@southampton.gov.uk		

## STATEMENT OF CONFIDENTIALITY

Confidential Appendix 4 contains information deemed to be exempt from general publication by virtue of category 3 to paragraph 10.4 of the Councils Access to Information Procedure Rules as contained in the Constitution. Publication of this information could influence bids for the property which may be to the Council's financial detriment.

# **BRIEF SUMMARY**

Derby Road Contact Centre, 46 Peartree Avenue and 1 Sutherland Road are being vacated and are surplus to Council requirements. It is proposed that the properties be sold at auction.

## **RECOMMENDATIONS:**

- (i) To approve the principle of the sale by auction of:
  Former Derby Road Contact Centre, 169-193 Derby Road
  Former Bitterne Family Centre, 46 Peartree Avenue
  Former Forest View Family Centre, 1 Sutherland Road
- (ii) Delegate authority to the Head of Property and Procurement to approve the reserve prices
- (iii) To confirm that the appointed auctioneer be authorised to sign the contract for sale immediately after the auction
- (iv) To authorise the Head of Property and Procurement to undertake all ancillary matters to give effect to this resolution
- (v) To note the estimated value of the capital receipt from these disposals has already been built into the funding of the capital programme. Any receipts that differ from the estimates will need to be considered corporately as part of any future prioritisation of resources

# REASONS FOR REPORT RECOMMENDATIONS

1. The properties are to be vacated and there is no service need for them. They are therefore surplus to Council requirements.

2. Providing there is competitive bidding at the auction and the reserve is met, a sale at auction will achieve the earliest completion of the sale and achieve the statutory criteria of being the best consideration reasonably obtainable.

#### ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

The properties could be marketed by private treaty. This is considered to be a less certain way of achieving an unconditional sale for the property.

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

- 4. 169-193 Derby Road, 46 Peartree Avenue and 1 Sutherland Road are properties formerly occupied by the People's Directorate and used by the Behaviour Resource Service, Specialist Assessment Team and Supervised Contact Scheme. Following the closure of 315 Coxford Road in December 2012 due to significant health and safety issues, a feasibility study concluded that the most cost effective and efficient option was to refurbish and reopen 315 Coxford Road and to amalgamate services carried out in the three other buildings into 315 Coxford Road. The capital expenditure to carry out the works was approved by Cabinet and Council in November 2013. Refurbishment works are scheduled to be completed by the 31 March 2014 and vacation of the three properties by 30 April 2014.
- 5. No other service need had been identified for the properties to be vacated and they are therefore surplus to Council requirements. It is considered that the most appropriate method of sale is by way of auction. Delegated authority is sought to agree the final reserve price. This will allow the final reserve to be determined in response to market interest. The estimated values of the properties are set out in Confidential Appendix 4.

#### RESOURCE IMPLICATIONS

# Capital/Revenue

- 6. The sale of these properties will realise a 100% receipt to the General Fund which has already been built into the funding of the current capital programme. This assumed that the sales would complete in 2014/15. Any receipt that differs from the estimates in terms of value and timing will need to be considered as part of any future prioritisation of resources.
- 7. As reported in February 2014 the capital programme is fully funded based on the latest forecast of available resources although the forecast can be subject to change; most notably with regard to the value and timing of anticipated receipts.
- 8. Any revenue costs associated with maintaining the properties until disposal such as rates, security etc will be covered within the existing 2014/15 budgets for Tier 3 Family Support within the Children's Services Portfolio. Any delay in the sale of these properties would create a pressure on this budget until completion.

## **Property/Other**

7. There are no service requirements for the retention of the properties. If the sales do not proceed or are delayed, this will result in ongoing maintenance and security costs.

#### **LEGAL IMPLICATIONS**

# Statutory power to undertake proposals in the report:

8. Section 123 Local Government Act 1972

# **Other Legal Implications:**

9. None

## POLICY FRAMEWORK IMPLICATIONS

10. The proposal set out in this report is not contrary to any policy implications. The disposal of a council property for a capital receipt supports the Councils capital programme.

### **KEY DECISION?** Yes

WARDS/COMMUNITIES AFFECTED:	Bevois, Peartree, Coxford
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# SUPPORTING DOCUMENTATION

# **Appendices**

1.	Site plan- Derby Road
2	Site Plan – Peartree Avenue
3.	Site Plan – Sutherland Road
4.	Estimated Values - Confidential

# **Documents In Members' Rooms**

1.	None
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## **Equality Impact Assessment**

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

## **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	
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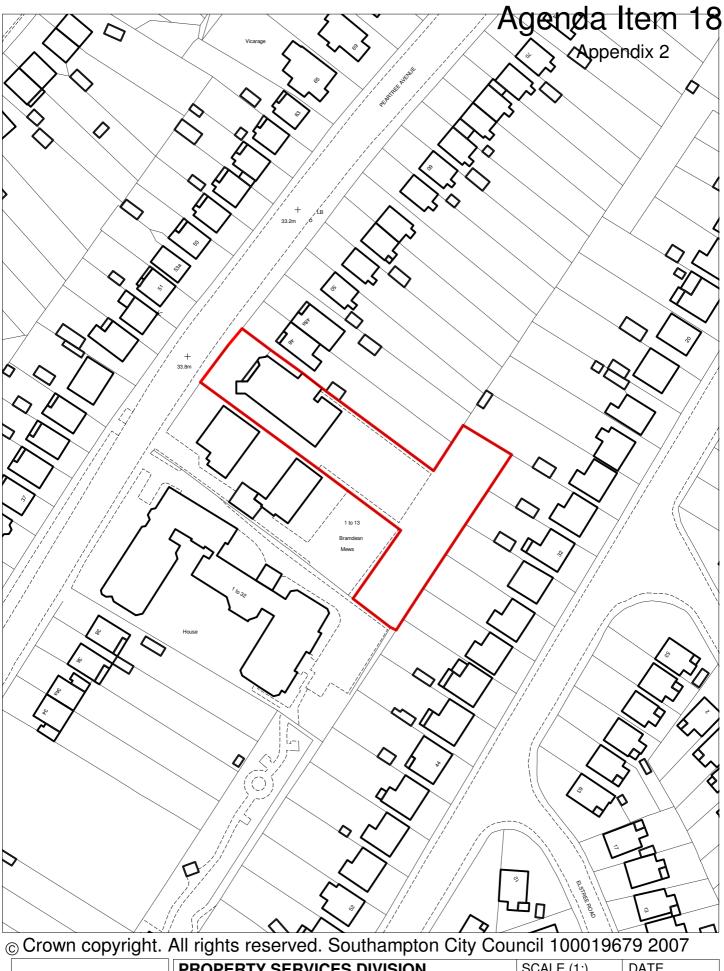






- 1	_	RVICES DIVISION	SCALE (1:)	DAI	E	
	SOUTHAMPTON C		500	1/	0/01/08	
		, CIVIC CENTRE ROAD,	300	10	3/01/06	
	SOUTHAMPTON, S	SO14 /LT.				
	PLAN NO				Ņ	
		Derby Road Family C	entre		W F	





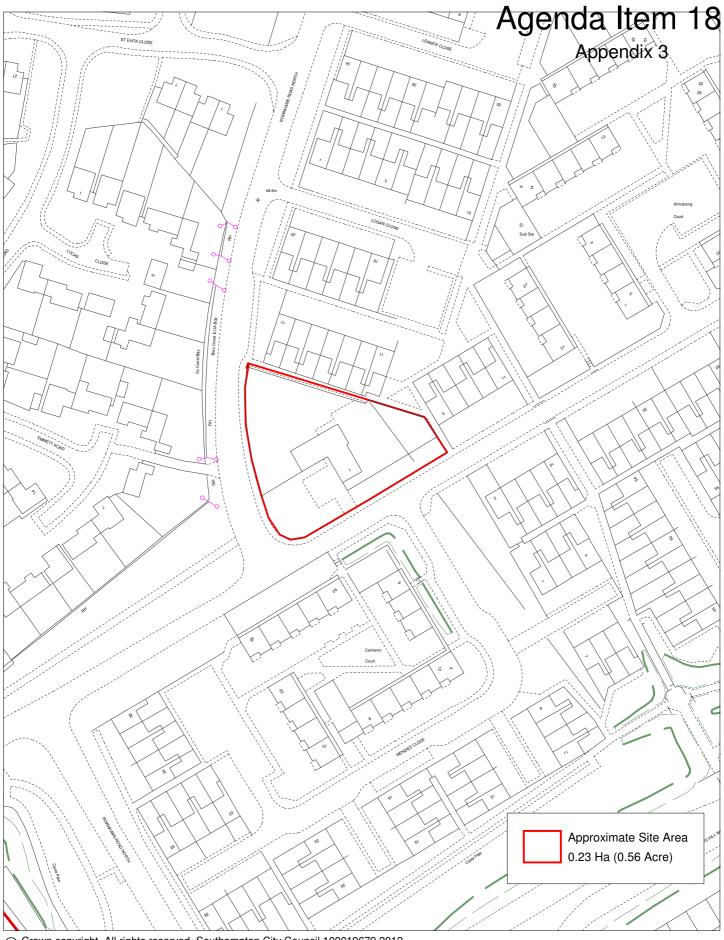


	RVICES DIVISION	SCALE (1:)	DATE	
SOUTHAMPTON C MARLAND HOUSE SOUTHAMPTON, S	, CIVIC CENTRE ROAD,	1000	07/01/08	3
PLAN NO			N	N

46 Peartree Avenue - Bitterne Family Centre







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CAPITA SYMONDS
Valuation & Estates
One Guildhall Square
Southampton, SO14 7FP

Property Address:

Sutherland Road, Lordshill

Scale 1:1,250

30.11.2012

Plan Ref:	Property Address:
V3412	Forest View Resource Centre



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

Appendix 4

**Document is Confidential** 

