

Public Document Pack

Overview and Scrutiny Management Committee

Thursday, 12th December, 2013
at 5.30 pm

Council Chamber - Civic Centre

This meeting is open to the public

Members

Councillor Moulton (Chair)
Councillor Vinson (Vice-Chair)
Councillor Chaloner
Councillor Fitzhenry
Councillor Hammond
Councillor Hannides
Councillor Keogh
Councillor Mintoff
Councillor Morrell
Councillor Stevens

Appointed Members

Mr T Blackshaw, The Church of England (Dioceses
of Winchester & Portsmouth)
Mrs U Topp, (Roman Catholic Church)
Vacancies

- Primary Parent Governors Representative;
and
- Parent Governor Representative

Contacts

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Assistant Chief Executive
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PUBLIC INFORMATION

Role of Overview and Scrutiny

Overview and Scrutiny includes the following three functions:

- Holding the Executive to account by questioning and evaluating the Executive's actions, both before and after decisions taken.
- Developing and reviewing Council policies, including the Policy Framework and Budget Strategy.
- Making reports and recommendations on any aspect of Council business and other matters that affect the City and its citizens.

Overview and Scrutiny can ask the Executive to reconsider a decision, but they do not have the power to change the decision themselves.

Overview and Scrutiny Management Committee

The Overview and Scrutiny Management Committee holds the Executive to account, exercises the call-in process, and sets and monitors standards for scrutiny. It formulates a programme of scrutiny inquiries and appoints Scrutiny Panels to undertake them. Members of the Executive cannot serve on this Committee.

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.

Smoking Policy

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

Mobile Telephones

Please turn off your mobile telephone whilst in the meeting.

Fire Procedure

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

Access

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

Dates of Meetings: Municipal Year 2013/14

2013	2014
20 May	16 January
13 June	13 February
11 July	13 March
15 August	10 April
12 September	
10 October	
14 November	
12 December	

CONDUCT OF MEETING

TERMS OF REFERENCE

The general role and terms of reference for the Overview and Scrutiny Management Committee, together with those for all Scrutiny Panels, are set out in Part 2 (Article 6) of the Council's Constitution, and their particular roles are set out in Part 4 (Overview and Scrutiny Procedure Rules – paragraph 5) of the Constitution.

RULES OF PROCEDURE

The meeting is governed by the Council Procedure Rules and the Overview and Scrutiny Procedure Rules as set out in Part 4 of the Constitution.

DISCLOSURE OF INTEREST

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

DISCLOSABLE PERSONAL 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.

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 4.

Other Interests

A Member must regard himself or herself as having a, '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 online via the Council's Website

1 APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)

To note any changes in membership of the Panel made in accordance with Council Procedure Rule 4.3.

2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

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

NOTE: Members are reminded that, where applicable, they must complete the appropriate form recording details of any such interests and hand it to the Democratic Support Officer.

3 DECLARATIONS OF SCRUTINY INTEREST

Members are invited to declare any prior participation in any decision taken by a Committee, Sub-Committee, or Panel of the Council on the agenda and being scrutinised at this meeting.

4 DECLARATION OF PARTY POLITICAL WHIP

Members are invited to declare the application of any party political whip on any matter on the agenda and being scrutinised at this meeting.

5 STATEMENT FROM THE CHAIR

6 MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)

To approve and sign as a correct record the Minutes of the meetings held on 14th November 2013 and to deal with any matters arising, attached.

7 FORWARD PLAN

Report of the Assistant Chief Executive, detailing items requested for discussion from the current Forward Plan, attached.

a) Forward Plan Briefing Paper - Waste Management Policy

Briefing paper detailing the issues relating to the forthcoming Cabinet Decision "Waste Management Policy", attached.

b) Forward Plan Briefing Paper - Implementation of a City Centre Residents Parking Zone

Briefing paper detailing the issues relating to the forthcoming Officer Decision "Implementation of a City Centre Residents Parking Zone", attached.

c) Forward Plan Briefing Paper - Betting Shops, Pay Day Loan Premises and Fast Food Outlets

Briefing paper detailing the issues relating to the forthcoming Cabinet Decision "Betting Shops, Pay Day Loan Premises and Fast Food Outlets", attached.

d) Forward Plan Briefing Paper - Arts and Heritage Collections Policy

Briefing paper detailing the issues relating to the forthcoming Cabinet Decision "Arts and Heritage Collections Policy", attached.

8 ADULT SOCIAL CARE BUDGET PROPOSALS

Report of the Cabinet Member for Health and Adult Social Care, outlining the budget proposals for Adult Social Care, attached.

9 MONITORING SCRUTINY RECOMMENDATIONS TO THE EXECUTIVE

Report of the Assistant Chief Executive detailing the actions of the executive and monitoring progress of the recommendations of the Committee, attached.

WEDNESDAY, 4 DECEMBER 2013

HEAD OF LEGAL AND DEMOCRATIC
SERVICES

SOUTHAMPTON CITY COUNCIL
OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE
MINUTES OF THE MEETING HELD ON 14 NOVEMBER 2013

Present: Councillors Moulton (Chair), Vinson (Vice-Chair), Chaloner, Fitzhenry, Hammond, Hannides, Mintoff and Stevens

In Attendance: Leader of the Council – Councillor Letts
Cabinet Member for Resources – Councillor Barnes-Andrews

32. **APOLOGIES AND CHANGES IN PANEL MEMBERSHIP (IF ANY)**

The Committee noted the apologies of Councillors Keogh and Morrell, Mr Blackshaw and Mrs Topp.

33. **MINUTES OF THE PREVIOUS MEETING (INCLUDING MATTERS ARISING)**

RESOLVED that the minutes for the Committee meeting on 10th and 16th October 2013 be approved and signed as a correct record. (Copy of the minutes circulated with the agenda and appended to the signed minutes).

34. **FORWARD PLAN**

The Committee considered the report of the Assistant Chief Executive, detailing items requested for discussion from the current Forward Plan. (Copy of the report circulated with the agenda and appended to the signed minutes).

RESOLVED:

- (i) on consideration of the briefing paper relating to the forthcoming Cabinet Decision “General Fund Revenue Budget 2014/15 to 2016/17”, the Committee recommended that:-
 - a) the Cabinet consider supporting subsidising Council Tax Benefits for two additional years to delay the impact of the imposed 10% reduction on some of Southampton’s residents;
 - b) the Cabinet give consideration to commencing the commissioning of additional services immediately, so that the benefits can be realised in the short to medium term; and
 - c) the Overview and Scrutiny Management Committee receives updates and reviews on the Transformation Programme at appropriate intervals.

35. **LGA PEER CHALLENGE**

The Committee considered the report of the Assistant Chief Executive outlining the recommendations from the LGA Peer Challenge conducted at the end of July 2013 and the Council’s action plan in response. (Copy of the report circulated with the agenda and appended to the signed minutes).

RESOLVED

- (i) that the Leader explores at a Group Leader's Meeting, how the Council can enable access to information and transparency at the same time as simplifying processes and reducing bureaucracy;
- (ii) that, to help change our culture, the Executive consider how to embed a strong performance management framework throughout the council. This could include making performance an integral part of appraisals, helping link individual roles with the wider Council priorities; and
- (iii) that the Executive consider how, through appropriate training and communication, understanding can improve across the authority of the Council's decision making process and the recognition that we are "one Council".

36. **MONITORING SCRUTINY RECOMMENDATIONS TO THE EXECUTIVE**

The Committee noted the report of the Assistant Chief Executive, detailing the actions of the Executive and monitoring progress of the recommendations of the Committee. (Copy of the report circulated with the agenda and appended to the signed minutes).

Agenda Item 7

DECISION-MAKER:	OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE		
SUBJECT:	FORWARD PLAN		
DATE OF DECISION:	12 th DECEMBER 2013		
REPORT OF:	ASSISTANT CHIEF EXECUTIVE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Mark Pirnie	Tel: 023 8083 3886
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STATEMENT OF CONFIDENTIALITY			
None			

BRIEF SUMMARY

This item enables the Overview and Scrutiny Management Committee to examine the content of the Forward Plan and to discuss issues of interest or concern with the Executive to ensure that forthcoming decisions made by the Executive benefit local residents.

RECOMMENDATION:

- (i) That the Committee discuss the Forward Plan items listed in paragraph 3 of the report to highlight any matters which Members feel should be taken into account by the Executive when reaching a decision.

REASON FOR REPORT RECOMMENDATIONS

1. To enable Members to identify any matters which they feel the Cabinet should take into account when reaching a decision.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. None.

DETAIL (Including consultation carried out)

3. The Forward Plan for the period December 2013 – March 2014 has been circulated to members of the Overview and Scrutiny Management Committee. The following issues were identified for discussion with the Decision Maker:

Portfolio	Decision	Requested By
Environment & Transport	Waste Management Policy	Cllr Vinson
Officer Decision	City Centre Residents Parking Permit Scheme	Cllr Moulton

Leaders	Betting Shops, Pay Day Loan Premises and Fast Food Outlets	Cllr Moulton
Economic Development & Leisure	Arts and Heritage Collections Policy	Cllr Vinson

4. Briefing papers responding to the Forward Plan items identified by members of the Committee are appended to this report. Members are invited to use the papers to explore the issues with the decision maker.

RESOURCE IMPLICATIONS

Capital/Revenue

5. The details for the items on the Forward Plan will be set out in the Executive decision making report issued prior to the decision being taken.

Property/Other

6. The details for the items on the Forward Plan will be set out in the Executive decision making report issued prior to the decision being taken.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

7. The details for the items on the Forward Plan will be set out in the Executive decision making report issued prior to the decision being taken.
8. The duty to undertake overview and scrutiny is set out in Part 1A Section 9 of the Local Government Act 2000.

Other Legal Implications:

9. None

POLICY FRAMEWORK IMPLICATIONS

10. The details for the items on the Forward Plan will be set out in the Executive decision making report issued prior to the decision being taken.

KEY DECISION? No

WARDS/COMMUNITIES AFFECTED:	None directly as a result of this report
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SUPPORTING DOCUMENTATION

Appendices

1.	Briefing Paper - Waste Management Policy
2.	Briefing Paper – Implementation of a City Centre Residents Parking Zone
3.	Briefing Paper - Betting Shops, Pay Day Loan Premises and Fast Food Outlets
4.	Briefing Paper - Arts and Heritage Collections Policy

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	Dependent upon forward plan item
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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)
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1.	None	
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BRIEFING PAPER

SUBJECT: WASTE MANAGEMENT POLICY
DATE: 12 DECEMBER 2013
RECIPIENT: OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

THIS IS NOT A DECISION PAPER**SUMMARY:**

The draft Waste Management Policy brings together all aspects of waste management including local environmental quality issues such as litter, graffiti and fly tipping as well as domestic waste and recycling collections. It also provides an education and enforcement framework which will enable the council to take prioritised enforcement activity relating to enviro-crime and waste management offences.

BACKGROUND and BRIEFING DETAILS:

- 1 The Waste and Recycling Service is currently undergoing a major transformation programme funded by a government grant of £8.28 million from the Waste Collection Support Scheme. The transformation programme has highlighted the need to update the previous Collection of Residential Waste and Recycling Policy to include new services, reflect changes to existing services and to include all other aspects of waste management and local environmental quality. (Local environmental quality (LEQ) issues include litter, fly tipping, fly posting, graffiti and dog fouling.)
- 2 The transformation work has also identified the need for an education and enforcement framework that will encourage improved behaviours, increase recycling quality and quantity and enable the council to prioritise its limited resources to target education and enforcement activities to where it will have the biggest impact, and to take action against those who consistently fail to manage their waste properly.
- 3 Bringing waste and recycling collections and other local environmental quality issues into one policy document will hopefully make it easier for the public to understand the role of the council and the role of residents in helping to make Southampton more attractive and sustainable.
- 4 The new policy builds on the previous service standards and policies and the most significant areas of change are around collection of side waste, the chargeable garden waste service, the new glass collection service and the new education and enforcement framework.
- 5 The education and enforcement framework provides a flexible approach to allow the council to take appropriate action for the appropriate offence. The council will determine enforcement action on a case by case basis. Movement between stages and escalation will be done at the discretion of officers. The policy includes a risk based prioritisation matrix that gives greater priority to high risk areas for example where there is a risk to public health or obstruction to the highway. The framework includes education and advice, informal and formal warnings and formal enforcement activity up to and including the issue of fixed penalty notices (FPNs) or in extreme cases prosecution.
- 6 The framework will allow the council to undertake a range of education and enforcement activities depending upon the nature and seriousness of the offence. This includes awareness activities for offences such as bin contamination, followed

BRIEFING PAPER

up with warnings and potentially alternative service provision for residents who are consistently getting it wrong; and on the spot fines for offences such as littering. Intelligence on enviro-crime hotspots will enable officers to use limited resources on specific, targeted interventions.

- 7 Generic Section 46 notices were issued to all households as part of the direct mail introducing the Bin it to Win it recycling rewards scheme. The notices set out the detailed legal arrangements for waste and recycling collections in Southampton (including what should and should not be placed in each kind of bin, where they should be placed for collection and when they should be taken back in etc.) and enables the council to consider action against those who do not comply with the notice. Any formal action against individual residents will require individual notices to be served as appropriate.
- 8 The waste and recycling service are looking to move to a new 'sweep system' of collections which will greatly simplify and balance the collection rounds and will be area based. This will enable the service to focus collection, education and enforcement resources in one area on one day more effectively and hopefully reduce service failures. This new collection methodology may result in a change of bin collection day for some residents but this will be kept to a minimum where possible. A full communications plan will be developed to publicise these changes.
- 9 Consultation with staff, unions, and the Cabinet Member has taken place and has informed the development of the policy. Targeted consultation has been undertaken with members of the public via the waste and recycling customer engagement group and customer distribution lists.
- 10 The draft Waste Management Policy can be found at appendix 1.

RESOURCE/POLICY/FINANCIAL/LEGAL IMPLICATIONS:

Financial

- 11 The policy does not have any significant financial resource implications. The transformation of the service is being funded by the government grant. Education and enforcement activity will be achieved by up skilling and training existing officers within relevant front line services.
- 12 There may be minimal financial costs in terms of promoting the new policy but where possible this will link to other planned promotional work and will be funded by the transformation programme.

Property / Other

- 13 None.

Legal

- 14 The policy has been developed in line with the Council's duties under the Environmental Protection Act (1990) and Clean Neighbourhoods and Environment Act (2005). The policy will be reviewed and refreshed in light of any changes to legislation as necessary.

BRIEFING PAPER

- 15 The policy has been developed having regard to the Council's duties under the Equalities Act 2010, together with the Human Rights Act 1998. Any enforcement action that may be taken in pursuance of the policy will only be considered having regard to Article 6 of the European Convention on Human Rights (right to a fair trial) and where considered necessary to addressing a pressing social need and proportionate to the nature of the offence committed. The policy has also been developed having regard to the Council's duties under s.17 Crime & Disorder Act 1998 and the need to eliminate or reduce enviro-crime in the Southampton area.

Policy

- 16 The Waste Management Policy is in accordance with the Council's policy framework including the Council Plan.

Appendices/Supporting Information:

Appendix 1 Waste Management Policy

Further Information Available From:	Name:	Helen Saward
	Tel:	023 8083 2884
	E-mail:	helen.saward@southampton.gov.uk

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Southampton City Council

Waste Management Policy

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1. Introduction

- 1.1. We know that having a clean and attractive neighbourhood is important to you. That is why we are working hard to give you a quality service. This policy has been developed to inform residents of the services we, the council, provide, outline what we expect you to do and provide a framework of enforcement action that we can use when things go wrong.
- 1.2. Our purpose is to make Southampton a clean city and to help Southampton residents to recycle as much as possible and to minimise and manage their waste in the most cost effective and efficient way.
- 1.3. We aim to work with the local community to enable local people to participate directly in the development, improvement and maintenance of their own local environment. If you want to put forward a suggestion or report a problem with any of the services included in this policy please contact us via our website, Recycle for Southampton app or call Actionline (details at the end of this document).
- 1.4. Research has shown that an unattractive local environment can have a negative impact on local communities and people's perceptions of an area. The presence of graffiti, litter, fly posting, bins left on pavements and fly tipping has an impact on perceptions of safety, can encourage further vandalism and more serious crime and can impact on quality of life.
- 1.5. Everyone in Southampton has a personal responsibility to manage their waste responsibly and keep Southampton free of litter, graffiti, fly tipping, fly posting and dog fouling.

2. Scope of policy

- 2.1. This policy applies to the management of waste across Southampton and includes all local environmental quality issues (LEQ- litter, graffiti, fly tipping, fly posting and dog fouling) and the collection of waste and recycling from all households in Southampton. (It does not cover commercial waste collection from businesses.)
- 2.2. The aim of this policy is to improve Southampton's local environmental quality and increase the quality and quantity of waste recycled.
- 2.3. The Environmental Protection Act 1990 places a duty on local authorities to ensure that the roads and highways for which they are responsible are kept clear of litter and refuse, as far as is practicable. The Act also imposes a duty on waste collection authorities to arrange for the collection of household waste in their areas. Southampton City Council is a waste collection authority.
- 2.4. The Clean Neighbourhoods and Environment Act 2005(CNEA) introduced a raft of powers for local authorities to use to help tackle LEQ problems and anti-social behaviour such as litter, graffiti, fly tipping and dog control.
- 2.5. This policy sets out how we will meet these duties and how we will use these and other powers and tools at our disposal, to ensure that within available resources, enforcement work is carried out in an effective, consistent, proportionate and fair manner across the city.
- 2.6. We have adopted the Cabinet Office's "Enforcement Concordat" which sets out the principles of good enforcement. In addition, all officers will consider and follow the Code of Practice for Crown Prosecutors, issued by the Crown Prosecution Service, when taking decisions on whether to prosecute.

3. Local environmental quality (LEQ)

3.1. Litter

- 3.1.1. Any rubbish dropped on the ground or disposed of inappropriately is littering. This includes, but is not limited to, cigarette ends, chewing gum, fast food/drinks containers and snack/confectionary wrappers. The act of littering is not only unlawful but it is also dangerous, can be harmful to ourselves and wildlife, attracts vermin and spoils the appearance of the city.
- 3.1.2. We provide over 1,000 litter bins on the streets of the city for members of the public to use.
- 3.1.3. We aim to remove reported build ups of litter within one working day.
- 3.1.4. We can issue fixed penalty notices to anyone caught dropping litter or chewing gum, discarding rubbish from a vehicle or throwing away cigarette ends.
- 3.1.5. Businesses have a responsibility to keep their waste tidy and safe and to pay for the disposal of their own waste. Trade or commercial waste should not be placed in litter bins. We may take enforcement action against businesses which fail to comply.

3.2. Graffiti

- 3.2.1. Graffiti is criminal damage and is defined as any illegal marking to walls or surfaces and can range from small scribbles or 'tags' to large spray paintings.
- 3.2.2. We are responsible for removing graffiti from public property and aim to remove racist and obscene graffiti within 24 hours of it being reported. Other graffiti will usually be removed within 2 to 4 weeks.
- 3.2.3. Racist and obscene graffiti will normally be removed from private property free of charge (we may look to recover costs from commercial properties). Graffiti of any other kind on private or commercial property is the responsibility of the landowner/ occupier. We may be able to offer a chargeable removal service for the removal of other graffiti from private and commercial property. Availability and cost of the service would be discussed with the property owner on a case by case basis.
- 3.2.4. A fixed penalty notice may be issued for minor graffiti offences. Hundreds of pounds worth of damage can quickly be done by a single "tagger". These prolific "taggers" could be prosecuted and could receive a fine of up to £2,500 or be imprisoned.

3.3. Fly tipping

- 3.3.1. Fly tipping or dumping is the illegal deposit of any waste onto land or a highway. This includes garden waste.
- 3.3.2. Everyone has a duty of care to ensure that anyone taking their waste away disposes of it correctly. If your waste is later fly tipped and traced back to you, then you could be prosecuted.
- 3.3.3. We may take enforcement action against anyone found to be fly tipping on public or private land. If a substantial quantity of waste is dumped or if it contains hazardous materials, offenders could be prosecuted which could lead to a fine of up to £50,000 and confiscation of the vehicle used to transport the waste.

3.4. Fly posting

- 3.4.1. Fly posting is the illegal display of advertising material generally on buildings and street furniture, without the permission of the owner. Fly posting can be unsightly and make an area feel unsafe and uncared for.
- 3.4.2. We are responsible for removing fly posting from public buildings and property. The owner of the property is responsible for removing fly posting from private property.
- 3.4.3. We may take enforcement action against businesses or individuals undertaking fly posting activity in the city.

3.5. Dog fouling

- 3.5.1. It is the responsibility of the dog owner or the person in charge of the dog to clear up any dog foul left by their dog. The regulations state specifically that being unaware that the dog has fouled, or not having a suitable means of removing the faeces is not a reasonable excuse for failing to clean up after your dog.
- 3.5.2. Dog faeces are potentially harmful to public health and should be disposed of appropriately. As long as it is bagged correctly, dog waste can be put in any public litter bin.
- 3.5.3. If you fail to clean up after your dog you can be issued with a fixed penalty notice, or if the case goes to court a fine of up to £1,000.
- 3.5.4. The council has in place Dog Control Orders which allow us to take enforcement action against irresponsible dog owners. The Fouling of Land by Dogs (the City of Southampton) Order 2011 enables us to take action against people who fail to clean up after their dog.

4. Waste and recycling

4.1. Household waste and recycling collections

- 4.1.1. Residents in all dwellings in the city will have their dry mixed recycling (blue lidded wheeled bin or clear sacks) and their general waste (green lidded wheeled bin or black sacks) collected at a time and schedule determined by us (details available on our website, including bank holiday arrangements). We also operate a chargeable collection service for garden waste (see section 4.2). From October 2013 we will be introducing a glass collection service (see section 4.3).
- 4.1.2. All properties that we consider can accommodate a wheeled bin anywhere within the boundary of the property will be required to use one unless we agree otherwise in writing.
- 4.1.3. Should you believe your property is not suitable for wheeled bins (due to space, access, steps etc.) you should contact Actionline. We will visit the property to decide upon the most appropriate container to be used for waste and recycling collections. Plastic sacks will be issued to those properties that we agree are not suitable for wheeled bins.
- 4.1.4. Plastic sacks of a type and number considered reasonable by us (usually one per scheduled collection) will be issued annually. Additional sacks will only be provided for recycling collections.
- 4.1.5. Wheeled bins and sacks should be placed where the public highway begins and private land ends (the edge of your property). In the majority of cases this will be where gates or drives meet the pavement.

- 4.1.6. Collection teams start work from 6.30am, so all bins or sacks are required to be put out in time, or the night before. Collections will be between 6.30am and 5pm. You should not rely on crews arriving at a set time.
- 4.1.7. Any bins/sacks not placed out for collection or placed out late resulting in a missed collection, will be emptied on the next scheduled collection day.
- 4.1.8. If a bin is placed out for collection in accordance with this policy and (save for circumstances beyond our control) we fail to empty the bin, we will rectify this within two working days of it being reported, or as soon as possible by arrangement with you. This might include occasions when access to a property is blocked.
- 4.1.9. There are occasions when collections may be missed due to circumstances beyond our control. These might include factors such as adverse weather (e.g. snow/ice) and industrial action. We will make every effort to minimise the disruption to residents but some collections may be missed. Where we are unable to recover missed collections due to circumstances beyond our control, you are asked to keep hold of your materials until the next scheduled collection or you can choose to take them to the household waste recycling centre (we will not be liable to reimburse the cost of any alternative disposal method that you choose to use).
- 4.1.10. If you move house, waste and recycling bins/sacks must be left for the new occupant of the property. Although the receptacles remain the property of Southampton City Council, they are allocated to individual properties. Residents who remove a bin from a property without our written permission may be charged for the provision of a replacement. If you move into a house in Southampton and the waste and recycling containers have been removed, please contact Actionline.
- 4.1.11. Waste and recycling from residents living in flats is collected via communal bins that are regularly emptied. Bin store areas are the responsibility of the landlord.
- 4.1.12. Bin cleaning is the responsibility of the householder or in the case of communal bins it is the responsibility of the landlord. Keeping bins clean reduces unpleasant odours, flies and vermin.

4.2. Garden waste

- 4.2.1. We operate a chargeable collection service for garden waste from households.
- 4.2.2. The service runs from April to March and there is an annual charge which needs to be renewed each year. A half year charge is available for new residents joining the scheme part way through the year, depending on the date they join the scheme.
- 4.2.3. The service offers a variety of bin sizes with 24 fortnightly collections throughout the year on a day specified by us. There are no collections over the Christmas and New Year period. More details can be found on our website www.southampton.gov.uk.
- 4.2.4. If you live in a property without a frontage you may be entitled to purchase disposable bags, this will be decided by us on a case by case basis.
- 4.2.5. No garden waste should be placed in your general waste or recycling bins (green and blue lidded bins). If garden waste is found in these bins we can ask you to remove it before we empty your bin and may take enforcement action as appropriate.
- 4.2.6. If you contaminate your garden waste bin, we may refuse to collect the bin until the contamination is removed, suspend or cancel the service or take enforcement action. In the

event that the service is suspended or cancelled due to improper use / contamination, you will not be eligible for a refund of the charge for the remaining period of the year.

- 4.2.7. Alternatively you can compost your garden waste at home or dispose of garden waste for free at the household waste and recycling centre at the City Depot and Recycling Park.

4.3. Glass recycling

- 4.3.1. From October 2013 we will be rolling out a glass collection service to all households (to be completed by summer 2014).
- 4.3.2. The majority of houses will be provided with a plastic box that will be collected at the same time as dry recyclables (the blue lidded bin).
- 4.3.3. All flats and some houses which we consider to have difficult access or to be inappropriate for collection of a box, will be allocated to a community glass recycling point consisting of a small glass bank or a communal wheeled bin. These properties will not be eligible for a glass recycling box.
- 4.3.4. Glass will only be collected from the container provided. Residents who are eligible for a glass recycling box can request additional glass recycling boxes via Actionline.

4.4. Side waste

- 4.4.1. Side waste is any waste that is put out for collection that is not contained inside the wheeled bin with the lid fully closed. All waste should be contained within the correct container or sack. Side waste attracts rats, causes obstructions and damages the local environment.
- 4.4.2. Recycling side waste will be collected with the blue lidded bin if suitably contained (see the council website for further advice).
- 4.4.3. Other side waste will not be collected and collection crews will empty the wheeled bin and place the side waste into the empty bin for collection on the next collection day.
- 4.4.4. If you persistently leave out side waste, we may take enforcement action.
- 4.4.5. Any side waste or bulky waste that is left out on non collection days may also be treated as littering or fly tipping and we may take enforcement action or a charge may be made for its removal.

4.5. Bins on pavements

- 4.5.1. Bins and containers should be put out for collection as stated in section 4.1.
- 4.5.2. Collection crews are instructed to return bins to the point they were collected from or a safer, more appropriate position. For example in certain circumstances where the pavement is particularly narrow, the collection crew may return the bin to the edge of the property as a safer position.
- 4.5.3. It is your responsibility to take your bins back in after collection. This should be undertaken by the end of the collection day. If you fail to return the bin to your property by the end of the collection day without reasonable excuse, we may take enforcement action.
- 4.5.4. If you are on holiday or working away from home, please make arrangements with a neighbour/someone else to present the bins/sacks for collection, and take the bins back in after collection.
- 4.5.5. We accept no liability for any obstruction, loss or damage, howsoever occurring, resulting from any bin left on the highway for collection unless directly attributable to the negligence of

our collection crew. Obstruction, loss or damage is, in the first instance, a matter for your household insurance arrangements.

4.6. Contamination

- 4.6.1. Contamination is when items of waste are placed in the wrong bin or container.
- 4.6.2. It is important that we collect good quality materials for recycling. Putting items that cannot be recycled in the blue lidded bin reduces the quality of our recycling and there is a risk that it will be rejected by the re-processors. This means that the waste is sent to landfill or other less environmentally sustainable forms of disposal and ultimately costs Southampton residents more to dispose of. A contaminated load of recycling costs us over £500 to deal with.
- 4.6.3. Items that can be recycled should be placed loose in the blue lidded bin (i.e. not in plastic or black bags.) Plastic and black bags cannot be recycled by us.
- 4.6.4. In order to improve our recycling quantity and quality and to reduce the cost of the collection service, if the recycling bin is contaminated it will not be emptied (blue lidded). If the contaminating materials are removed, the bin will be emptied on the next scheduled collection day.
- 4.6.5. If the green lidded household waste bin contains the wrong items (e.g. garden waste) the bin will not be emptied. If the contaminating materials are removed, the bin will be emptied on the next scheduled collection day. Garden waste cannot be processed with general household waste.
- 4.6.6. If garden waste bins are contaminated (brown lidded) we may remove the bin and no longer provide the service. (Customers would not be eligible for a refund for the remaining period of the collection year.)
- 4.6.7. If you persistently contaminate your bins (green lidded bin, blue lidded bin, brown lidded bin and glass recycling box) we may take enforcement action (see section 6).
- 4.6.8. You should make every effort to put the right materials in the right container. If you need help or advice, please contact Actionline or visit our website to check what can be recycled www.southampton.gov.uk/recycle.

4.7. Bin and container sizes (smaller, larger, additional)

- 4.7.1. A 240 litre capacity wheeled bin is the standard bin issued to all properties for the collection of recycling and household waste (one bin for recycling, one for household waste).
- 4.7.2. If you require a smaller household waste bin (140 litre capacity) because you only produce a small amount of waste, please contact Actionline. Requests will normally be processed within seven working days.
- 4.7.3. Families of six or more permanently residing at the property may, at our discretion, qualify for a larger 360 litre capacity wheeled bin. In exceptional cases a second household waste bin may be offered.
- 4.7.4. If a larger/additional bin is required you should complete an application form and you must be able to demonstrate that you are maximising use of the recycling facilities provided.
- 4.7.5. Larger/additional recycling bins will be provided for residents if requested as long as there is space to store them in the front of property and if we consider the request reasonable having regard to the waste collection needs of the household.

4.7.6. Support is available to help you recycle and manage your waste and we may undertake 'waste audits' to help residents who are struggling.

4.8. Replacement bins and containers

4.8.1. If a bin or container goes missing or is stolen it will be replaced the first time free of charge, thereafter a charge may be made. Replacement bins should normally be delivered in seven working days, subject to availability.

4.9. Assisted collections

4.9.1. Assisted collections can be provided to residents who have difficulties moving their wheeled bins/sacks to the edge of the property. This could include residents who are elderly, or who have a physical or mental disability, which could be short or long term. There should be no one in the property able to present bins/sacks for collection. We will assess applications on a case by case basis.

4.9.2. Residents should contact Actionline in the first instance. Each application will be dealt with confidentially and sensitively and a home visit may be required. We will determine the type, size and number of collection containers.

4.9.3. The register of assisted collections will be reviewed regularly. Residents must contact Actionline when this service is no longer required. We reserve the right to cancel an assisted collection, having given notice to the registered service user, if we believe it is no longer required.

4.10. Bulky household waste

4.10.1. We are not required to collect bulky waste items such as beds, washing machines, furniture etc. free of charge. These should not be left out for the domestic waste collection. It is your responsibility to organise the disposal of these items by either taking them to the City Depot and Recycling Park (Household Waste Recycling Centre) or asking the Council or another organisation to collect these items (for which there will be a charge).

4.10.2. We provide a chargeable bulky household collection service for residents to dispose of large household items which cannot be disposed of through the normal domestic collection service.

4.10.3. For information about this service and current charges please visit www.southampton.gov.uk/recycle or contact Actionline.

4.11. Developers and new property

4.11.1. We expect the developer to meet the cost of providing bins to housing developments and apartment blocks. Prior to purchase of the bins the developer is to contact us to request a detailed specification. Bins that do not meet our specification will not be collected and developers that fail to meet their obligations in this regard may be subject to enforcement action. Waste storage areas should be sited and designed to enable residents and collection workers to conveniently and safely access waste containers.

4.11.2. Please check the Planning Design Guide for further details www.southampton.gov.uk/planning

5. Household waste recycling centre

- 5.1. You can use this facility to dispose of items not collected via the domestic waste and recycling collection service. Such items include side waste, wood, small quantities of soil and rubble, garden waste, car engine oil, car batteries, furniture, electrical goods and household effects. Where possible items are resold or recycled.
- 5.2. The centre also accepts hazardous waste such as paint, pesticides, specialised cleaning materials and fluorescent light tubes. The centre also accepts and recycles low energy light bulbs.
- 5.3. The centre will not accept trade or commercial waste. Southampton City Council and Hampshire County Council have jointly introduced a permit scheme at Household Waste Recycling Centres across the county to prevent traders using commercial vehicles to deposit trade waste.
- 5.4. If you only have access to a commercial type vehicle for your domestic use, you can still use the HWRC free of charge by obtaining up to 12 permits a year. To obtain a van or trailer permit please contact Hampshire County Council on 0845 603 5634.
- 5.5. A height barrier (5ft 9"/ 1.75 metre) is in place to prevent misuse of the centre by trade vehicles. Please check your vehicle will be able to get under the barrier prior to visiting the site to avoid disappointment. If you have a people carrier, 4 x 4 or transit type van it is unlikely you will be able to access the site except on Saturday and Sunday, when the height barrier is raised to allow access for this type of non commercial vehicle.

6. Education and enforcement framework

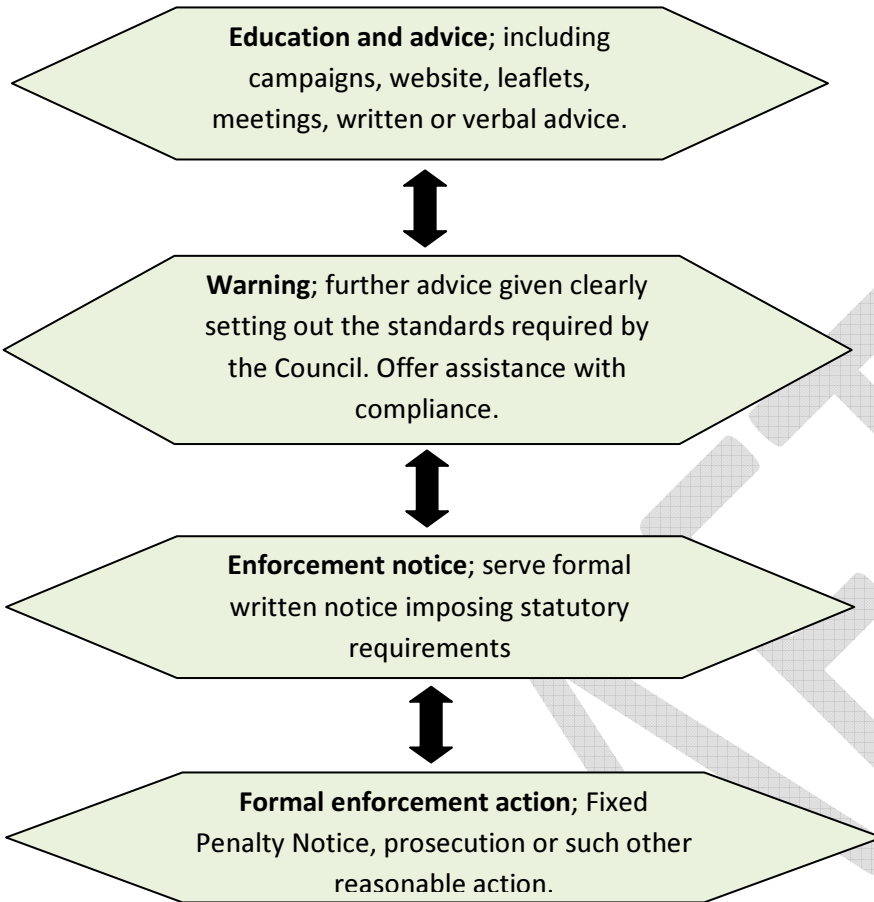
- 6.1. Everyone should take responsibility for the waste they produce. We aim to educate local residents, businesses and visitors to the city to increase awareness and understanding of their role in responsible waste management. This may be through targeted campaigns, the council website, leaflets, posters, events and working with community groups.
- 6.2. Where education has failed to improve behaviour, we may take enforcement action and will generally prioritise waste management enforcement activities on a risk basis as per the risk rating matrix below. Issues which are considered high risk by us will be prioritised for enforcement action. Offences causing a danger to public health will be given highest priority. Other factors that will be considered include, but are not limited to, offences which cause a public nuisance or harm to the local amenity. These may include causing an obstruction to the highway, damage to property or causing a detrimental impact to the quality of the local environment. (Wider highway enforcement issues are not covered by this policy.)

LIKELIHOOD (of causing public nuisance or harm to local amenity)	Very High	A					High priority
	High	B					
	Significant	C					
	Low	D			Medium priority		
	Very Low	E					
	Almost impossible	F	Low priority				
RISK RATING MATRIX			5	4	3	2	1
			Negligible	Marginal	Significant	Critical	Catastrophic
			IMPACT				

e.g. if a bin is left out on a narrow pavement the likelihood of this causing an obstruction is high and the impact of the obstruction would be significant, therefore the risk would be red and a high priority for us to take action.

e.g. if the bin contains a few of the wrong items the likelihood of being rejected is very low and the impact to the rest of the recycling load is marginal, therefore risk would be green and not a priority for enforcement action.

- 6.3. We have statutory duties under the Environmental Protection Act 1990 and the Clean Neighbourhoods and Environment Act 2005 to keep the streets clean and clear of litter and refuse. These pieces of legislation also give us powers to tackle local environmental quality issues and to undertake enforcement.
- 6.4. We issued city wide notices under Section 46 of the Environmental Protection Act 1990 in September 2013. These notices set out the legal duties and obligations of the council and residents alike and form the basis for the council's enforcement framework for waste and recycling collections.
- 6.5. The enforcement process will normally only take place where attempts to improve resident behaviour through education, awareness and alternative service provision are unsuccessful, although single high risk / impact offences may be considered for enforcement action where there is an immediate risk to public health and it is in the public interest to urgently remedy the matter.
- 6.6. We will determine enforcement action on a case by case basis and where resources allow.
- 6.7. When evidence of an offence is found, we will decide whether taking enforcement action is appropriate. The level of enforcement activity will be in proportion to the seriousness of the offence. The factors and questions that will be considered include, but are not restricted to;
- a. The seriousness of the offence. Is there a danger to public health and safety or damage to property?
 - b. Is the offence spoiling the local environment or causing a public nuisance?
 - c. Can the offender be easily identified?
 - d. The quality of available evidence and probability of the enforcement action being successful
 - e. The past history of the offender and the probability of re-offending. Is there any reasonable excuse?
 - f. The likelihood that enforcement action and publicity would warn other people not to break the law
 - g. The availability of resources, and whether deploying them elsewhere would be more likely to have a greater impact on improving waste management or improving the local environment.
- 6.8. We will normally take enforcement action if it is supported by an assessment of the factors listed in 6.7, or appropriate warnings have proven unsuccessful. There is no requirement to have first provided education where the infringement is deemed by us to be of a serious nature.
- 6.9. Where an offence has been committed but the offender cannot be identified e.g. fly tipping in a greenway, we may carry out a leaflet drop or write to all properties in the area to inform residents of the problem and their responsibilities.
- 6.10. The enforcement process includes warnings, educational activities and formal enforcement activity up to and including the issue of fixed penalty notices (fines) or prosecution. The diagram below summarises the framework of education and enforcement, however we may take an incremental approach to education and enforcement and may move between stages or jump stages at our discretion depending on the nature and severity of the individual case.
- 6.11. In certain circumstances of environmental crime such as littering or dog fouling, an on the spot fine or fixed penalty notice (FPN) may be issued without prior warning or educational activities.



Littering or dog fouling may result in an on the spot fine (Fixed Penalty Notice)

Offences relating to waste and recycling collections would normally have a minimum of three stages e.g. contamination of recycling for the 1st time- oops hanger placed on bin and bin not emptied; 2nd time – red warning hanger and bin not collected; 3rd time – warning letter and bin emptied 4th time – visit from officer, bin may be removed and sacks provided, may issue FPN.

6.12. The table below outlines the environmental crimes, relevant legislation and potential penalties that may be applied should formal enforcement be justified. Charging levels are set in accordance with legislation. Other legislation and powers are available that may be used to deal with waste management issues. This will be assessed on a case by case basis.

Description of Offence	Act and Relevant Section	Full amount of penalty (FPN)	Amount of penalty (FPN) if paid within ten days	Maximum penalty on conviction
Litter (including discarded gum and cigarettes)	S88(1) Environmental Protection Act	£75	£50	£2,500
Street litter control notice and litter clearing notices	S94(2) Environmental Protection Act	£100	£60	£2,500
Graffiti and fly posting	S43 Anti-Social Behaviour Act 2003	£75	£50	£2,500
Failure to produce authority (waste transfer notes)	S34a(2) Environmental Protection Act	£300	£180	Summary £5,000 or indictment. £50,000 and/or imprisonment. Forfeiture of vehicle
Failure to furnish documentation (waste carriers licence)	S5b(2) Control of Pollution (amendment) Act 1989	£300	£180	£5,000
Offences in relation to waste receptacles (e.g. putting the wrong thing in the wrong bin)	S47za(2) Environmental Protection Act	£100	£60	£1,000
Offences under dog control orders (e.g. dog fouling)	S59(2) Clean Neighbourhoods and Environment Act 2005	£75	£50	£1,000
Fly tipping	S33 Environmental Protection Act 1990	No fixed penalty notice	No fixed penalty notice	Summary £5,000 or indictment. £50,000 and/or imprisonment
Distribution of handbills/leaflets	Southampton City Council byelaw	No fixed penalty notice	No fixed penalty notice	£500

7. Contacts and further information

Southampton City Council www.southampton.gov.uk

Download our Recycle for Southampton app for more information

Actionline 023 8083 3005

actionline@southampton.gov.uk

Household waste and recycling centre;

City Depot and Recycling Park
First Avenue
Southampton
SO15 0LJ

Keep Britain Tidy www.keepbritaintidy.org

Environment Agency www.environment-agency.gov.uk

Recycle now www.recyclenow.com



DRAFT

BRIEFING PAPER

SUBJECT: IMPLEMENTATION OF A CITY CENTRE RESIDENTS PARKING ZONE
DATE: 12 DECEMBER 2013
RECIPIENT: OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

THIS IS NOT A DECISION PAPER**SUMMARY:**

The City Council is proposing to make a new parking offer available for residents living in a part of the city centre. The new offer will allow city centre residents, within a limited redevelopment area, to purchase a parking permit that will allow them to park in pay and display bays on street as an addition or alternative to current arrangements and to encourage and promote the regeneration of this particular area of the City.

BACKGROUND AND BRIEFING DETAILS:

1. A new permit offer is required because the population of the city centre is rising and there is a need to make more efficient use of city centre development land. Many existing residents do not have access to convenient parking and this proposal seeks to address this. In addition it seeks to make better use of land and encourage development opportunities in the city centre in areas that would benefit from regeneration developments by maximising available development land. It does so by allowing the sharing of pay and display bays with residents parking.
2. Following a consultation process, the decision to amend Southampton City Council parking policy to allow the introduction of a city centre residents parking permit scheme was made at Cabinet on the 18th June 2013. This included provision for the details of the scheme (including cost of permits, number of permits issued etc), to be determined under delegated powers. Officers are now drafting the Traffic Regulation Order ready for advertising.
3. Key details of the scheme to be advertised include:
 - The area of coverage and eligibility (see Appendix 1)
 - The terms and conditions that will apply
 - The level of charge
 - A concession for any social housing tenants
 - An ability of the council to limit the numbers on issue
4. Over the last 10 years as a result of a renaissance in city centre residential development, the Bargate has gone from being the least populated ward in Southampton to the one with the highest population, however there are areas of the ward that would benefit further from regeneration specific areas. Consequently, there is now significant demand for parking by residents and to enable sustainable new development and a need to manage this demand.

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5. The proposals support development and regeneration of derelict sites in the city centre by allowing developers to make better use of high value land assets. For example, Southampton City Council has been in negotiation with developers to build new social housing units at the Fruit and Vegetable Market site in Queensway. As part of the proposal, the developer has committed to using on-street parking at this location rather than provide onsite parking. This has maximized the number of development units.
6. The proposed city centre residents parking permit scheme will make use of existing on-street pay and display spaces. Due to the conflicting demands on these parking spaces (from shoppers and other visitors to the city), only a very limited number of permits relative to the population of the city centre can be made available through this approach. We estimate that this may be around 100. Numbers or eligibility may be increased if parking demands in the permit area are not exceeded.
7. The proposed parking permit zone is outlined on the map in Appendix 1. Residents will be able to use their permit to park in any pay and display space located within the streets selected for the scheme as marked in green on the map in Appendix 1.
8. Partly due to the results of the parking survey, but also from the need to protect the local economy, streets which directly serve retail and restaurant areas have been specifically excluded from the permit scheme. These are shown in red on the map in Appendix 1.
9. There will initially be 100 permits available on a first come first served basis. The cost of the permit will be £1000 per annum (or £500 for residents in social housing). Residents will be able to make monthly payments via standing order. The level of charge has been set at a level which considers:
 - The need to manage demand for permits
 - Is expected to cover the costs of operation and management of the schemeAs this has never been done before the uptake is uncertain and operational costs have been estimated based on expected take up and impact on enforcement demands. Whilst there will be an income from the permit charge there will also be a loss of revenue from spaces that may otherwise have been used by other customers. There is also a one off cost of implementation of around £30k for officer time, consultation, signs and lines. As many of these variables are unknowns it is not possible to accurately forecast if this scheme will adequately cover its costs. Equally, permit costs could be revisited in the future in the event the income from the scheme begins to significantly outweigh the costs of administration and enforcement.
10. The permit will be significantly less expensive than existing on-street parking fees when paid over a year and purchasing a permit is in no way compulsory. Residents can instead choose to continue to use pay and display bays during charging times on a visit by visit basis. In addition a number of other city centre permits are due to be available from early next year and these may affect demand for this permit.
11. If the permit scheme is approved, it is feasible that the scheme could be implemented before the end of the financial year or into the early part of next. Following a statutory consultation period for new Traffic Regulation Orders on the affected streets, the only physical works required are the implementation of new parking signs in the proposed zones.

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12. The scheme will be monitored to determine the extent to which it has affected parking capacity in the city centre and the revenue generated from pay and display spaces. We will also monitor feedback from residents and local businesses.

RESOURCE/POLICY/FINANCIAL/LEGAL IMPLICATIONS:

Financial

13. The implementation costs are considered to be around £30k. There will be an element of revenue forgone from customers who would have paid at a pay and display machine. This figure is unknown.
14. Until the scheme has been in operation for a while it will not be possible to estimate with any accuracy how much income it would bring in and costs will therefore be kept under review on an annual basis.

Property / Other

15. The proposal does not significantly impact upon any property interests.

Legal

16. Any projects developed will be delivered in accordance with a variety of Highways and Environmental legislation, including but not limited to the Highways Act 1980, Road traffic Regulation Act 1994, the Traffic Management Act 2004 and s.1 Localism Act 2011.

Policy

18. The necessary amendments to Southampton City Council parking policy were approved by Cabinet on 18th June 2013

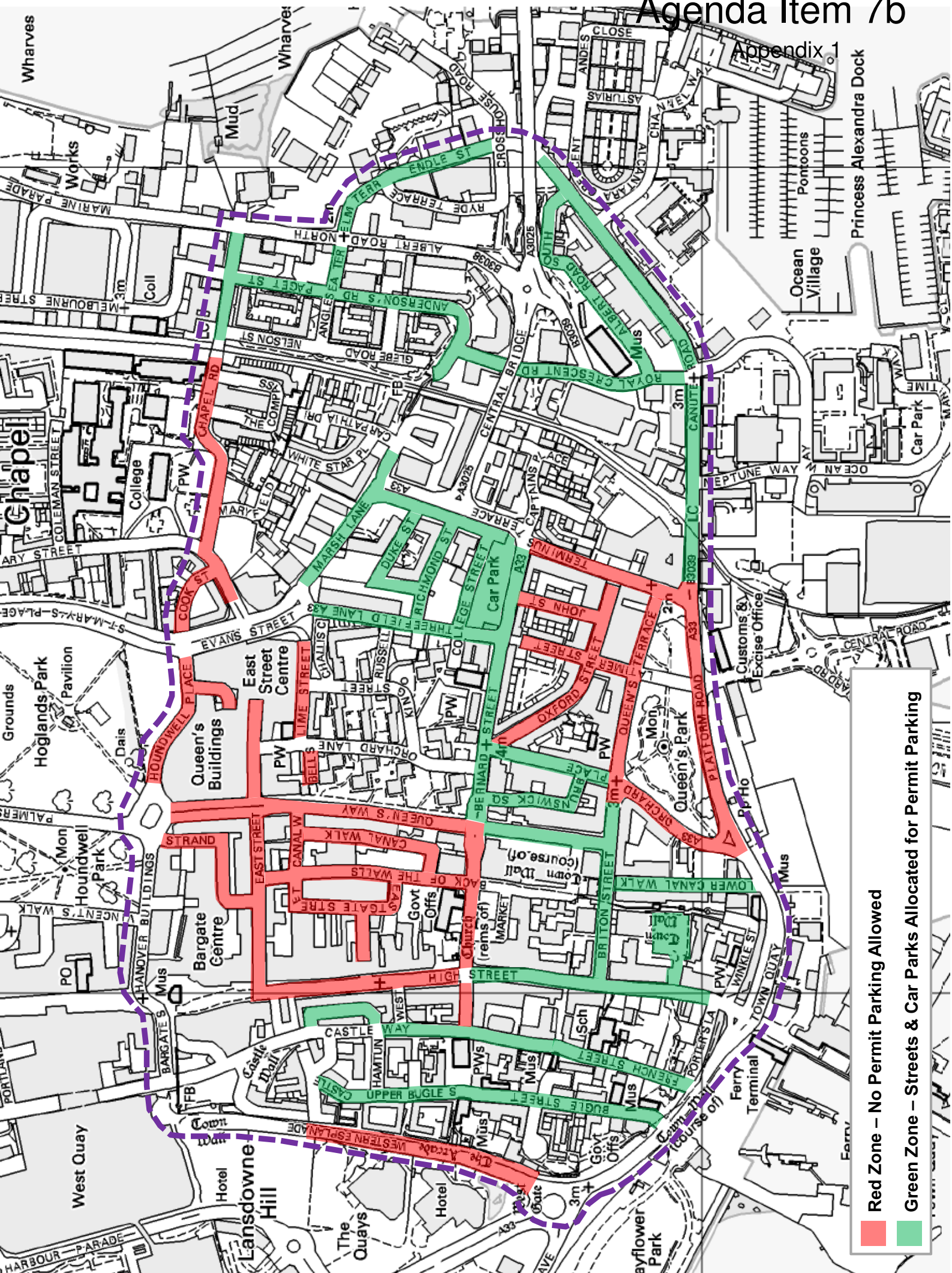
Appendices/Supporting Information:

1. Map of proposed City Centre Residents Parking Zone

Further Information Available From:

Name:	Frank Baxter
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Red Zone – No Permit Parking Allowed
Green Zone – Streets & Car Parks Allocated for Permit Parking

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BRIEFING PAPER

SUBJECT: BETTING SHOPS, PAY DAY LOAN PREMISES AND FAST FOOD OUTLETS
DATE: 12 DECEMBER 2013
RECIPIENT: OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

THIS IS NOT A DECISION PAPER**SUMMARY:**

At Council on 17th July 2013 Cllr Vinson moved a motion that was subsequently amended. The final version stated:

“This Council deplores the unwelcome spread of betting shops, pay-day-loan premises, cheap off-licenses and seeks to bar the opening of fast food outlets near schools. This Council calls upon the Executive to undertake a thorough review of its planning policies (including the potential for additional Article 4 Directions and supplementary planning documentation), reporting back in six months, in order to minimise the harmful impact of these unchecked and unwelcome developments in the City’s district shopping centres, especially where they are likely to harm the health and wellbeing of our more vulnerable communities.”

A report is therefore being presented to the 17 December meeting of Cabinet on betting shops, pay day loan premises and fast food outlets recommending the following:

- I. That the Council assesses all new planning applications for hot food takeaways within 500m of schools and, if there is considered to be a overriding health implication, then opening hours are restricted during lunch times.
- II. That a cross departmental group is set up to explore whether there are opportunities to influence the spread of betting shops, pay-day-loan premises, and the opening of fast food outlets near schools over the longer term and reports back to Cabinet within six months. It is considered that cheap off-licences should not be considered further as it is not a planning issue.
- III. The report back to Cabinet should consider whether an article 4 should be served to prevent the conversion of pubs to other use classes.

BACKGROUND and BRIEFING DETAILS:

1. There are effectively three different issues covered by the Cabinet report – betting shops and payday loans (these are considered together as they have considerable overlap in planning terms); cheap off-licences; and fast food outlets near schools.
2. It is considered that many of the issues raised in the report are legitimate concerns but are beyond the remit of the planning system and are better tackled in a more comprehensive way with input from various bodies. While there is a short term solution for new hot food takeaways that can be implemented immediately, the majority of the issues will require a longer term solution and should be assessed further.

BRIEFING PAPER

Betting Shops and Payday loan shops

3. These activities generally fall within Class A2 of the Town and Country Planning (Use Classes) Order 1987. This class covers banks, building societies, bureau de change, estate agents and employment agencies etc. Therefore, any change in a use in a building between these separate activities does not require planning permission. In addition, there is a permitted change from Use Classes A3 (restaurants and cafes), A4 (drinking establishments), and A5 (hot food takeaways) to Class A2 without planning permission. Lastly, the Government introduced further permitted development changes in May 2013 which allows a temporary change of use from an A1 Use (shops) and a B1 Use (business use) to an A2 Use. However, these new rights are only applicable for a two year period (and only apply to smaller units).
4. Therefore, the vast majority of units within the commercial centres can be converted to be used as a betting shop or payday loans use without requiring planning permission.

Planning Policy

5. Where planning permission is required, the Council's planning policies in the Core Strategy and Local Plan permit a change of use from shops (A1) to use class A2 within main shopping parades as these uses are recognised as appropriate uses for shopping centres. Policy REI3 of the Local Plan seeks to limit changes of use to non-retail activities within the primary retail frontage in the City so that no more than three adjoining units are in non Class A1 use.

Betting shops

6. In addition to planning powers (where they apply), there is also a limited scope to control the numbers of betting shops under the licensing regime. An applicant needs to have satisfied certain criteria, but once they are met and the application is made, the authority making a decision will be subject to the provisions of Section 153 of the Licensing Act. In exercising its function under this part a licensing authority shall aim to permit the use of premises for gambling in so far as the authority think it –
 - a) in accordance with any relevant code of practice
 - b) in accordance with any relevant guidance issued by the Gambling Commission
 - c) reasonably consistent with the licensing objectives, and
 - d) in accordance with the statement published by the authority.
7. The codes of practice or guidance do not contain much to assist with this matter. The statutory licensing objectives are:
 1. preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,
 2. ensuring that gambling is conducted in a fair and open way, and
 3. protecting children and other vulnerable persons from being harmed or exploited by gambling
8. The first two objectives are primarily matters for the Commission and only on the third does the licensing authority have a potentially significant role, advised by the responsible authorities. Regrettably, the legislation fails to define "vulnerable persons". Persons under 18 are barred in law from betting premises.

BRIEFING PAPER

9. It does not appear that there has been a substantial increase in betting shops within the city. There have been seven new applications in the last five and a half years and none so far in 2013. Council officers are in regular contact with the police and there is a monthly licensing action group meeting with various partners. There has not been a concern about a rise in crime linked to betting offices.
10. From the authority's Gambling Statement of Principles the following reference is made to the location: "*Locations for gambling premises, which may pose problems, include those in close proximity to premises frequented by children or other vulnerable persons e.g. schools or parks. Each case will be considered on its merits and if adequate measures are put in place in accordance with this policy to restrict access to children, protect vulnerable persons and prevent crime and disorder, there is no reason why one location poses substantively more risk than another. We recognise that the presence of gambling premises with a constant stream of trade in what may have formerly been an underused area may serve to reduce crime and disorder, however this will only be the case where necessary safeguards are put in place either by the operator or by the licensing authority in the form of licence conditions*".
11. In summary, unless there is evidence an application will not adhere to either the codes of practice, guidance from the Gambling Commission, the licensing objectives, or the authorities statement of principles then the application has to be granted.
12. Parliament has debated the impact of betting shops and the Mary Portas's High Street Review in December 2011 recommended putting betting shops into a separate use class. Umbrella group London Councils has also argued that betting shops restrict choice on the high street, add to perceptions of declining areas, and in some cases have increased crime levels. It has also called for betting shops and pawnbrokers to be moved from use class A2 into a use class of their own. There is currently no plan for the Government to change this.
13. The Public Health team has advised that betting shops are only part of the problem and the rise in on-line gambling is a greater concern but there would be some merit in examining this issue further so better information can be gained from other sources.

Payday Loan shops

14. Current pay day loan premises in Southampton City Centre:
H&T pawnbrokers, 113a East Street
Speedy Cash, 83 Above Bar
Cash Converters, 378-380 Shirley Road

Pawnbrokers also offering Buy Back Loans / loans in Southampton
Cash Converters, 378-380 Shirley Road
Pawnbroker Southampton. 14 The Mall, Marlands Shopping Centre
Cash Recycle, 249 Portswood Road
The Money Shop, x3 (14 Shirley High St, 319 Shirley Rd, 25 Hanover Buildings)
There may be others that we are not aware of following our short survey.
15. There are no additional controls open to the Council covering where a payday loan business can operate. SCC does not licence pay day loan shops as the licensing regime is currently run by the Office of Fair Trading and will be moving to the Financial Conduct Authority (FCA) in April 2014. Trading Standards will be notified of an application for a license.

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16. There has been a review of Payday lending but this is likely to be overtaken by the structural review of the licensing regime. This will introduce a new licensing regime similar to that run by the existing FSA which itself will be split and part will go to the FCA. However, the requirements of these licences and the Local Authority role has been reduced.
17. Local Credit Unions are also available which provide a reliable source of financial help. Two examples are the Solent Credit Union (153A High Street), and United Savings & Loans Hampshire (a service point is in Shirley Housing Office).

Cheap off-licences

18. These fall within use class A1 and therefore any shop (also Use Class A1), financial and professional services (Use Class A2), restaurants and cafes (Use Classes A3), drinking establishment (Use Class A4), and hot food takeaways etc. (Use Class A5) can be converted to an off-license without needing planning permission. Planning policy supports an A1 use in any commercial frontage, and so while most off-licences would not require planning permission, if they did, they would tend to be supported in planning terms.
19. The Public Health team have advised that off-licences are not the source of the main problem with underage or excessive drinking as supermarkets, corner shops, and garage sales appear to generate the majority of these drinking problems. Off-licences require a license for the sale of alcohol and are required to comply with the licensing objectives.
20. The issue appears to be more one around national policy on unit price of alcohol and health awareness campaigns rather than a local issue that the planning system can resolve. Therefore, it is considered that this matter should not be considered further as part of this work.

Takeaway (fast food) outlets near schools

21. Officers have analysed how many takeaways are situated near to secondary schools in the city ('near to schools' defined as within 500 metres of the school gates). Appendix 1 sets out the findings, and includes an analysis (where appropriate) of how the uses within the nearest local or district centre has changed since 2005. This shows that only two schools in the city (15%) are situated near to takeaway premises, and even these are situated just outside the 500m distance (Cantell School near to Burgess Road Local Centre, and Sholing Technology College near to Merryoak Local Centre).
22. However, in those two instances the Council's regular Retail Surveys show that the proportion of (A5) takeaways have increased since 2005 (up 43% in Burgess Road Local Centre, and up 70% in the Merryoak Local Centre). Conversely the proportion of (A1) shops reduced by 8% and 10% respectively.
23. The Council's has produced a "Fit 4 Life" Strategy for Southampton (2008-2013). This is clear that "*a significant proportion of the population does not eat the recommended amount of fruit and vegetables and fibre on a daily basis but eat more than the recommended amounts of fat, saturated fat, salt & sugar.... It is also critical to consider the wider cultural & social context to individual's behaviours such as food & drink access & availability and in particular food pricing, food availability (both purchasing power & ease of access to food outlets.*"

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24. The report also highlighted that prevention of obesity requires changes in the environment and organisational behaviours as well as changes in group, family & individual behaviour. The action plan includes action that the Council can take in schools to provide an environment which positively promotes eating well and being active. For example through the school meals provided on site through school catering, including a Food in Schools Coordinator who will promote meal uptake. All children would be encouraged to choose a healthy school meal on a weekly or daily basis.
25. The Council also undertook an Obesity Inquiry through a Healthy City Scrutiny Panel in 2010. Among the recommendations were ones covering a wider environmental / whole system approach. This included ensuring that "*the Planning and Development Service takes opportunities, as they arise, to review the provision of fast food outlets in Southampton*". This has not been done in a systematic way but on a case by case basis.
26. Current planning policy
 - Hot food takeaways fall with Class A5 of the Use Classes Order and are considered in current policy terms to be an acceptable use for a shopping frontage (Saved Local Plan Policies RE13 – RE17 / Core Strategy Policy CS3). The Council therefore has no current planning policy that would justify refusing planning permission for takeaways near to schools. It would also be difficult to establish if the presence of one has a detrimental health effect on children.
 - From the planning perspective, a takeaway may serve unhealthy food, but not all takeaways will necessarily serve only unhealthy food. Therefore, the Council would need to look at these on a case by case basis to establish the potential harm to the health of children; this may be more appropriately provided by the Public Health team. An alternative approach could be to work with any new businesses to encourage the development of healthier menus, in line with the Government's responsibility deal for businesses.

The Government's attitude to the issue of hot food takeaways

27. The Town and Country Planning (Use Classes) Order 1987 (SI 764) puts hot food takeaways for consumption of food off the premises into use class A5.
28. In March 2009 the Health Select Committee reported on health inequalities. It recommended that local councils should be given greater planning powers to restrict the number of fast food outlets on high streets. Case law has shown that proximity to a school and the existence of a school's healthy eating policy can be a "material consideration" for a local authority taking a planning decision in relation to an A5 takeaway establishment. Further decisions on appeal by Planning Inspectors have shown, however, that in order to successfully refuse planning permission on these grounds a local authority must also show that there is an over-concentration of A5 establishments in the area and provide evidence to show a link between childhood obesity and the proximity of A5 establishments to schools. It was also found that a policy explicitly seeking to control proliferation of fast-food outlets near schools, would make it easier for a Planning Inspector to uphold a decision to refuse an application. Following these decisions, several councils have now published supplementary planning documents relating to takeaway establishments.

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Supplementary Planning Documents (Local Authorities)

29. Salford City council adopted a *Hot Food Takeaways Supplementary Planning Document* (SPD) in 2007. It provides additional advice to prospective takeaway operators about the development and use of premises in Salford as hot food takeaways. It also explains the Council's overall approach to such development, and sets out detailed advice on appropriate concentrations of hot food takeaway establishments, measures to protect the amenity of surrounding residential occupiers, appropriate standards for parking, and servicing for delivery and waste collection services.
30. Worcester City Council adopted its *Takeaway Food Outlets SPD (2011)* which included a requirement for applications to demonstrate the need for a takeaway facility in an area. Details of the number of other takeaway outlets in the surrounding area must be submitted as part of any application. A health policy also states that "*When applications for Takeaway Food Outlets within close proximity of schools, colleges and community centres (400m) are received, the relevant organisations should be consulted*". In its Local Plan (2004) Policy SH5 states that - Planning permission will be granted "*for food outlets and hot food take-away shops where all of the following conditions are met: ... The proposed use will not cause the proportion of units in food/drink (use class A3) use to exceed 20% in the areas defined as approach corridors and St John's district shopping centre as shown on the proposals map*".
31. Sandwell Metropolitan Borough Council adopted a Hot Food Takeaway SPD (2012) with three 'Intervention Points' -
- Proximity to schools: No new Hot Food Takeaway (HFT) Developments will be permitted where they are within 400 metres of a secondary school or college as measured in a direct line from the school entrance.
- Vitality and Viability: A percentage limit for the appropriate number of Hot Food Takeaways in centres (Strategic, Town, District and Local) is as follows:
- In centres with more than 40 units – there should be no more than 10 % of frontages occupied by HFTs.
 - In centres with less than 40 units – there should be no more than 15% of the frontages occupied by HFTs.
- Furthermore, a limit of two outlets together is the maximum appropriate. Should this be exceeded (e.g. three outlets or more together) then the application will not be permitted due to excessive clustering of these types of outlets together
- Environment: Development of new Hot Food Takeaways must not prejudice existing residential developments and must be designed in such a way that they do least harm to the environment, with a number of conditions set out.
32. Three appeals in Sandwell have tested this policy approach, and in all three cases of refusal the appeals were dismissed (one primarily on residential amenity, the other two primarily relating to the percentage limits).
33. Dudley Metropolitan Borough Council adopted its *Planning for Health SPD* in October 2013. This sets out that 10.2% of reception year pupils in Dudley are obese and the borough faces "rising levels of obesity" to which takeaways within walking distance of

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schools are "a contributing factor". More widely, the SPD argues that, while hot-food takeaways can complement other retail uses, they are "more likely to have a detrimental impact on amenity and on retail character and function of shopping centres". Within the Borough's protected frontages planning permission for hot food takeaways will only be granted where no more than 5% of the units will consist of A5 uses. In all the Borough's centres, retail parades and all other areas, no more than 2 A5 uses will be permitted adjacent to one another. Additionally, hot food takeaway shops will be resisted where the proposal will fall within 400m of the boundary of an existing school, or other youth centred facility (e.g. after school clubs, youth centres).

34. In Southampton, no planning policy exists that would justify refusal for a takeaway near to schools, if they are on a shopping parade (Local / District Centre). Outside shopping frontages, there are potential grounds for refusal. Any new policy for takeaways (including any new Supplementary Planning Document) would need to give clear evidence of direct harm arising from a business near a school – given the number and distribution across the city this may be difficult to establish. This would require *at least* 12 months to prepare, consult & adopt a policy.

Options

Article 4 direction (restricting permitted change of use to A2 Use Class)

35. An Article 4 Direction can be served which will remove current permitted changes of use from one use class to another so that a planning application is required to be submitted. However, this will not stop changes of use *within* a use class. Therefore, there would be no way to stop banks, estate agents and employment agency premises from going to betting/payday uses (as they are already in an A2 use class).
36. In addition, to serve an article 4 direction, the Council would have to have clear evidence of harm that a particular use is causing in the city to take the step of serving an article 4 direction as this is seen by the Government as interfering with peoples' property rights and therefore, not something to be done lightly. It is not considered that there is clear evidence of directly attributable harm at this stage.
37. Consideration also needs to be given to the fact that even if it an article 4 direction was served, it only requires a planning application to be submitted and the Council's current policies generally support A2 uses in commercial centres.
38. Article 4 Directions must be made in accordance with national Government guidance given in the National Planning Policy Framework which directs that there must be a clear justification for removing national permitted development rights. The use of Article 4 Directions to remove national permitted development rights should be limited to situations where this is necessary to protect local amenity or the wellbeing of the area. Similarly, planning conditions should not be used to restrict national permitted development rights unless there is clear justification to do so.
39. There are circumstances in which local planning authorities may be liable to pay compensation having made an article 4 direction. Local planning authorities may be liable to pay compensation to those whose permitted development rights have been withdrawn if they: i) refuse planning permission for development which would have been permitted development if it were not for an article 4 direction; or ii) grant planning permission subject to more limiting conditions than the regulations would normally allow, as a result of an article 4 direction being in place.

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40. It should also be noted that before April 2010 the Secretary of State confirmed certain article 4 directions, it is now for local planning authorities to confirm all article 4 directions (except those made by the Secretary of State) in the light of local consultation. While article 4 directions are confirmed by local planning authorities, the Secretary of State must be notified, and has wide powers to modify or cancel most article 4 directions at any point.

41. To avoid claims of compensation, the Council is required to give a year's notice of its intention to serve an article 4 direction. In parallel to this, evidence would have to be produced to support an SPD to consider how planning applications would be supported but in light of the lack of policies in the local plan, it is considered that this is not a suitable option.

Article 4 direction (restricting permitted change of use to A1 Use Class)

42. This option to try to restrict the spread of off-licences would not be possible for the planning system to control as A1 uses are supported in commercial centres. Any existing premises in any A use class can automatically change to an A1 shop and it is considered that evidence does not exist that would show off-licences directly relate to health problems as a use. This is not considered to be a suitable option.

Impose conditions on planning applications for takeaways within 500m of a school

43. It is possible to impose conditions restricting opening hours on a takeaway where it is located within 500m of a secondary school to ensure it does not open during school lunch times. This should be done on an individual basis where the hot food takeaway is examined where it is shown the menu will, on balance, focus on the sale of unhealthy food. There is some risk with this approach as it may prove difficult to argue the one takeaway is detrimental to the wellbeing of the local community but it is considered this is possible.

Set up a cross Council working group

44. It is considered that there is synergy between various departments across the Council and that there would be benefit in a cross-cutting team being set up to consider the relationship between public health, licensing, police, environmental health, trading standards, anti-poverty, schools, and possibly some other departments. The Council took on responsibility for public health on 1st April 2013 and the public health team have a vast amount of evidence and experience that would be useful to consider further and developing linkages would benefit all. It is likely that the Public Health team will also know more about these types of premises and so the evidence base would be improved as a result so options can be explored further.

Do nothing

45. This is possible but it is considered that for the small amount of work involved in pursuing options 4c and 4d would be worth pursuing.

Investigate the harm caused to local communities from the loss of pubs

46. At Full Council on 18th September, a motion was passed to write to the Secretary of State for Communities and Local Government to request that the legislation was changed to require planning permission for the conversion of pubs. However, the Secretary of State has advised that the Council should instead consider the use of article 4 powers. Therefore, it has been suggested that consideration should be given to that as part of this work and so has been added to the recommendations.

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RESOURCE/POLICY/FINANCIAL/LEGAL IMPLICATIONS:

Financial

47. No significant impact on the recommended options 4c and 4d apart from officer time. Options 4a and 4b (not recommended) would involve a significant amount of officer time and potential risk of legal action and/or compensation.

Property / Other

48. None

Legal

49. Town & Country Planning Act

Policy

50. None

Appendices/Supporting Information:

Appendix 1 – Analysis of takeaways within 500m of Secondary School premises

Further Information Available From:

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Appendix 1 – Analysis of takeaways within 500m of Secondary School premises

School	Take-away outlet within c.500m walk?	Details	Within or near a planning designation? (e.g. District / Local Centre / Retail area)	2005 Local / District Centre stats (from SCC Retail Survey 2011) - % of units in A class use	2011 Local / District Centre stats (from SCC Retail Survey 2011) - % of units in A class use	Change in A5 Uses from 2005 - 2011
1. Bitterne Park	No		No.	N/A	N/A	N/A
2. Cantell Maths & Computing College	Yes	- At least 3 premises along Burgess Road	The 3 premises are within Burgess Road Local Centre (REI6 – comprising 26 ground floor units) - just over 500m away.	7 x A5 takeaways (27%) 12 x A1 shops (46%) 3 x A3 food /drink (11%) 15% empty	10 x A5 takeaways (38%) 11 x A1 shops (42%) 2 x A3 food /drink (7%) 7% empty	A5 = Up 43% A1 = Down 8% A3 = Down 30% 6% reduction in vacancies.
3. Chamberlayne College for the Arts	No		No.	N/A	N/A	N/A
4. Oasis Academy Mayfield, Ashley Crescent	No		Lords Hill District Centre (REI5 comprising 19 units) just over 500m away.	No A5's (takeaways) 9 x A1/A2 (shop /financial)	No A5's (takeaways) 6 x A1/A2 (shop /financial)	A5 - No Change A1/2 – Down 33%
5. Oasis Academy Lords Hill	No		No.	N/A	N/A	N/A
6. Redbridge Community School	Yes	1 premises on Kendal Avenue	No.	N/A	N/A	N/A
7. Regents Park Community School	No		No.	N/A	N/A	N/A
8. The Sholing Technology College	Yes	2 premises on Spring Road	The 2 premises are within Merryoak Local Centre (REI6 – comprising 19 ground floor units) – just over 500m away.	3 X A5 takeaways (15%) 9 X A1 shops (47%) 21% empty	5 x A5 takeaways (26%) 8 x A1 shops (42%) 15% empty	A5 = Up 70% A1 = Down 10% 6% reduction in vacancies
9. Southampton Studio School	Yes	At least 5 premises along St.Mary's Street	Near to St Mary's Street Local Centre (REI6 – comprising 38 ground floor units) - just under 500m away Emerging CCAP AP37 (St.Mary Street)	5 X A5 (13%) 15 x A1/A2 (39%) 5 x A3/A4 (13%) 15% empty	4 x takeaways A5 (10%) 13 x shops /financial A1/A2 (34%) 5 x food /pubs A3/A4 (13%) 15% empty.	
10. St Anne's Catholic School, Carlton Road	Yes	At least 8 premises along Bedford Place - At least 2 premises along London Road	Immediately adjacent to Secondary Retail Frontage (REI4)	N/A	N/A	N/A
11. St George Catholic School	No		No.	N/A	N/A	N/A
12. Upper Shirley High	No		No.	N/A	N/A	N/A
13. Woodlands Community College	Yes	1 premises on Melchet Road (Exford Ave parade within 500 m but <u>currently closed</u>)	Near to Local Centre (Harefield REI6 – just over 500m).	Exford Ave parade currently closed	Exford Ave parade currently closed	N/A

BRIEFING PAPER

SUBJECT: ARTS AND HERITAGE COLLECTIONS POLICY
DATE: 12 DECEMBER 2013
RECIPIENT: OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

THIS IS NOT A DECISION PAPER**SUMMARY:**

A report is scheduled to be presented to the 17 December 2013 meeting of Cabinet requesting that the Arts and Heritage Collection Development Policy 2013-17 is approved by the Cabinet Member for Economic Development and Leisure. This Policy, attached as Appendix 1, sets out the framework and criteria for developing the maritime, archive, local history, archaeology and art collections for Arts and Heritage over the next four years. It governs what can be acquired and what can be disposed of.

BACKGROUND and BRIEFING DETAILS:

1. A Council approved acquisition and disposals policy is an essential requirement of the Arts Council Accreditation Scheme for museums. A separate but similar Accreditation scheme governing archives is administered by the National Archives. Without Accreditation, eligibility for funding for Southampton from the Arts Council, Heritage Lottery Fund and other lottery, trust and foundation grant giving sources would be significantly restricted.
2. The Arts & Heritage Collection Development Policy will guide the work of the Arts and Heritage team over the next three years as it rationalises current holdings, adds new material to its collections that reflect the needs of a modern city, and provides enhanced public access to this important learning resource.
3. The policy has developed in consultation with the council's curatorial team. The Chipperfield Advisory Committee has also been consulted; their key request was that a separate Arts Collection Policy was provided. Given that the proposed policy sets out a distinct section for the Art Collection and follows Arts Council guidance in terms of structure, an integrated policy is proposed, to retain a sense of cohesion for the City's collections and to make efficient use of officer's time.
4. The policy outlines how the collections have been shaped by the vision and Stewardship of our city forefathers over the last 100 years. It describes the strategic context within which they now play an important role in including:
 - Promoting Southampton and attracting investment
 - Supporting the development of Cultural Quarter projects
 - Making the City more attractive and sustainable
 - Supporting City learning and educational attainment agendas

Implementing better ways of working to manage reduced budgets and increasing demand.

BRIEFING PAPER

RESOURCE/POLICY/FINANCIAL/LEGAL IMPLICATIONS:

Financial

5. In order to retain Accreditation – one of the most important marks of the gallery's status, Council must ensure it applies Arts Council's guidelines. The guidelines state that only in exceptional cases, may any disposal be motivated principally by financial reasons. Furthermore the guidelines state that where disposal is motivated by financial reasons, the governing body will not undertake disposal unless it can be demonstrated that all the following exceptional circumstances are met in full:
 - the disposal will significantly improve the long-term public benefit derived from the remaining collection,
 - the disposal will not be undertaken to generate short-term revenue (for example to meet a budget deficit),
 - the disposal will be undertaken as a last resort after other sources of funding have been thoroughly explored.

Property / Other

6. There are no property resource implications inherent in the policy itself. It will ultimately inform a collection review and storage relocation project which will have property implications in due course.

Legal

7. Pursuant to the Public Libraries and Museums Act 1964, a local authority may provide and maintain museums and art galleries within its area and may do all such things as may be necessary or expedient for or in connection with the provision of maintenance thereof.
8. An acquisitions and disposals policy is a requirement of Arts Council England which is the strategic public body tasked by the Department for Culture Media and Sport (DCMS) to develop and implement national museums policy and to distribute DCMS museums funding to non-national museums. Items owned by the Council on trust must be kept, maintained and disposed of in accordance with the terms of the relevant trust's Scheme. A failure to do so may result in legal or regulatory action being initiated by interested parties.

Policy

9. The report is in line with the Policy Framework.

Appendices/Supporting Information:

Appendix 1 - Collections Development Policy 2013-17

Further Information Available From: **Name:** Lisa Shepherd
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Southampton City Council

Arts and Heritage

Collections Development Policy

2013 – 2017

Plan approved on:

Review date: November 2017

SOUTHAMPTON CITY COUNCIL'S

ARTS AND HERITAGE COLLECTIONS DEVELOPMENT POLICY 2013 – 2017

DRAFT

1. Introduction

The collections we hold include objects, documents, photographs and art works are the 'archive of memories and history' in which our city's identity as gateway to the world over the last 2000 years is recorded. The Fine Art collection is recognised as one of the finest collections outside of London. They are the sources of artistic inspiration that have changed local people's view of the world. They are jam-packed full of fascinating and diverse stories waiting to be explored through exhibitions, online resources, tours, workshops, study visits and publications.

These collections form a dynamic resource which has been built up through the vision and stewardship of our city forefathers. Over the last 100 years, they have been an important focus of civic pride and an invaluable and inspirational resource for local people and visitors to the city. As guardians on behalf of local citizens and future generations, we aim to continue that focus, and to maintain and develop the collections in a way that continues to maximise their access and enjoyment by a wide audience.

This document outlines how Southampton City Council intends to develop the Arts and Heritage collections over the next 5 years, and should be read in conjunction with the Arts and Heritage Forward Plan 2013 – 2016. It forms part of a raft of other collections plans and procedures which have been developed to meet the appropriate standards of the museum and archives profession, including Accreditation.

This Policy summarises the content of these collections and defines their local, regional, national and international importance. It states our policy for collecting until 2017, in terms of both acquiring and disposing of material, and identifies our priority areas.

2. The Strategic Context/Statement of Purpose

2.1 The current Arts and Heritage Mission Statement is:

“To build and promote a thriving business, which showcases and preserves the remarkable collections and assets held in trust for the people of Southampton and our visitors.”

2.2 As a result of the successful outcomes of initiatives set out in the earlier Arts and Heritage policy document “Towards an international city of culture”, published in 2008, Southampton's arts and heritage community has been placed in a strong position. Significant investment from the Heritage Lottery

Fund, Southampton City Council, and a number of external trusts and foundations have contributed to a thriving cultural offer in the city, with the opening of Tudor House and Garden in 2011, and SeaCity Museum in 2012 to complement the internationally acclaimed Southampton City Art Gallery. With backing from the Arts Council England (ACE), plans for Southampton's New Art Centre continue to progress, which will further complement the already active Cultural Quarter.

2.3 The two museums and art gallery provide engaging and inspiring venues within which Southampton's outstanding designated art and archaeology collections, and the extensive archive and maritime and local collections are showcased. The interpretation at Tudor House and Garden focuses on the story of the house itself and the lives of those who have lived and worked there. These stories are complemented with artefacts from the collections, for example the lives of the wealthy Tudor owners are illustrated by ceramics, glass and metalwork from the archaeology collection, while items from the maritime and local collections reflect domestic life there in the 19th century, and illustrate the importance of trade and shipping. Copies of archive material provide political and historical background throughout. A fine selection of 18th and 19th century oil paintings from the art collection showing local views put the house in its geographical context.

2.4 SeaCity Museum has two permanent galleries. One tells the story of the Titanic and its close associations with Southampton. This gallery showcases Southampton's outstanding Titanic collection, including iconic items such as the pocket watch whose hands stopped at the time the ship went down. The second gallery "Gateway" is populated with a range of artefacts from across all the collections, telling the story of the people who have passed through this area, from earliest prehistoric times to the present day. Both museums have temporary exhibition spaces providing opportunities to display more of the collections, as well as touring exhibitions from elsewhere.

2.5 Southampton City Art Gallery is the prime showcase for the designated art collection. It has a varied programme of exhibitions which provides the opportunity to both rotate and re-interpret our own extensive collections as well as bringing in innovative and exciting shows from outside.

2.6 However, the economic environment and financial challenges facing local government services mean that funding for cultural services provision is diminishing and Arts and Heritage has to reassess the way in which it manages its services. Consequently we will find different and innovative ways to be more entrepreneurial to ensure the "business" of arts and heritage is sustainable in an ever more competitive environment.

2.7 One way in which we are exploring new ways of working, is in partnership with Hampshire County Council and Winchester City Council, to provide a countywide programme of exhibitions and (with Bournemouth and Southampton Solent Universities) digital innovations to both engage existing audiences and reach new and emerging ones.

2.8 In May 2011, the Hampshire-Solent Alliance of museums was established to deliver a range of projects that explore the intellectual and practical benefits of understanding our collections as an inter-connected resource, telling a nationally and internationally significant story of shared identity. The Alliance members consist of Hampshire County Council, Isle of Wight Council, Mary Rose Trust, National Motor Museum Trust Beaulieu, Portsmouth City Council, Southampton City Council and Winchester City Council. Joint collections narratives in the areas of archaeology, maritime history and transport and technology were commissioned, all of which demonstrated synergies and the strong contribution that Southampton's collections could make to the Alliance. A joint collections storage options appraisal was prepared by Drivers Jonas Deloitte, with particular reference to the requirements of Southampton, Portsmouth, Winchester and Hampshire. Digital preservation needs of the alliance were reviewed by external specialists and recommendations prepared for action.

2.9 This preparatory work will inform the development of a proposed joint collections centre initiative currently called "The Engine Room Project." The aim of this project is to consider bringing together collections and associated expertise and transforms our ability to generate stories for customers to enjoy in the physical and digital environment. The project is focused on the Maritime, Social History and Archaeology collections. An activity plan for this project has been developed, working with a range of current and potential customers to explore how such a project can bring collections and their stories alive.

2.10 An example of recent effective partnership working by Hampshire, Winchester and Southampton councils is our successful application to ACE, for a project entitled 'Stronger and Bolder Together', for £625,000 over two years. This will support our joint 2014 Big Theme programme on the Soldiers Journey (with Southampton's big story being embarkation of troops for the Front) and an art exhibition of works by members of the Artists Rifles Association serving in the First World War, as well as some digital and viral marketing in partnership with the National Motor Museum Trust and wider Alliance/ museum development partners.

3. An Overview of Current Arts and Heritage Collections

3.1 Our collections range from archives to archaeology, fine art to ship models, steam engines to corsets. We hold well over a million items, ranging in date from prehistoric stone axes to 21st century art installations, and in size from a Victorian farthing to a steam engine. We hold items of great beauty and intrinsic value such as the 14th century Nuzio altarpiece contrasting with items of insignificant appearance and of little financial worth yet huge historic value such as the earliest known fragments of manufactured steel, from Saxon Hamwic. They provide us with links both to prominent local individuals such as Hubert Scott –Paine, who developed the record-breaking British power boats of the 1920s and 30s, or Walter Taylor, inventor of the circular saw which revolutionised the production of wooden blocks for the British navy, and to

lesser known people such as the hundreds of merchant seamen who sailed from the port, recorded in our crew lists.

3.2 The collections are nationally and internationally significant because they have been shaped by the people of Southampton as a vital record and symbol of Southampton's importance as an international 'settlement' for over 2000 years. They demonstrate the:

- Civic importance of Southampton as a national and international city
- Role of Southampton as an international port and gateway to the world for over 2000 years, based on its sheltered and strategic geographic location and unique double tide.
- Depth of human occupation and activity in the area of the city from the period before an urban settlement existed, with surviving evidence from at least 800,000 BC
- Constant movement of diverse peoples through the port from earliest times, arriving as immigrants or invaders and departing as travellers to exotic locations, emigrants embarking on new lives or soldiers embarking on military campaigns.
- Role of Southampton as an international centre of merchant trade, enterprise and innovation
- Rich and varied stories of the people who settled or were born and lived here, from all walks and classes of life, helping with our understanding of how they lived, worked and played, giving a fascinating insight into the development of our city and providing a real sense of civic pride as well insight and inspiration for the future.

The collections can tell these stories through the huge range of material culture they contain, comprising artefacts, documents, photographs and recorded and digital media. They offer real and tangible links with the past, and unique "first hand" experience which only original artefacts, documents or artworks can provide.

The national and international significance of our collections were officially recognised in 1998, when the art and archaeology collections were awarded Designated status.

3.3 The collections are currently grouped into four disciplines: Fine Art, Archaeology, Archives, and Maritime and Local History. Each is managed by a specialist curator or archivist. The content and main strengths of each collection is summarised here but please see Appendix A for a more detailed description of each collection area. The range of the audiences that we reach can be found in Appendix B.

3.3.1 The **archaeology collection** contains an extensive archive from excavations carried out within the city from the 19th century through to the present day, and particular strengths are:

- Material from Hamwic (Saxon) and medieval Southampton, including an extensive archive from archaeological investigations, providing unique evidence for the domestic, industrial and trading activities of one of the foremost towns of the period. The range of domestic and imported goods, particularly pottery and glass, from the households of the wealthy cosmopolitan merchant class of medieval Southampton, is second to none.
- Roman material from limited excavations of the Roman settlement at Bitterne Manor and a hoard of over 4000 late 3rd century coins discovered in Millbrook in 2008; a large amount of prehistoric stone artefacts, mostly stray finds, but including some excavated sites; Bronze Age and Iron Age pottery and metal artefacts; and a range of post-medieval material from excavated sites.
- A small collection of ancient Egyptian material, some of which was collected by Flinders Petrie, and including an internationally renowned ancient Nubian statue of the black pharaoh Taharqa.

3.3.2 The fine art collection is designed to be an inspirational learning resource that:

- Is on a par with national collections
- Tells the story of post-1900 British art through to the present day
- Provides context for this story by holding a strategic selection of key relevant European and pre-1900 works
- Reflects Southampton's contribution to the evolution of this story
- Focuses primarily on fine art, with a very substantial collection of works on paper, and a strategic selection of sculpture, ceramics and video and digital media

It therefore comprises:

- A small collection of old masters including Impressionists
- A representative collection of French and British 19th works
- A growing collection of 20th century and contemporary progressive British works – this is the main strength of the collection recognised as one of the most outstanding collections outside London in the UK.

These works form 4 primary clusters:

- The Camden Town Group and related British Post-Impressionism
- Surrealists
- St. Ives
- Contemporary art from 1976 onwards (including many Turner Prize winners and nominees)
- Occasional modern and contemporary works by international artists that provide strategic connections between the work of British and non-British artists

Within the constraints of resources, the emphasis is placed on high quality works and emerging significant artists. Historical collections bequeathed by

key individuals such as Robert Chipperfield, Eric Milner-White, Arthur Jeffress and Dr David Brown in the history of Southampton City Art Gallery are considered of interest and importance in their own right.

NB Art works are also found in the Maritime and Local History collection, but these have been collected for their topographic or local interest, rather than their artistic quality. Another, separate, collection of artworks is held within the civic collections, housed in the Mayor's Parlour.

3.3.3 The Maritime & Local History collection contains objects, pictures, drawings, photographs, ephemera, film, video and archives that have strong associations with the maritime and local history of Southampton and Southampton Water.

The national and international importance of our maritime and local history collections is widely recognised:

- Southampton's role as one of Britain's primary merchant ports from the medieval period through to the present day ensures the collection's particular strength lies in recording the history of Britain's merchant navy and the associated life of a port city.
- The collections also record how Southampton has been and is an international place of maritime innovation and technology
- The unique holdings of material relating to the Titanic disaster, with their particular focus on the crew of this ship and the Southampton aspects of this global story
- The collection includes a significant proportion of liner interiors, particularly furniture, relating to liners with a connection to Southampton, particularly in the mid-20th century.

We will investigate seeking Designated status for the maritime holdings (including archives), when the scheme, currently under review, is re-launched, as this would provide national recognition for this important part of our collection, and bring additional benefits to the service, for example grant funding opportunities.

3.3.4 The City Archives collection contains records relating to Southampton and its people. It includes a wide range of source material, including Oral History, for Southampton's history, development and governance from 1199 to the present day. We possess:

- Southampton City Council's own archives and those of its predecessors
- Archives of statutory bodies operating in Southampton
- Public Records offered under the terms of the Public Records Acts 1958-67 relating to Southampton and its interests
- Southampton manorial and tithe documents offered under the Manorial Documents Rule 1960 and Tithe Act 1936
- Ecclesiastical records for Southampton parishes under the Parochial Registers and Records Measure 1978 and a 1966 agreement with the Diocese of Winchester

- Archives of individuals, organisations, businesses, institutions etc. germane to the history of Southampton

It is an outstanding collection featuring material of national and international importance, for example the Brokage Books (1430-1566) and Port Books (1426-1803), which provide a unique record of traded goods entering and leaving the town by land and sea. We will seek Designated status for the collection, in conjunction with the maritime collections, once the revised Designation Scheme is open for further applications. The City Archives do not usually collect records outside Southampton's boundaries: one notable exception is the Central Index of Merchant Seamen, which contains details of personnel serving on British registered ships between 1918 and 1941.

4. Themes and priorities for future collecting

4.1 We will continue to collect items and associated information relating to the four collection areas (Archaeology, Fine Art, Archives, and Maritime and Local history) that have a strong connection with Southampton, and with existing collections, according to the principles and procedures in Section 6 below.

4.2 Decisions relating to future acquisitions are made by senior Arts and Heritage management based on specialist advice provided by the relevant curator or an external advisor. Fine Art acquisitions follow a different route; potential acquisitions are taken to the Chipperfield Bequest Advisory Committee by the Head of Leisure and the Curator. The Committee make recommendations to the Trustees (who are the city councillors) of the Chipperfield Art Gallery and School of Art charity. The trustees have delegated acquisition powers to the Head of Leisure for works up to £125,000. Acquisition of works above that level will need to be ratified by the Trustees at Full Council. The Terms of Reference for the Chipperfield Bequest Advisory Committee are attached as Appendix C.

4.3 The following criteria will be considered before deciding whether to add material to the collections:

- Relevance, importance and long-term value of the item in the context of existing collections
- Potential use for all levels of museum and gallery activities
- Condition and completeness
- Cost of acquisition, including purchase price and availability of external funding if appropriate, transport and packing, storage provision, conservation, documentation and research
- Ability to provide long-term care and access
- Options for preservation *in situ*
- Interests of other Accredited museums and public institutions
- Quality of supporting documentation, particularly contextual information and provenance
- Confirmation of legal title of the present holder and the right of the holder to transfer title to Southampton City Council.

4.4 Objects may be acquired as gifts or bequests, purchased or collected through fieldwork. No person or organisation with any possibility of financial or personal gain should be involved in the decision-making process as there should be no conflict of interest during the acquisition process. Where a conflict of interest might arise, public interest should always prevail and a written declaration be made and kept on record by the Arts and Heritage service.

4.5 Whenever possible legal copyright and other rights to the items are to be transferred to the Arts and Heritage service at the time of acquisition. This is particularly important in the context of photographs and works of art.

4.6 There will be a presumption against collecting duplicates of items already in the collection unless a case can be made, for example, to replace a similar item of poorer quality. In this case, the original item will be disposed of in accordance with the Disposal Procedures outlined in Section 6 of this policy. Duplicate material might also be collected for handling purposes, or as group value for display purposes.

4.7 The acquisition of material for handling will conform to the same standards as material in the permanent collections. Potential donors of such material will always be advised and their agreement obtained at the time of acquisition.

4.8 With the exception of City Archives, loans will only be accepted in exceptional circumstances as a research or temporary exhibition loan, or when the loaning body cannot legally dispose of the item. The loan will always be for a specified time although it may be subject to renewal.

4.9 Specific collecting priorities for the individual collection areas are detailed below:

4.9.1 Archaeology Future Collecting, 2014-17

We will continue to collect archaeological archives created during systematic archaeological investigations carried out in Southampton and, on occasion, individual provenanced finds of archaeological interest found within the city boundaries. The City Council is designated through the planning process as the appropriate recipient body for the archives from all developer-led archaeological investigations within the city. For larger archives, a collection assessment process is applied, which identifies only archaeologically significant material for inclusion in the permanent archive. Detailed guidelines, setting out processes and procedures, have been produced for archaeological contractors depositing archives with Southampton City Council.

4.9.2 City Archives Future Collecting, 2014-17

We will continue to collect the archives of Southampton City Council and its predecessor authorities, those of relevant statutory bodies, Public Records, manorial and tithe documents, ecclesiastical and organisational/ business records as they become available, as consistent with this Development Policy and our position as a recognised place of deposit by the National Archives. The accreditation scheme for Archives is administered by the National

Archives and is shortly to change to be more in line with the Accreditation scheme for museums and galleries. This Collections Development Policy will be submitted for that new scheme.

4.9.3 Maritime and Local Future Collecting, 2014-17

We will continue to collect maritime material related to Southampton and Southampton Water and local material from Southampton, adopting a thematic, interdisciplinary approach with the City Archives collection.

We are keen to develop our contemporary collections and have begun work towards this, with our partners in the Hampshire-Solent Alliance. We will invite and encourage community participation in contemporary collecting activity to support specific exhibitions and themes, and also explore broader themes across the region with our Alliance partners.

4.9.4 Fine Art Future Collecting, 2014-17

The Tate continues to be our National Advisor on all Fine Art acquisitions. In December 2012 the City Council set up the Chipperfield Bequest Advisory Committee to advise the Trustees of the Chipperfield Art Gallery and School of Art charity (charity number 307096), who are also members of the City Council, utilising the expertise of the Tate, on acquisitions to the fine art collection, including all potential purchases, gifts and bequests as well as giving advice on other Art Gallery related matters. The Trustees have delegated their power to acquire work to the Head of Leisure for works under £125,000 in value. The committee consists of 7 members of the public with considerable knowledge and experience of the visual arts, gallery management and local cultural affairs, and includes a chair and vice-chair. The members will be elected every 4 years. City Council officers and the Tate advisor will report to the committee as required.

Within this context, we will continue to acquire progressive contemporary art in all media (often within two years of their making) by artists, notably rising stars, who are universally deemed to be advancing British art practice, continuing the founding tradition of creating a nationally significant collection for the people of Southampton. We will continue to make funding applications to both the Art Fund, and the V&A Purchase Fund (and others as appropriate) to provide matched funding to the Chipperfield and other bequest funds for the purchase of works.

We will also continue to respond to opportunities to enhance strengths in the historic elements of the collection, especially British 20th and 21st century art and existing clusters such as Surrealists.

We will also collect works that can contribute significantly to the Art Gallery's future exhibition programme.

5. Themes and priorities for rationalisation and disposal

5.1 Responsible, curatorially-motivated disposal will take place during the life of this Collections Development Policy, in order to increase public benefit

derived from museum collections and to prepare the collections for a move to new storage at some stage in the foreseeable future.

5.2 All rationalisation and disposal of items from the Arts and Heritage collections will be undertaken in strict accordance with the Disposal Procedures in Section 6 of this policy.

5.3 Each collection area will continue to be audited to identify priority areas for rationalisation and disposal. Particular attention will be given to the following areas as detailed below.

5.3.1 Archaeology

Rationalisation of the archaeology bulk collections has already seen the recent recording and discard of archaeologically insignificant marine and terrestrial shell. Other materials have been identified as suitable for similar processing, and resources are being sought to carry out this work. These materials are:

- Unworked stone
- Mortar and plaster
- Ceramic building material
- Burnt clay
- Clay pipe
- Smithing slag

5.3.2 Fine Art

A major review of the fine art collection was carried out in 2009. Each work of art was classified against the existing collecting policy. The categories were:

- 1) highly significant
- 2) significant to core collection
- 3) of low significance to the core collection.

Within the 3rd category, given their low level of contribution to the purpose of the collection, will be de accessioned. They include primarily:

- Duplicate prints (etchings, screen-prints and lithographs) where there are more than 2 examples.
- The collection includes 187 drawings and 256 small etchings by Vernon Hill (1886 – 1972), a gift from the artist's widow in 1972. Twenty Five of the etching subjects include duplicates though these are on different coloured papers with varied aesthetic qualities. Surplus duplicates will be transferred to other public collections such as Halifax where Hill was born or Guildford where Hill produced decorative work for the cathedral.
- Non fine art material.

The principles set out in paragraph 6.9 will be applied. Any further disposals from the Fine Art collection will have to be discussed by the Chipperfield Advisory Committee, who will make their recommendations to the Trustees.

5.3.3 City Archives

The following categories have been identified for City Archives:

- Duplicate and non-Southampton books
- Multiple duplicates of printed material
- Rationalisation of some Council departmental records (notably Treasurer's records and Town Clerk's files)
- Distribution of material without a Southampton connection to more suitable repositories.

5.3.4 Maritime and Local Collections

The following categories have been identified for the Maritime and Local Collections:

- Duplicate objects with no additional distinct information
- Natural history specimens with no data
- Items in a poor condition that cannot reasonably be conserved or which pose a risk to other items in the collection
- Items with specific curatorial requirements which would be better met in other collections or by other institutions
- Any loaned items which are not required for current research or exhibitions

6. The Legal and Ethical Framework for Acquisition and Disposal

This section outlines the legal and ethical framework set down by ACE as a requirement under the Accreditation Scheme for Museums. It also incorporates sections on ACE and The National Archives requirements regarding Archives.

6.1 Limitations on collecting

Southampton City Council (SCC) recognises its responsibility, in acquiring additions to its collections, to ensure that care of collections, documentation arrangements and use of collections will meet the requirements of the Accreditation Standard. It will take into account limitations on collecting imposed by such factors as staffing, storage and care of collection arrangements.

When material is offered for acquisition that falls outside of our collecting policy we will refer, when possible, the potential donor, vendor etc. to an appropriate alternative museum.

6.2 Collecting policies of other museums and archives

SCC will take account of the collecting policies of other museums and other organisations collecting in the same or related areas or subject fields. It will consult with these organisations where conflicts of interest may arise or to define areas of specialism, in order to avoid unnecessary duplication and waste of resources.

Specific reference is made to the following museum(s):

Tate
National Maritime Museum and UK Maritime Collection Strategy
Solent Sky Museum
Hampshire Museums and Records Service
Portsmouth Museums and Records Service
National Museum of the Royal Navy group of museums
Winchester Museums Service
St. Barbe Museum, Lymington
Russell-Cotes Museum and Art Gallery, Bournemouth
Borough of Poole Museum Service
University of Southampton Archives

6.3 Policy review procedure

The Collection Development Policy will be published and reviewed from time to time, at least once every three years. The date when the policy is next due for review is November 2017. Arts Council England will be notified of any changes to the Collection Development Policy, and the implications of any such changes for the future of existing collections.

6.4 Acquisitions not covered by the policy

Acquisitions outside the current stated policy will only be made in very exceptional circumstances, and then only after proper consideration by SCC itself, having regard to the interests of other museums.

6.5 Acquisition procedures

- a. SCC will exercise due diligence and make every effort not to acquire, whether by purchase, gift, bequest or exchange, any object or specimen unless the governing body or responsible officer is satisfied that the museum can acquire a valid title to the item in question.
- b. In particular, SCC will not acquire any object or specimen unless it is satisfied that the object or specimen has not been acquired in, or exported from, its country of origin (or any intermediate country in which it may have been legally owned) in violation of that country's laws. (For the purposes of this paragraph 'country of origin' includes the United Kingdom).

c. In accordance with the provisions of the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which the UK ratified with effect from November 1 2002, and the Dealing in Cultural Objects (Offences) Act 2003, the museum will reject any items that have been illicitly traded. The governing body will be guided by the national guidance on the responsible acquisition of cultural property issued by the Department for Culture, Media and Sport in 2005.

d. SCC will not acquire any biological or geological material.

e. SCC will not acquire archaeological antiquities (including excavated ceramics) in any case where the governing body or responsible officer has any suspicion that the circumstances of their recovery involved a failure to follow the appropriate legal procedures.

e. In England, Northern Ireland and Wales the procedures include reporting finds to the landowner or occupier of the land and to the proper authorities in the case of possible treasure as defined by the Treasure Act 1996.

f. Any exceptions to the above clauses 6.5a, 6.5b, 6.5c, or 6.5e will only be because SCC is either:

acting as an externally approved repository of last resort for material of local (UK) origin; or

acquiring an item of minor importance that lacks secure ownership history but in the best judgement of experts in the field concerned has not been illicitly traded; or

acting with the permission of authorities with the requisite jurisdiction in the country of origin; or

in possession of reliable documentary evidence that the item was exported from its country of origin before 1970.

In these cases the museum will be open and transparent in the way it makes decisions and will act only with the express consent of an appropriate outside authority.

g. As SCC holds or intends to acquire human remains from any period, it will follow the procedures in the "Guidance for the care of human remains in museums" issued by DCMS in 2005.

6.6 Spoliation

SCC will use the statement of principles 'Spoliation of Works of Art during the Nazi, Holocaust and World War II period', issued for non-national museums in 1999 by the Museums and Galleries Commission.

6.7 The Repatriation and Restitution of objects and human remains

Southampton City Council, acting on the advice of the museum's professional staff, may take a decision to return human remains (unless covered by the "Guidance for the care of human remains in museums" issued by DCMS in 2005), objects or specimens to a country or people of origin. The museum will take such decisions on a case by case basis; within its legal position and taking into account all ethical implications and available guidance. This will mean that the procedures described in 6.9a-d, 6.9g and 6.9s below will be followed but the remaining procedures are not appropriate.

The disposal of human remains from museums in England, Northern Ireland and Wales will follow the procedures in the "Guidance for the care of human remains in museums".

6.8 Management of museum archives

As the museums owned and managed by the Council hold archives, including photographs and printed ephemera, its governing body will be guided by the Code of Practice on Archives for Museums and Galleries in the United Kingdom (3rd ed., 2002). There are additional arrangements for archive collections held by a Record Office or Public Archive collated in the TNA Standard for Archival Repositories^{1st} edition 2004. See sections 8.10 and 8.11 for management of archives with specific reference to acquisition and disposal.

6.9 Disposal procedures

- a. SCC will ensure that the disposal process is carried out openly and with transparency.
- b. By definition, the Council's museums and galleries in SCC have a long-term purpose and hold collections in trust for society in relation to its stated objectives. The governing body therefore accepts the principle that sound curatorial reasons for disposal must be established before consideration is given to the disposal of any items in the museums and gallery collections.
- c. SCC will confirm that it is legally free to dispose of an item and agreements on disposal made with donors will be taken into account.
- d. When disposal of a museum or gallery object is being considered, the Council will establish if it was acquired with the aid of an external funding organisation. In such cases, any conditions attached to the original grant will be followed. This may include repayment of the original grant and a proportion of the proceeds if the item is disposed of by sale.

e. When disposal is motivated by curatorial reasons the procedures outlined in paragraphs 6.9g-6.9s will be followed and the method of disposal may be by gift, sale or exchange.

f. In exceptional cases, the disposal may be motivated principally by financial reasons. The method of disposal will therefore be by sale and the procedures outlined below in paragraphs 6.9g-6.9m and 6.9s will be followed. In cases where disposal is motivated by financial reasons, the governing body will not undertake disposal unless it can be demonstrated that all the following exceptional circumstances are met in full:

- the disposal will significantly improve the long-term public benefit derived from the remaining collection,
- the disposal will not be undertaken to generate short-term revenue (for example to meet a budget deficit),
- the disposal will be undertaken as a last resort after other sources of funding have been thoroughly explored.

g. Whether the disposal is motivated either by curatorial or financial reasons, the decision to dispose of material from the collections will be taken by the governing body only after full consideration of the reasons for disposal. Other factors including the public benefit, the implications for the museum's collections and collections held by museums and other organisations collecting the same material or in related fields will be considered. External expert advice will be obtained and the views of stakeholders such as donors, researchers, local and source communities and others served by the museum will also be sought.

h. A decision to dispose of a specimen or object, whether by gift, exchange, sale or destruction (in the case of an item too badly damaged or deteriorated to be of any use for the purposes of the collections or for reasons of health and safety), will be the responsibility of the Council acting on the advice of professional curatorial staff, and not of the curator of the collection acting alone.

i. Any monies received by SCC from the disposal of items will be applied for the benefit of the collections. This normally means the purchase of further acquisitions. In exceptional cases, improvements relating to the care of collections in order to meet or exceed Accreditation requirements relating to the risk of damage to and deterioration of the collections may be justifiable. Any monies received in compensation for the damage, loss or destruction of items will be applied in the same way. Advice on those cases where the monies are intended to be used for the care of collections will be sought from the Arts Council England.

j. The proceeds of a sale will be ring-fenced so it can be demonstrated that they are spent in a manner compatible with the requirements of the Accreditation standard.

k. Once a decision to dispose of material in the collection has been taken,

priority will be given to retaining it within the public domain, unless it is to be destroyed. It will therefore be offered in the first instance, by gift or sale, directly to other Accredited Museums likely to be interested in its acquisition.

l. If the material is not acquired by any Accredited Museums to which it was offered directly as a gift or for sale, then the museum community at large will be advised of the intention to dispose of the material, normally through an announcement in the Museums Association's Museums Journal, and in other specialist journals where appropriate.

m. The announcement relating to gift or sale will indicate the number and nature of specimens or objects involved, and the basis on which the material will be transferred to another institution. Preference will be given to expressions of interest from other Accredited Museums. A period of at least two months will be allowed for an interest in acquiring the material to be expressed. At the end of this period, if no expressions of interest have been received, the museum may consider disposing of the material to other interested individuals and organisations giving priority to organisations in the public domain.

n. The nature of disposal by exchange means that the museum will not necessarily be in a position to exchange the material with another Accredited museum. SCC will therefore ensure that issues relating to accountability and impartiality are carefully considered to avoid undue influence on its decision-making process.

o. In cases where SCC wishes for sound curatorial reasons to exchange material directly with Accredited or unaccredited museums, with other organisations or with individuals, the procedures in paragraphs 6.9a-6.9d and 6.9g-6.9h will be followed as will the procedures in paragraphs 6.9p-6.9s.

p. If the exchange is proposed to be made with a specific Accredited museum, other Accredited museums which collect in the same or related areas will be directly notified of the proposal and their comments will be requested.

q. If the exchange is proposed with a non-accredited museum, with another type of organisation or with an individual, the museum will make an announcement in the Museums Journal and in other specialist journals where appropriate.

r. Both the notification and announcement must provide information on the number and nature of the specimens or objects involved both in the museum's collection and those intended to be acquired in exchange. A period of at least two months must be allowed for comments to be received. At the end of this period, the governing body must consider the comments before a final decision on the exchange is made.

s. Full records will be kept of all decisions on disposals and the items involved and proper arrangements made for the preservation and/or transfer, as appropriate, of the documentation relating to the items concerned, including photographic records where practicable in accordance with SPECTRUM (the

UK Museum Documentation Standard) Procedure on de-accession and disposal.

6.10 Acquisition of material for the archive collections

6.10.1 The acquisition of and disposal of much archival material – particularly public archives and Anglican church records - is governed by a number of pieces of legislation and legal agreement, and two national standards. These outline what material can be accepted and what (eg public records of a local nature) must be accepted, the environmental conditions they should be held in and the provision of access to them. Key framework documents are:

- The National Archives (TNA) Standards for Record Repositories (1st edition 2004)
- BS5454 Recommendations for the Storage and Exhibition of Archival Documents
- Freedom of Information legislation
- Recognition by TNA as a Place of deposit for public records of a local nature
- Local Government Act 1972 s.224
- Agreement with Diocese of Winchester 1967

6.10.2 The Code of Ethics on Acquisition and the Standard for Record Repositories identifies various points to apply to possible acquisitions. Chief among them:

- Collect according to detailed published policies
- Due diligence to ensure holder has the legal right to sell, give or loan the item
- Diligence in establishing ownership history
- Strict geographic collecting areas to avoid conflict and duplication
- Respect the principles of archival integrity (provenance and archival group)

6.11 Disposal of material from the archive collections

6.11.1 Disposal from archive material is handled either at the point of receipt, or later on (sampling or other suitable techniques) sanctioned by power of disposal that is obtained when material is deposited.

6.11.2 The Standard also requires the archivist to seek the authority of the depositor at the time of deposit (or subsequently for older deposits) for any destruction or transfer of material

6.11.3 SCC shall have authority to transfer archive material to a more appropriate archives repository should it be beneficial to the documents and their users.

APPENDIX A

Describing the individual Arts and Heritage Collections and Collecting Policies

A1 The Arts and Heritage Collections

The individual Arts and Heritage Collections are:

- Archaeology
- City Archives (including oral history)
- Art
- Maritime and Local History

A1.1 Archaeology

A1.1.1 Archaeology: collection beginnings.

The archaeology collections are founded on material collected by 19th enthusiasts including William Dale and Rev. Edmund Kell. These pioneer archaeologists recorded and collected archaeology disturbed by developments including brick-earth digging in the St Mary's area, building in Bitterne Manor and gravel extraction in the Test Valley. They have developed as a result of systematic archaeological investigation carried out within Southampton over the last century, and the city council is now designated as the appropriate recipient body for the archives from all archaeological investigations within the city. The collections also include smaller groups of foreign archaeology and ethnographic material. These collections now comprise over half a million items, and their national significance was officially recognised in 1998 when they were awarded Designated status, positioning them within the country's top ten archaeological collections outside London. Many of these collection items are now showcased in the displays at Tudor House and Garden, and SeaCity's Gateway gallery. They supercede the Museum of Archaeology at Gods House Tower, opened in 1963 to show off the city's rich archaeological finds, which closed in 2011.

A1.1.2 Archaeology Content and Strengths The archaeology collections include a wide range of material collected prior to the beginnings of formal excavation programmes in the 1950s. This material, much collected by enthusiastic local people, includes large numbers of prehistoric stone and flint objects, Roman coins, pottery and metal objects, an eclectic range of Saxon and medieval objects, all from the city, as well as material from other parts of southern England and from abroad. Much of this material is poorly provenanced, but provides important evidence of early archaeological recording and is a rich source of stories from all periods of Southampton's past.

The major element of the collection consists of the archives from over 1500 formal archaeological investigations (excavations, watching briefs, building and photographic surveys) carried out within the city since the 1950s. These

archives include plans, photographs, paper and digital records as well as environmental samples and the artefacts themselves.

These archives include significant evidence of life in both Saxon Hamwic and the medieval town of Southampton, which are the core of the collections. The Saxon town is one of the best preserved in the country, with roads, alleys, houses, rubbish pits and wells recorded, and large amounts of associated finds. The medieval town has significant standing remains and important archaeological evidence from the late Saxon period onwards. The collections are rich in imported objects, demonstrating the town's importance as an international trading centre and port, and domestic objects and industrial waste which reflect the every day life and technological achievements of its inhabitants. The pottery collections are particularly important, including a broad range of local and imported wares, which are of international significance.

These archives also provide increasing evidence of prehistoric, Roman and post medieval activity in the town. Prehistoric worked flints and pottery sherds have been found across the city, associated with ditches, pits and other features. The poorly recorded Roman material recovered earlier at Bitterne Manor has been enhanced by better recorded excavations, including that of a pottery warehouse burnt down in the late 2nd century AD and a hoard of over 4000 3rd century AD coins found in Millbrook in 2008. Increasing amounts of post medieval material includes 18th century pottery from Georgian rubbish pits, 19th century material from artisan housing and evidence of 18th century sugar refining. These archives broaden the range of the collections and of the stories they can tell.

The collections are well documented and appear in many local, national and international publications. There is a searchable database of over 15,000 archaeological items from the Southampton City Council Arts and Heritage collections available online.

The archaeology collections also include small groups of foreign archaeology, particularly Ancient Egyptian material, including an important statue of the Nubian Pharaoh Taharqa. There is a small collection of ethnographic objects, collected by people from Southampton travelling or working abroad in the 19th and early 20th centuries.

A1.2 City Archives (including Oral History)

A1.2.1 City Archives: collection beginnings.

During the early 20th century there had been increasing pressure from citizens and historians throughout the country worried about a lack of access to and safe provision for written historical material. In Southampton the main demonstration of the interest in local archives came via the newly formed Southampton Record Society under the editorship of Professor FJC Hearnshaw. Members of the Society began publishing editions of early borough records, starting with Court Leet records, borrowing material from the

Audit House and working on them at home. Southampton opened its Record Office to the public in 1953. It was staffed by one archivist and was used by only a handful of researchers a year. At that time the collections were small and included only the records of the local authority and its predecessor bodies; collections, staff and visitors were all housed in one windowless, basement room. Now the collections have greatly expanded to include material from private individuals, public bodies, institutions, societies, churches etc and are consulted by some 2500 individuals each year. Visitors come not only from Southampton, but from the rest of the UK and abroad to pursue their interest in family history, educational projects, social and economic history and maritime history. This commitment to Southampton's history was one of the grounds on which Southampton petitioned for and was awarded City Status in 1964. The reasons for the successful application included the 'importance of the town in the shipping world' ... 'public spirit' ... 'maintenance of historical records and customs, and the existence of a true sense of citizenship'. Special mention was also made of the 'long history of public administration and the efficiency of municipal services' – still reflected today in the provision of a records management service to the authority to improve and maintain this efficiency and to meet demands of new legislation such as Freedom of Information.

A1.2.2 City Archives: content and strengths

The City Archive collections include a wide range of unique records pertaining to Southampton's history and governance, from a 12th century royal charter and the 14th Oak Book to current day records. The duties and responsibilities of the local authority in Southampton have changed over time but have been vast – the extant records include charters, burgess admissions, electoral rolls, property deeds, court and trade records, licensing, rating from 1552 onwards, poor relief, the militia and much more. In addition, the local authority took over the functions (and therefore records) of many individual companies or bodies, such as school boards, bridge companies and waterworks. Public records of a local nature have subsequently been added, including records of hospitals, magistrates' courts and more recently maritime collections (crew lists and merchant seamen's records).

One of the collection's particular strengths is the series of borough archives dating from the 14th century onwards. These reflect the borough's extremely wide-ranging duties, for example defence of the town. A defence terrier of 1454 lists all the households in the town responsible for the upkeep of the walls. Brokage books (which survive for 1430-1566 and are unique to Southampton) are a series of accounts recording all goods and carriers passing through the Bargate. Petty Custom Books, also known as Port Books, (1426-1803) record all goods arriving and leaving by sea. These books list all kinds of trade from precious luxury goods such as silk and spices from the east, to the more mundane import of herring. They also give information about the merchants and ships engaged in this trade.

The sea is a major theme in the collections: nineteenth century crew lists and twentieth century merchant navy records provide information on ships and the men and women who sailed on them. These sources attract researchers from

all over the world. The City Archives document stories of the various communities who came to Southampton: traders who settled here, people seeking refuge from religious persecution such as the Huguenots, and more recently immigrants settling for economic reasons, for example the post-war African Caribbean community.

Law and order was vital to ensure a safe place to live and trade, and court records from 1374 onwards document crimes and offenders, providing personal, social and economic information. The series of Court Leet records (beginning in 1549) also records 'strangers and aliens' trading here in the Medieval and Tudor periods in the quaintly named 'Stall and Art' lists. This is a growing collection since the court still meets annually – a rare survival of medieval practice.

There is a wealth of material available to research family histories both for established Southampton families and newly-settled families. Social and economic history is well represented in the collections, allowing research on 'ordinary' lives, e.g. poor relief, education and welfare of children, family papers, workhouses, crime and punishment, health, hospitals and housing conditions. Southampton is well known for its Second World War history and there is an important body of written and photographic material about the city in wartime. In anticipation of the major centenary commemorations of World War I, the City Archives have been particularly interested in collecting First World War material, for example, the Chine House collection of contemporary photographs and letters.

The format of records has changed over the last 800 years. Documents were originally handwritten on parchment and were often in Latin or Anglo-Norman French. As paper became more widely available it replaced parchment as a medium, and in most sources, English replaced Latin as the written language. The introduction of printing had an effect on the format of archives; the collections include examples of documents produced on early printing presses as well as modern-day typed or photocopied items. The development of photography and film has also shaped the collection: the Archives holds examples of early photographs, glass lantern slides, stereoscopic prints, negatives, postcards and other visual images, all with their own specific storage and access needs. In the 21st century, Archives faces the challenges of preserving and accessing digital records, including Word documents, databases, spreadsheets, digital images, film and sound files.

A1.2.3 Oral History: collection beginnings

In 1983 Southampton began a one year project to record the life histories of Southampton people. Further projects included memories of the city's African-Caribbean community, women in World War 1, and dock workers. This direct voice of the recent past complemented written and object collections and by 1986 oral history was an accepted part of the approach to documenting the recent past. The collections hold 800 recordings and over 5000 related photographs documenting the lives of seafarers, shipyard workers, Titanic survivors, and local communities.

A1.2.4 Oral History: content and strengths

The extensive oral history record created since 1982 captures the personal stories of people who served in the merchant navy, worked in the docks, immigrated to the UK, and those living in Southampton through the Blitz. It now contains approximately 800 interviews. The first two years recorded memories of the city's African Caribbean community, women in the First World War, dock workers and dockland communities. Subsequently projects on the Titanic, Chapel and Northam, Thornycrofts and many others have followed. These projects have resulted not only in the recorded interviews and transcripts, but also photographs from the participants and many successful publications. In the 25 years since the oral history recording began there has been a change in media. The recorded interviews were formerly made on reels, later cassettes and now digital media. There is an ongoing project to digitise the reels and cassettes to ensure that the material is readily available. The Oral History archive is now physically held with the Archives section, for easier public access.

A1.3 Fine Art

A1.3.1 Fine Art: collection beginnings.

The story of western art from the Renaissance through to 1900 and the British Modern Movement to the present day can be told using Southampton's fine art collection. It was founded through the bequest in 1911 of the visionary Cllr Robert Chipperfield, pharmacist, councillor, and JP who left funding to build an Art Gallery and a separate trust fund for the purchase of an art collection stating in his will...

' My fervent desire is..., the furtherance and encouragement of Art, in the town of my adoption – Southampton. I therefore bequeath the whole of my collection of oil paintings, water colour drawings and engravings to my Executors for the public exhibition in Southampton...'

Chipperfield also directed that any additions to the collection using the trust fund be made in consultation with the Director of the National Gallery (since 1976 our national acquisitions advisor has been a senior Tate curator) to ensure a gallery with a national aspiration from the beginning.

In 1936, Lord Clark (then Mr Kenneth Clark) advised a "definite policy as to the character and main features of the Chipperfield Collection" which identified four main groups of works: a small collection of old masters, a representative collection of nineteenth century paintings, a collection of watercolours and drawings, and a growing collection of modern paintings in oils. Since this date, gifts and bequests have enhanced the Collection considerably, guided by this overall policy.

Additional bequests have funded the acquisition of new works for the collection; among them Smith, Orris and Brown. Outside organisations such as The Art Fund and the Contemporary Art Society have also contributed substantially to the collection through the last decades, as have the Friends of Southampton's Museums, Archives and Galleries (FOSMAG).

A1.3.2 Fine Art: content and strengths

In 1998, the collection which now holds more than 3,900 works of art was “Designated” by the Museums, Libraries and Archives Council. It remains the finest public collection of art south of London.

The composition of the collection conforms closely to Clark’s original vision and currently comprises a small collection of pre-1900 European old masters including Impressionists, British 18th and 19th century and a collection of works on paper. The growing core element however, is British 20th century and contemporary progressive art with an emphasis on paintings.

The historic part of the collection was built up from the 1930s to 1975. Then the high cost of Monet’s “The Church at Vetheuil” necessitated a change of direction. From that time the priority switched to the purchase of work by rising star British contemporary artists.

The earliest work held, Allegretto Nuzi’s “Coronation of the Virgin” is from the mid-fourteenth century. The smaller old-master element of the collection has good clusters of work of the Renaissance, Baroque (notably Dutch 17th century), British 18th century and French and British 19th century (including Impressionism and Pre-Raphaelitism). The core of the collection however remains British 20th century and contemporary art. Within that are four strong clusters: the Camden Town Group and related British Post-Impressionism (one of the best world-wide outside Tate), Surrealists, St Ives School and Contemporary post 1976 (many Turner Prize winners and nominees). The collection includes paintings (over 1,000), works on paper, sculpture, studio ceramics, wall-drawings and film/video work.

The collection continues to grow and recent important acquisitions include the Philip Schlee Collection of 113 drawings, prints and paintings by 44 artists working in Britain between 1920 and 2004. As a collection, it was conceived with a very practical question in mind: what role does drawing play in the work of artists? The Chipperfield bequest has just celebrated its first 100 years with a successful centenary exhibition at the centre of which was a work purchased specially for the occasion: Alison Turnbull’s oil painting, *Moon-viewing Platform* 2010.

A1.4 Maritime and Local History

A1.4.1 Maritime and Local History: collection beginnings

The origins of the city’s museum collections date back to the early 20th century when an exhibition of “Relics of Old Southampton”, lent by local collectors and antiquarians was organised at the Hartley University College (the forerunner of Southampton University) in September 1904. This was intended to “have an influence for good upon the future life of Southampton and its sons and daughters” by demonstrating the important role the port had

played in both “the ancient and modern history of the Empire” and providing a stimulating educational effect on the town’s children. Many of the items displayed were later donated to Tudor House Museum, opened by Southampton Corporation in 1912 as its first civic museum. The first collections were very eclectic, representing a general interest in things historic or curious as well as those with particular local connections. They ranged from early musical instruments and African spears to letters of indenture, and prehistoric axes to watercolours of the Solent. The collections grew as more material was donated, for example, the widow and daughter of Captain Smith, who went down with his ship, the Titanic, presented his ceremonial sword. The significance of the rich maritime holdings was reflected in the opening of a new Maritime Museum in 1964 to showcase this aspect of Southampton’s history. This museum, in an attractive, but unsuitable historic building, was superseded in 2012, when the prestigious new SeaCity Museum opened, on the centenary of Titanic’s sailing from Southampton.

A1.4.2 Maritime and Local Collections: content and strengths The collections contain extensive material relating to the history of Southampton as a port and the many international shipping companies that have been based here. We hold the photographic archives of Associated British Ports, for example, and the unique collection of paintings and drawings of local shipping by Arthur Cozens completed at the end of the nineteenth century. Shipping lines represented include the Royal Mail Steam Packet Company, White Star, Cunard, Union Castle and P&O. These holdings contain rich detail of national and international interest on themes such as immigration and emigration, trade, war and conflict etc. The collection of furnishings and design fittings from many of the great Transatlantic Liners based in Southampton, and ephemera relating to life on board are also outstanding. The collections also record how Southampton was a place of maritime innovation and technology. For example, the archives of the British Power Boat Company record its contribution to the development of high speed craft. We also hold material relating to technological achievements, including the development of the reciprocating steam engine, and material from local shipyards like Thornycroft. The ship model collection includes bone models made by French prisoners-of-war incarcerated in Southampton during the eighteenth century, and the large-scale builder’s model of the Queen Mary.

The collection contains unique material relating to the Titanic disaster, particularly to her crew, most of whom were local people, as well as the extensive material from around the world relating to the disaster. Oral history interviews with survivors and relatives of the deceased are a moving complement to this material. This important collection underpins the prestigious, state-of-the-art displays in the new Titanic gallery at SeaCity Museum.

Southampton’s local history as a town and city is reflected, with star collections including comprehensive collections of jewellery, costume and decorative costume accessories.

Important material includes items relating to the Spa period of the eighteenth century when Southampton attracted wealthy, aristocratic and notable visitors, including Jane Austen, to bathe and take the waters. This collection includes the stone fountain from the spa itself as well as ephemera relating to the balls and theatrical events of the day, a sedan chair and fine items of clothing including a gentleman's embroidered waistcoat and a woman's day dress from the 1770s.

Material relating to local celebrities is also held within the collection including the personal collection of the well-known nineteenth century Southampton artist and eccentric, Richard Cockle Lucas, and the spinet belonging to local composer Charles Dibdin.

APPENDIX B

Who are our collections for?

B.1. Our main target audience is the people of Southampton, although we reach out to national and international audiences through our websites and internet databases and loans of prestigious items to museums and galleries around the world. Our collections are consulted by researchers from all over the UK, and provide the basis of the engaging exhibitions in our three major venues: SeaCity Museum, Tudor House and Garden, and Southampton City Art Gallery, which attract both local people and visitors to the city. Within our audience, we seek to work with some groups in particular:

B.1.2 Children and young people

- reached through learning and education programmes for schools, tied in to National Curriculum requirements
- catering for the needs of home learning groups
- children's holiday events at our own venues and other locations, eg libraries, using objects as inspiration for creative work, with story tellers, or with historical re-enactors
- monthly art clubs, for different age groups from 3 to 12
- Arts & Heritage Youth forum ,for 13- 21 year olds, to discuss new ideas for exhibitions and projects
- as basis of local educational partnerships eg Schools Choice, where pupils curate their own art gallery displays choosing items from the collections, or using them as sources of inspiration to create their own art works
- through work experience placements, to have "hands-on" participation in collections work, from archives to archaeology
- student internships in partnership with local colleges and regional universities to provide more "in depth" experience of working in arts or heritage environment
- trainee placements for young people wishing to start a career in heritage, through the Skills for the Future Scheme
- specialist groups such as the Young Archaeologist Club, run by the Archaeology Unit, makes extensive use of the archaeology collections for their activities
- other youth groups, eg cubs and brownies, come on special visits
- Art4Schools allows schools to borrow original art works from our collections to take into their classrooms

B1.3 Older people

- There are many opportunities for active retired people to pursue their interests in local and family history through volunteer projects within collections. There are currently 45 people volunteering on a variety of collections tasks
- Talks and tours are targeted at specific groups such as U3A or local groups such as the Dynamo Club, or are run for specific events such as the city's Over 50's Festival

- Loan boxes for reminiscence sessions have been developed for those who cannot come to our venues for use in care homes, hospices and day centres, on topics such as the Blitz or the 1930's.

B1.4 Disabled People

- All our venues provide regular touch tours for visitors with visual impairments
- Museum displays include real objects for people to touch and audio guides and interpretation providing further information
- Handling boxes have been developed to meet the needs of children with special needs

B1.5 Families

- Collections can be used to support Family Learning initiatives and activities, developed with our Learning and Interpretation team
- Similarly, collaborative work can be done to ensure our venues and activities are Family Friendly
- Collections activities have been developed for events such as Museums at Night or SeaCity Museum's 1st Birthday celebration.

B1.6 Diverse communities

- Our collections need to constantly grow and develop to reflect the changing nature of the city and the new communities who have settled here
- The theme of diversity can be explored through Southampton's history and archaeology, using collections to demonstrate how new settlers brought in new technologies and material culture e.g. the Saxons, or why people came here e.g. to escape persecution – Basque refugees or Huguenots, or for economic reasons e.g. Windrush migrants or medieval Italian merchants, or as military occupiers - Romans
- Projects involving more recent incomers include oral history projects interviewing Asian women, and new Eastern European migrants in the city, or the collection of new archive material from Afro-Caribbean groups
- Material from the collections also celebrates national events such as Black History Month or the centenary of the abolition of slavery

B1.7 Researchers and enthusiasts

Our collections reach people locally, throughout the UK and Europe and all over the world from Iraq to Australia, America to Hong Kong:

- Overseas visitors to Southampton explore the collections through the exhibition programme, as evidenced by the scores of countries represented in our museums' visitor books
- Our events and exhibitions are supported by many enthusiastic amateurs coming from within the city and the wider region
- Visitors come from abroad on individual study visits to research particular topics
- Our collections form the basis of many PhD research projects, in partnership with learning institutions such as the University of Southampton

- We work within international partnerships and networks, for example with Cobh, Belfast, Cherbourg and Halifax, Nova Scotia on Titanic connections
- With the availability of online databases 24/7 people can, from their own armchair, consult, comment on and contribute to our collections on line, for example within the Heritage 100 collaborative project
- We receive e-mail enquiries from around the world
- Objects and pictures are loaned to other galleries and museums around the world, eg the Nubian statue of Taharqa has been displayed in Spain and France, while many of our artworks are in demand for international exhibitions all over Europe and further afield such as the United States, Canada and Japan.

APPENDIX C

Terms of Reference for the Chipperfield Advisory Committee

GENERAL

- a. This Committee is an advisory committee to the Council appointed by the Council under s102(4) of the Local Government Act 1972.
- b. The Committee comprises 7 independent members, quorate at 5, appointed by Council for a period of 4 years. Additionally, the National Advisor to the Gallery may attend Committee meetings at his/her discretion as a non-voting advisor to the Committee.
- c. Similarly, the Committee may invite a representative from the Museums Association, or any other outside experts agreed by a majority vote, to attend a meeting or meetings in a non-voting advisory capacity.
- d. The Committee shall meet in May and October of every year and on any further occasion as may be necessary to carry out the business of the Committee.
- d. Where a function or matter within the Committee's competence has been delegated to an officer, the Committee may exercise that function/matter concurrently with the officer to whom it has been delegated.
- e. The exercise of any function or matter within the Committee's competence is always subject to any relevant requirement of the Council's Constitution including any Special Procedure and Protocol drawn up and approved by the Head of Legal, HR and Democratic Services in pursuance of Council Procedure Rules.

TERMS OF REFERENCE

1. To identify, manage and resolve any conflicts of interest (or perceived conflicts of interest) occurring as a result of the Council's dual role as a corporate body and Trustee to the Chipperfield Bequest, with recommendations to Council as to an appropriate course of action in the circumstances.
2. Conflicts of interest are matters including but not limited to:

- a. determining which of those items acquired since the gallery was established belong to the Charity or to the Council corporately;
 - b. the apportionment of expenses of running, insuring and repairing the Art Gallery between the Council and the Charity (if not entirely funded by the Council);
 - c. the use of any admission fees charged for access to special exhibitions;
 - d. the ownership and exploitation of any intellectual property rights arising out of any publications associated with the Art Gallery or its collection;
 - e. questions as to whether the Charity should (for example) seek a scheme removing its existing obligations.
3. To conduct any investigation or enquiry necessary in furtherance of its functions under these Terms of Reference, and make recommendations to Council as to an appropriate course of action in the circumstances.
 4. To take advice from council officers as necessary and have recourse to any Council facilities or resources necessary for the performance of its duties, other than in cases where a conflict of interest or other reason exists that renders use of such resources inappropriate whereupon the Committee will be entitled to seek its own independent advice.
 5. To recommend the expenditure of Trust funds in relation to the acquisition of works of art, in consultation with the National Advisor.
 6. To provide reports to Council (as Trustees) as necessary and at least annually in relation to the use of the Trust's collection, patronage, use of works loaned to other organisations, details of purchases made, and work of the academy.
 7. To have sight of the Trust's accounts at least annually and, in conjunction with expert advice which to be sought as necessary, make any recommendations deemed appropriate to Council including recommendations as to the best investment strategies for the Trust's funds.
 8. To consider and recommend to Council an Arts and Heritage Collections Policy in relation to acquisitions on its renewal every 3 years.
 9. To contribute where necessary to the accreditation of venues process.
 10. To advise on any other matters that the Committee deem relevant to the objectives of the Chipperfield Bequest and the well-being of the collection and Gallery, including compliance with the Chipperfield Scheme and the protocols of the Museums Association, particularly in the event of consideration of the sale or disposal of works of art (additionally for which the direct advice of the Museums Association

must be sought).

11. To consider additions to the Committee's Terms of Reference if deemed by the Committee to be necessary or in response to suggestions made by the Trustees to the Trust. Any recommended additions must be approved by the Trustees to the Trust before being incorporated into the Terms of Reference.

ANCILLARY TERMS OF REFERENCE

12. Supporting the Curator in planning future exhibitions of contemporary art.
13. Working with officers and Councillors on the Culture and Heritage Team to identify any improvements needed to the gallery's overarching operation, and proposing or assisting with fund-raising activities needed to facilitate such improvements.
14. Suggesting and developing work in any other areas where the Committee believes there is a need for its involvement, in order to further the best interests of the City Art Gallery

Agenda Item 8

DECISION-MAKER:	OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE		
SUBJECT:	ADULT SOCIAL CARE BUDGET PROPOSALS		
DATE OF DECISION:	THURSDAY 12 TH DECEMBER 2013		
REPORT OF:	CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Stephanie Ramsey	Tel: 023 8029 6941
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STATEMENT OF CONFIDENTIALITY			
None			

BRIEF SUMMARY

This report briefly outlines the adult social care budget proposals. Some of the proposed efficiencies will be realised as a consequence of the People Directorate transformation which will redesign adult services to improve outcomes so that people can remain independent for longer and therefore delay access to long term care. The focus will be to try and achieve an immediate resolution for customers at the first point of access. This will include eligibility assessments, changes in care packages, arranging respite care, signposting and advice and information. This will improve the service for customers who currently experience long waits and multiple assessments. All service users who are eligible for services will be offered a reablement service to maximise their independence. Evidence indicates that of those who receive a maximum 6 week reablement service 60% will not require ongoing services for up to 2 years.

The Integrated Commissioning unit improve outcomes and reduce costs through re-tendering and reviewing placements. The intention is also to build on the transfer of the public health function to help people lead healthier lifestyles so that they are less dependent on council and health services.

RECOMMENDATION:

- i. To note the health and adult social care portfolio budget proposals

REASON FOR REPORT RECOMMENDATIONS

1. This report provides an explanation of the Health and Adult Social Care budget proposals
2. The proposals are based on a review of national best practice, areas where the council does not benchmark well against other similar authorities in outcomes and spend as well as priorities within the Health and Wellbeing Strategy.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. N/A

DETAIL (Including consultation carried out)

H&AS 1 Improve outcomes from reablement services so fewer people need care packages and for those where ongoing care is required they have reduced support needs

4. This proposes an increase in the efficiency of the current reablement service provided by in house teams, City Care First Support domiciliary care and Brownhill House residential provision, to support an additional 300 people over and above people currently supported annually and a further reduction in long term care needs for the existing 1,400 clients above what is already achieved. These services work with individuals to maximise their capabilities following deterioration in their health or a change of circumstances, promoting independence and reducing dependence on purchased long term care. This reduced dependency is expected to save nearly £700,000 in a full year but the full year effect will not be achieved until 2015/16 so a saving of half this amount is proposed for 2014/15.

H&AS 2 Proactively assisting up to 600 people to access low level services to delay access to long term care by between 3 to 6 months

5. This proposes a £337,000 full year saving to be achieved by proactively supporting up to 600 people who are currently identified as ineligible for support from the Council under the Fair Access to Care eligibility but who are clearly deteriorating or likely to develop needs for which they would be eligible within the next six months to a year. It is expected that directing these people towards services provided universally and proactively following them up to provide support to access such services, their care needs will be prevented or delayed so reducing the point at which they may require Council funded services. A post to undertake this proactive work has already been built into the Adult Transformation proposals. Preventative action such as this has been shown to achieve results nationally. Although a financial saving is expected to be achieved this proposal also increases independence and the ability for individuals to manage their own lives for longer.

H&AS3 Move from SCC provided horticultural and woodwork Day Service to an alternative model of delivery for same service

6. H&AS 3 proposes that the current horticultural day service and the woodwork day service for people with learning disability and mental health issues could benefit from the economies of scale that could be achieved from procuring the management of such services from existing similar not for profit organisations. Service specifications will be completed in line with the current service expectations. The Council would then contract with such organisation or organisations, following a tender exercise, at a rate that is expected to be lower than the cost of the current provision. It is expected that TUPE may apply to some staff but these are management functions

which are currently shared across other in house services so making TUPE unlikely for those staff where other organisations could gain the management economies of scale. There is current overlap between what is provided in-house and what is provided externally – there are 2 nurseries (horticulture) provided by voluntary sector providers one of which also has a coffee bar. There are other services concentrating on small woodwork projects. All are producing merchandise for sale and offer the potential to expand employment based activity. These services are accessed via spot purchase or direct payment. There would be efficiencies in identifying an alternative provider for the work with no major impact on the clients.

H&AS4 Retender of Domiciliary Care across all care groups. Increased focus on improving quality and reducing/delaying future long term care needs of clients

7. The proposal is to retender domiciliary care for the city, for both SCC and Southampton City Clinical Commissioning group (CCG). Snapshot data provided in July 2013 identifies that the domiciliary care market within Southampton currently provides care for approximately 1,810 people in any given week (1,750 SCC and 60 SCCCG). It accounts for a £20M spend (£15M SCC and £5M SCCCG). There are currently up to 75 providers (65 spot purchased and 10 framework providers contracted) working in the city and delivering care packages on behalf of SCC and the CCG.
8. There is a significant variation within the type and quality of care provided and in the rates charged. The aim of the tender is to significantly improve the quality within domiciliary care services and to ensure services are able to respond to changing needs and demands. Currently higher prices are paid in spot purchase as local provision is not available. The aim is to ensure the best value available within the market and this will release savings for both the council and CCG. There is a need to change the domiciliary care model as well to support the developments of personalisation across the city.
9. The design of the model of provision to be delivered through a framework agreement is proposed to address current areas of improvement by offering:
 - Greater flexibility and capacity
 - Clearer quality standards and performance indicators (KPIs) linked to contract terms and conditions which will support the drive for quality
 - A more streamlined systems approach as outlined in the service specification with a strong emphasis on promoting personalisation and independence
 - A requirement to deliver outcome based support using flexible care plans that shift away from minute by minute calls
 - A more generic approach focussing on need rather than diagnosis.
10. The costs to SCC of the services to be tendered will be met from within the existing domiciliary care budget held within the Health and Adult Services Portfolio.

11. This saving will be achieved through two main strands. The average price paid for Domiciliary care across all client groups will be reduced as a result of the new framework and negotiations with providers. Also the new framework will include an expectation that the long term care providers build in an element of reablement within the care they provide so as to delay existing clients needs from increasing and requiring more intensive support. Through more efficient and effective commissioning and improved clarity with providers there is a potential for savings to be released through this tender. This has been modelled and could range from £500,000 to £800,000 per year for SCC and £400,000 to £600,000 for SCCCG.
12. A proportion of the SCC saving has been included as a saving proposal for the 2014/15 budget. However, an element of the anticipated saving will be used to offset the growing pressure within the Learning Disability budget that has generated an overspend position in 2013/14.

H&AS5 Review above standard cost Residential and Nursing Packages

13. This proposal is to undertake a review of all current residential and nursing packages to achieve a 10% reduction in current above standard cost placements. It will also include better commissioning of placements that are required to be above standard cost to ensure best value and improved support in residential settings to maintain clients' independence and reduce the need for nursing care.
14. A review of placement costs has commenced using a nationally recognised tool Care Funding Calculator (which has generated savings of over 10% when used elsewhere) which is already releasing some savings.
15. In excess of 25% of the Residential and Nursing packages purchased by SCC are above the standard agreed weekly rate. (High cost placements are considered at £600 and over per week).
16. Some negotiations may lead to providers refusing to accept reduced rates. Where this is the case, risk assessments will be undertaken to determine the impact on the individual, alternative options and the risks associated with this.
17. The establishment of the Integrated Commissioning Unit and within this a Provider Relationships team will allow for a much improved focus in this arena. There will a "buyers /placement team" who will work with care managers and health colleagues to ensure effective placements are made initially so SCC and SCCCG don't continue with variable costs and outcomes into the future.

H&AS 6 Review of placements for 1) clients with an Acquired Brain Injury (ABI) and 2) clients with a Learning Disability to ensure appropriateness of current accommodation

18. There are some elements of the process outlined above for clients with ABI or learning disability to reduce cost of packages. However, there is more of a focus with this proposal in moving out of area clients back into the city to

improve usage of local resources and to increase use of supported living. The Department of Health (2007) highlights services commissioned for adults with complex needs should be based on local individualised support solutions which provide a good quality of life. The failure to develop appropriate services has led to an increase in the use of placements which are expensive, away from the person's home, and not necessarily of good quality. The CCG has some capital to potentially invest in this area to support availability of suitable accommodation.

19. There is a small element savings to be found in reviewing effectiveness of void payments, overnight cover arrangements and day care provision.
20. SCC predominantly uses one ABI rehabilitation service in the city. This service, while of good quality, is often full and has a number of individuals waiting to move into more appropriate accommodation following their rehabilitation. Speeding this process of positive move-on will enable the city to make the most appropriate use of this resource, reducing unnecessary costs, and supporting the rehabilitation plan of each individual.

H&AS 7 Reviewing day service provision for older people and improving Community Options to support reablement

21. This proposal is to achieve a 10% reduction in day care costs as a consequence of clients using direct payments to make their own choices which will lead to a reduction in the level of block contracting required. There will also be a development of community options to support reablement. Rationalising day care provision within fewer venues will lead to an 8% reduction in the cost of contracted Day Care from April 2014.
22. The current spend is approximately £1million across two providers and approximately 300 users are supported through these services. The contracts are being reduced as part of a process of reflecting a reduction in clients as a result of alternative choices being made by self-directed support clients, a reduction in eligible clients via Fair Access to Care.
23. Some clients will have a change of venue and may need support to adapt to this. There may be a problem for some carers who feel that the Day Care provides them with respite. Carers' assessments will be undertaken as part of the review.

H&AS8 Remodelling through use of Social Care transfer funding allocated via NHS and maintaining eligibility criteria

24. This proposal to use the transfer grant to maintain current eligibility criteria avoids reducing to critical only and maintains some current frontline services and staff posts.

H&AS9 Savings from various recurring and one off contingencies no longer required

25. Recurring savings from various areas of the Portfolio.

H&AS10 Remodelling in Substance Misuse provision

26. Detailed work has already been undertaken to review substance misuse services within the city and to bring together a range of separate contracts. Linking the commissioning of adults and children's services and drug and alcohol services enables economies of scale including reduction of staffing within the Drug Action Team. Improved support reduces need for substance misuse packages. The revised service will be out to tender shortly. The staffing savings identified are two vacant posts.

H&AS11 Review of current Public Health supported services & refocus of investment to improve outcomes for children and young people and reduce health inequalities

27. Review of services for early intervention to identify opportunities to remodel and integrate with other services. This is describing major commissioning review into the commissioned services that transferred across to SCC with Public Health. This could have a potential impact on the current provider organisations as services could be collated into a tender for a new model of provision.

H&AS12 Reduction in Nursing Block Contract Beds

28. The council and CCG currently have a long term block contract with one provider for a number of Nursing home beds. This contract includes a clause which comes into effect in 2015/16 which would mean that the number of contracted beds could reduce. SCC will then be able to purchase from the market at the standard rate thus generating a saving. It is expected that the transfer of beds purchased from block to spot will occur evenly during the year and so a full year saving will not accrue until 2016/17.

RESOURCE IMPLICATIONS

Capital/Revenue

29. The overall proposed savings will be £6,811,000 in 2014/15

Property/Other

30. N/A

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

31. S.101 Local Government Act 1972 and S.1 Localism Act 2011. Any procurements will be in accordance with the authority's Contract Procedure and Financial Procedure Rules, The Public Contracts Regulations 2006 and the EU Procurement Directives 2006, The Council is working to implement The Social Value Act into procurement. Officers are seeking to develop opportunities of applying the principles against any procurement.

Other Legal Implications:

32. None

POLICY FRAMEWORK IMPLICATIONS

33. The proposals in this report are wholly in accordance with the Council's budget and policy framework.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	None directly as a result of this report
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SUPPORTING DOCUMENTATION

Appendices

1.	None
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Documents In Members' Rooms

1.	None
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Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out?	Yes – all proposals have an impact assessment
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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

1.	None
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Agenda Item 9

DECISION-MAKER:	OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE		
SUBJECT:	MONITORING SCRUTINY RECOMMENDATIONS TO THE EXECUTIVE		
DATE OF DECISION:	12 TH DECEMBER 2013		
REPORT OF:	ASSISTANT CHIEF EXECUTIVE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Mark Pirnie	Tel: 023 8083 3886
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STATEMENT OF CONFIDENTIALITY			
None			

BRIEF SUMMARY

This item enables the Overview and Scrutiny Management Committee to monitor and track progress on recommendations made to the Executive at previous meetings.

RECOMMENDATION:

- (i) That the Committee considers the responses from Cabinet Members to recommendations from previous meetings and provides feedback.

REASON FOR REPORT RECOMMENDATIONS

1. To assist the Committee in assessing the impact and consequence of recommendations made at previous meetings.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. None.

DETAIL (Including consultation carried out)

3. Appendix 1 of the report sets out the recommendations made to Cabinet Members at previous meetings of the Overview and Scrutiny Management Committee. It also contains summaries of any action taken by Cabinet Members in response to the recommendations.
4. The progress status for each recommendation is indicated and if the Overview and Scrutiny Management Committee confirms acceptance of the items marked as completed they will be removed from the list. In cases where action on the recommendation is outstanding or the Committee does not accept the matter has been adequately completed, it will be kept on the list and reported back to the next meeting. It will remain on the list until such time as the Committee accepts the recommendation as completed. Rejected recommendations will only be removed from the list after being reported to the Overview and Scrutiny Management Committee.

RESOURCE IMPLICATIONS

Capital/Revenue

5. None.

Property/Other

6. None.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

7. The duty to undertake overview and scrutiny is set out in Part 1A Section 9 of the Local Government Act 2000.

Other Legal Implications:

8. None

POLICY FRAMEWORK IMPLICATIONS

9. None.

KEY DECISION? No

WARDS/COMMUNITIES AFFECTED:	None directly as a result of this report
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SUPPORTING DOCUMENTATION

Appendices

1.	Monitoring Scrutiny Recommendations – 12 th December 2013
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Documents In Members' Rooms

1.	None
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Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No
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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)
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1.	None	
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Overview and Scrutiny Management Committee: Holding the Executive to Account

Scrutiny Monitoring – 12th December 2013

Date	Portfolio	Title	Action proposed	Action Taken	Progress Status
14/11/13	Resources	Budget	1) That the Cabinet consider supporting subsidising Council Tax Benefits for two additional years to delay the impact of the imposed 10% reduction on some of Southampton's residents.	As agreed at Council, consideration will be given to this recommendation when all the relevant information has been received from the Government.	Update to be provided in February 2014.
			2) That the Cabinet give consideration to commencing the commissioning of additional services now so that the benefits can be realised in the short to medium term.	This is part of ongoing work on commissioning.	
			3) That the OSMC receives updates and reviews on the Transformation Programme at appropriate intervals.	Accepted – Updates will be provided on a quarterly basis, commencing January 2014.	
14/11/13	Leader	LGA Peer Challenge	1) That the Leader explores at a Group Leaders meeting how the council can enable access to information and transparency, at the same time as simplifying processes and reducing bureaucracy.	This issue is now on the agenda for the Group Leaders meeting in January 2014.	
			2) That, to help change our culture, the Executive consider how to embed a strong performance management framework throughout the council. This could include making performance an integral part of appraisals, helping to link individual roles with the wider council priorities.	Accepted and included in the work on developing a performance management framework for the Council.	
			3) That the Executive consider how, through appropriate training and communication, understanding can improve across the authority of the council's decision making process and the recognition that we are 'one council'.	Accepted – Work is underway to reintroduce the training for officers on the Council's decision making processes.	

