

CABINET

**Tuesday, 17th June, 2014
at 4.30 pm**

Council Chamber - Civic Centre

This meeting is open to the public

Members

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

(QUORUM – 3)

Contacts

Cabinet Administrator
Judy Cordell
Tel: 023 8083 2766
Email: judy.cordell@southampton.gov.uk

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

BACKGROUND AND RELEVANT INFORMATION

The Role of the Executive

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

The Forward Plan

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

Implementation of Decisions

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

Mobile Telephones – Please turn off your mobile telephone whilst in the meeting.

Southampton City Council’s Priorities:

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

Executive Functions

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

Key Decisions

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

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

Decisions to be discussed or taken that are key

Procedure / Public Representations

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

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

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

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

Municipal Year Dates (Tuesdays)

2014	2015
17 June	20 January
15 July	10 February*
19 August	17 February
16 September	17 March
21 October	21 April
18 November	
16 December	(* Budget)

CONDUCT OF MEETING

TERMS OF REFERENCE

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

RULES OF PROCEDURE

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

BUSINESS TO BE DISCUSSED

Only those items listed on the attached agenda may be considered at this meeting.

QUORUM

The minimum number of appointed Members required to be in attendance to hold the meeting is 3.

DISCLOSURE OF INTERESTS

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

DISCLOSABLE PECUNIARY INTERESTS

A Member must regard himself or herself as having a Disclosable Pecuniary Interest in any matter that they or their spouse, partner, a person they are living with as husband or wife, or a person with whom they are living as if they were a civil partner in relation to:

(i) Any employment, office, trade, profession or vocation carried on for profit or gain.

(ii) Sponsorship:

Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.

(iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.

(iv) Any beneficial interest in land which is within the area of Southampton.

(v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.

(vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.

(vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:

a) the total nominal value for the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or

b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

Other Interests

A Member must regard himself or herself as having an, 'Other Interest' in any membership of, or occupation of a position of general control or management in:

Any body to which they have been appointed or nominated by Southampton City Council

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

Any body whose principal purpose includes the influence of public opinion or policy

Principles of Decision Making

All decisions of the Council will be made in accordance with the following principles:-

- proportionality (i.e. the action must be proportionate to the desired outcome);
- due consultation and the taking of professional advice from officers;
- respect for human rights;
- a presumption in favour of openness, accountability and transparency;
- setting out what options have been considered;
- setting out reasons for the decision; and
- clarity of aims and desired outcomes.

In exercising discretion, the decision maker must:

- understand the law that regulates the decision making power and gives effect to it. The decision-maker must direct itself properly in law;
- take into account all relevant matters (those matters which the law requires the authority as a matter of legal obligation to take into account);
- leave out of account irrelevant considerations;
- act for a proper purpose, exercising its powers for the public good;
- not reach a decision which no authority acting reasonably could reach, (also known as the "rationality" or "taking leave of your senses" principle);
- comply with the rule that local government finance is to be conducted on an annual basis. Save to the extent authorised by Parliament, 'live now, pay later' and forward funding are unlawful; and
- act with procedural propriety in accordance with the rules of fairness.

AGENDA

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

1 APOLOGIES

To receive any apologies.

2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

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

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

EXECUTIVE BUSINESS

3 STATEMENT FROM THE LEADER

4 RECORD OF THE PREVIOUS DECISION MAKING

Record of the decision making held on 15th April 2014, attached.

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

Report of the Chair of Scrutiny Panel A detailing the Panel's inquiry into maintaining balanced neighbourhoods through planning, attached.

6 REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (IF ANY)

There are no items for consideration

7 EXECUTIVE APPOINTMENTS

Report of the Head of Legal and Democratic Services, detailing the Executive Appointments to all organisations and bodies which relate to Executive functions, attached.

8 QUESTIONS FROM MEMBERS TO CABINET MEMBERS

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

ITEMS FOR DECISION BY CABINET

9 EXPANSION OF GREAT OAKS SCHOOL

Report of the Cabinet Member for Education and Change seeking approval to expand Great Oaks School by 25 places. 17 would be added in September 2014 and a further 8 in September 2015.

10 TRANSFER OF LAND AND BUILDINGS FROM SCC TO ST JOHNS PRIMARY AND NURSERY SCHOOL

Report of the Cabinet Member for Education and Change, seeking permission to transfer the Mission Hall on the St Johns site and the Eagle Warehouse on French Street to St Johns Primary and Nursery School.

11 LOOKED AFTER CHILDREN STRATEGY 2014-2017

Report of the Cabinet Member for Children's Safeguarding, seeking approval of the Looked After Children Strategy 2014-2017.

12 BETTING SHOPS, PAYDAY LOAN PREMISES, FAST FOOD OUTLETS AND PUBLIC HOUSES

Report of the Leader of the Council seeking approval for preventing the spread of betting shops, pay-day-loan premises, cheap off-licences, fast food off-licences near schools and the loss of Public Houses.

13 PARIS 5.1 UPGRADE

Report of the Cabinet Member of Resources seeking approval of funding for the upgrade of City Councils Care Management System Paris.

14 EXCLUSION OF THE PRESS AND PUBLIC - CONFIDENTIAL PAPERS INCLUDED IN THE FOLLOWING ITEM

To move that in accordance with the Council's Constitution, specifically the Access to Information Procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect of any consideration of the confidential appendix to the following Item

Confidential appendix 1 contains information deemed to be exempt from general publication based on Category 3 and 7a of paragraph 10.4 of the Council's Access to Information Procedure Rules. It is not in the public interest to release this information as it would prejudice the Council's ability to contract with third parties and obtain best value when entering into competitive tenders with the market

15 AWARD OF SUBSTANCE MISUSE TENDER

Report of the Cabinet Member for Health and Adult Social Care seeking approval for the award of tender for substance misuse services, attached.

NOTE: this item is presented in line with Regulation 15 of the Council's Access to Information Procedure Rules.

MONDAY, 9 JUNE 2014

HEAD OF LEGAL AND DEMOCRATIC SERVICES

This page is intentionally left blank

Agenda Item 4

SOUTHAMPTON CITY COUNCIL EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 15 APRIL 2014

Present:

Councillor Letts	-	Leader of the Council
Councillor Barnes-Andrews	-	Cabinet Member for Resources
Councillor Chaloner	-	Cabinet Member for Children's Safeguarding
Councillor Jeffery	-	Cabinet Member for Education and Change
Councillor Tucker	-	Cabinet Member for Economic Development and Leisure
Councillor Shields	-	Cabinet Member for Health and Adult Social Care

Apologies: Councillor Payne

97. EXECUTIVE APPOINTMENTS

RESOLVED that the Local Authority Governors' Appointment Panel be disbanded and appointment of Local Authority Governors and that the appointment of Governors be the responsibility of the Director of People in consultation with the appropriate Cabinet Member.

98. QUESTIONS FROM MEMBERS TO THE CABINET MEMBERS

The following questions were submitted:

1. Betting Shops and Planning Use Classes

Question from Councillor Vinson to Councillor Letts – Leader of the Council

Following the motion on betting shops, pawn brokers and pay-day lending businesses passed by Council on 17 July 2013, has the Administration made representations to Government for the creation of a separate planning use class for such premises?

Answer

I have requested that the Planning and Development Manager write to the Government. However, I understand that the Government is consulting on this matter and is favourable to the suggestion. I am therefore hoping that the Government will go ahead with this.

2. Central Bridge Closure

Question from Councillor Baillie to Councillor Rayment – Cabinet Member for Environment and Transport

Why were all of the works not done at the same time and why did the traffic run so smoothly on the 4th April?

Answer

In 2010 Network Rail undertook repairs to the rail bridge, which is a different structure, which required dismantling and rebuilding their cast iron structure. At that stage we were not aware of the severity of the problems in the Central Bridge structure. In addition to this, even if we knew of the scale of the problem and had the means to fund the repairs, logistically we would not have been able to carry out our works alongside Network Rail's.

The City Council working with ABP, Balfour Beatty, Carnival and others put in place a number of measures to help mitigate against the impact of the Platform Road works. These include a number of physical measures, such as widening the junction at Dock Gate four to allow HGVs to be able to enter and exit the port without needing the use of traffic lights to do so. We have used advanced Vehicle Messaging in the run up to busy days in order to warn local motorists of potential congestion. We have liaised with the media to get a message out to the general public that there are going to be busy days when some congestion may be expected, warning when they are. We have also communicated the reasons why we are doing this work and the long term benefit it will bring to the economy of Southampton. We intend doing more to promote the schemes and why they are so important in the near future

3. Council Home Allocation

Question from Councillor Baillie to Councillor Payne Cabinet Member for Housing and Sustainability (responded to by Councillor Letts in Councillor Payne's absence)

Why does the Executive believe it is right to earn high wages and still live in a Council home?

Answer

This is a political decision. Local Authorities do have the power to grant short term tenancies; however, my personal view is that few high earners have tenancies. Housing is a stable thing in people's lives and this administration has taken the view therefore that tenancies are of value. There is benefit from having a mixed tenure and a mixed community bring more cohesion to an area.

4. Air Pollution

Question from Councillor Baillie to Councillor Letts – Leader of the Council
(responded to by Councillor Rayment on Councillor Lett's behalf)

What concrete plans does the Executive have to reduce air pollution?

Answer

The City Council maintains an air quality monitoring network across the city including a network of approximately 60 diffusion tubes placed at key locations, three continuous monitoring stations and access to data from monitoring stations run by other organisations in the City, some as part of their planning conditions.

Due consideration is given to the air quality impacts of every planning application.

The City Council has an Air Quality Action Plan (AQAP) which is aimed at ensuring improvements in air quality. The latest vehicle engine technologies, and those being introduced over the coming years, will offer further improvements. We hope to continue the good work already done through our AQAP and are looking at further opportunities to encourage improvements in the vehicles using our roads.

Over the next two years a commitment of £60k has been made to pursue a Low Emission Strategy for the city. This will look at opportunities to incentivise the uptake of new technologies in order to achieve an improvement in air quality. This work will support the activities being pursued through the Local Sustainable Transport Programme to achieve further improvements through modal shift.

The recently opened Sustainable Distribution Centre (SDC) offers freight consolidation and comprehensive warehousing solutions to Southampton and the surrounding areas. The SDC concept should benefit Southampton and its surrounding area by helping to reduce congestion and to reduce carbon

99. LATE NIGHT LEVY - CONSULTATION

DECISION MADE: (Ref: CAB 13/14 12594)

On consideration of the report of the Cabinet Member for Communities and having received representations from a local resident, Cabinet agreed the following:

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

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

100. REQUEST FOR VARIATION OF HACKNEY CARRIAGE FARES - CONSIDERATION OF OBJECTIONS

DECISION MADE: (Ref: CAB 13/14 12600)

On consideration of the report of the Head of Legal and Democratic and having received representations from representatives of the Southampton Hackney Association, Cabinet agreed the following:

- (i) to approve the table of fares as advertised;
- (ii) to note that a further variation notice will be published to increase the fees in tariff 1 from £2.60 to £2.80 and from £3.45 to £3.70 in tariff 2; and
- (iii) to further note that any objections received will be brought back to Cabinet for further consideration before confirmation or otherwise.

101. ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS FOR ACADEMIC YEAR 2014/15

DECISION MADE: (Ref: CAB 13/14 12298)

On consideration of the report of the Cabinet Member for Education and Change, Cabinet agreed the following:

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

102. CITY SERVICES CAPITAL PROGRAMME - APPROVAL TO SPEND

DECISION MADE: (Ref: CAB 13/14 12325)

On consideration of the report of the Cabinet Member for Environment and Transport, Cabinet agreed to approve, in accordance with Financial Procedure Rules, capital expenditure of £350,000 in 2014/15 for the Purchase of Compact Sweepers scheme, contained within the Environment and Transport Portfolio (City Services) Capital Programme, in order to procure five mechanical sweepers to help secure the economy and effectiveness of the street cleansing service over next 5 – 7 years.

103. RECOMMISSIONING OF SCHOOL NURSING SERVICE

DECISION MADE: (Ref: CAB 13/14 12170)

On consideration of the report of the Cabinet Member for Health and Adult Social Care, Cabinet agreed the following:

- (i) To delegate authority to the People Director, in consultation with the Director of Public Health to revise the service specification for the School Nursing Service and, following consultation with the manager of the Integrated Commissioning Unit to recommission the service subject to the new service remaining within approved budgets.

- (ii) To delegate authority to the People Director, in consultation with the Director of Public Health, following consultation with the Head of Property and Procurement, to do anything necessary to secure the commissioning of the School Nursing Service up to and including entering into appropriate contract(s).

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

DECISION MADE: (Ref: CAB 13/14 12408)

On consideration of the report of the Cabinet Member for Health and Adult Social Care, Cabinet agreed the following:

- (i) To approve the award of the contract to Support Services For Adult Carers in the City of Southampton to Tenderer A to commence on 1st September 2014 for a period of 3 years.
- (ii) To delegate authority to the Director of People, following consultation with the Head of Legal and Democratic Services, to enter into a Section 256 agreement with Southampton City Clinical Commissioning group for a period concurrent with the Support Services For Adult Carers contract.

105. BANK TENDER - DELEGATED AUTHORITY TO AWARD CONTRACT

DECISION MADE: (Ref: CAB 13/14 12468)

On consideration of the report of the Cabinet Member for Resources, Cabinet agreed to delegate authority to the Chief Financial Officer to award the bank contract to the preferred bidder for both general banking and merchant acquiring.

106. HERITAGE PARTNERSHIP AGREEMENT WITH ENGLISH HERITAGE FOR WORKS TO THE CIVIC CENTRE

DECISION MADE: (Ref: CAB 13/14 12396)

On consideration of the report of the Cabinet Member for Resources, Cabinet agreed to delegate authority to the Head of Planning, Transport and Sustainability, following consultation with the Head of Legal and Democratic Services, to enter into a five-year Heritage Partnership Agreement (HPA) with English Heritage in respect of the Southampton Civic Centre building.

107. EXCLUSION OF THE PRESS AND PUBLIC - CONFIDENTIAL PAPERS INCLUDED IN THE FOLLOWING ITEM

RESOLVED that in accordance with the Council's Constitution, specifically the Access to Information Procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect of any consideration of the confidential appendix to the following matter.

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

108. *PROPERTY AUCTION SALES

DECISION MADE: (Ref: CAB 13/14 12432)

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

- (i) To approve the principle of the sale by auction of:
 - Former Derby Road Contact Centre, 169-193 Derby Road
 - Former Bitterne Family Centre, 46 Peartree Avenue
 - Former Forest View Family Centre, 1 Sutherland Road
- (ii) Delegate authority to the Head of Property and Procurement to approve the reserve prices
- (iii) To confirm that the appointed auctioneer be authorised to sign the contract for sale immediately after the auction
- (iv) To authorise the Head of Property and Procurement to undertake all ancillary matters to give effect to this resolution
- (v) To note the estimated value of the capital receipt from these disposals has already been built into the funding of the capital programme. Any receipts that differ from the estimates will need to be considered corporately as part of any future prioritisation of resources.

This page is intentionally left blank

Agenda Item 5

DECISION-MAKER:	CABINET		
SUBJECT:	SCRUTINY PANEL A: MAINTAINING BALANCED NEIGHBOURHOODS THROUGH PLANNING INQUIRY – FINAL REPORT		
DATE OF DECISION:	17 JUNE 2014		
REPORT OF:	CHAIR OF SCRUTINY PANEL A		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Mark Pirnie	Tel: 023 8083 3886
	E-mail:	Mark.pirnie@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

None

BRIEF SUMMARY

From November 2013 to May 2014 Scrutiny Panel A undertook an inquiry examining the contribution planning can make to maintaining balanced neighbourhoods and the quality of life for their residents. The Scrutiny Inquiry report contains a number of recommendations which have been highlighted in Appendix 2. Subject to the final report, attached as Appendix 1, being agreed at the meeting of the OSMC on 12th June 2014, the Cabinet needs to formally respond to these recommendations within two months to meet the requirements in the Council's constitution.

RECOMMENDATIONS:

- (i) Subject to the report attached as Appendix 1 being agreed at the meeting of the OSMC on 12th June 2014, Cabinet is recommended to receive the attached Scrutiny Panel A report to enable the Executive to formulate its response to the recommendations contained within it, in order to comply with the requirements set out in the Council's Constitution.

REASON FOR REPORT RECOMMENDATIONS

1. The overview and scrutiny procedure rules in part 4 of the Council's Constitution requires the Executive to consider all inquiry reports that have been endorsed by the Overview and Scrutiny Management Committee, and to submit a formal response to the recommendations contained within them within two months of their receipt..

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. None.

DETAIL (Including consultation carried out)

3. On 12th September 2013 the Overview and Scrutiny Management Committee agreed the indicative terms of reference for an Inquiry examining the contribution planning can make to maintaining balanced neighbourhoods. The set objectives of the Inquiry were:

- To review how effectively the City Council's Article 4 and HMOs

Supplementary Planning Document is working

- To increase understanding of the various Government proposals to relax permitted development rights, including those relating to extensions and office to residential conversions, and to consider if a local response should be developed
 - To consider the Council's approach to planning enforcement.
4. The Inquiry was undertaken by Scrutiny Panel A with information presented to 6 meetings from November 2013 to May 2014.
 5. The final report contains 21 recommendations in total, summarised in Appendix 2, which if implemented the Panel believe will help to maintain balanced communities in Southampton.
 6. The recommendations are grouped under the following key themes:
 - Houses in Multiple Occupation
 - Planning Enforcement
 - Permitted Development Rights
 - Community Led Planning
 7. A final report of the Inquiry is attached as Appendix 1. The report will not be considered by the OSMC until 12th June 2014, after the deadline for publication of Cabinet papers, therefore any amendments made by the OSMC will be reported to the Executive verbally at the Cabinet meeting.
 8. The Executive needs to consider the Inquiry recommendations and to formally respond within two months of the date of receiving this report in order to meet the requirements set out in the Council's constitution.

RESOURCE IMPLICATIONS

Capital/Revenue

9. In practice any future resource implications arising from this review will be dependent upon whether, and how, each of the individual recommendations within the Inquiry report are progressed by the Executive. More detailed work will need to be undertaken by the Executive in considering its response to each of the recommendations set out in the Inquiry report.

Property/Other

10. None.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

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

Other Legal Implications:

12. None

POLICY FRAMEWORK IMPLICATIONS

13. The proposals contained within the appended report are in accordance with the Council's Policy Framework.

KEY DECISION? No

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

SUPPORTING DOCUMENTATION

Appendices

1.	Final Report – Scrutiny Panel A Inquiry
2.	Summary of Recommendations

Documents In Members’ Rooms

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

Equality Impact Assessment

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

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

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

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

This page is intentionally left blank



Scrutiny Panel A

Maintaining Balanced Neighbourhoods Through Planning



PANEL MEMBERSHIP

- Councillor Burke (Chair)
- Councillor Claisse (Vice-Chair)
- Councillor L Harris
- Councillor Lloyd
- Councillor McEwing
- Councillor Mintoff
- Councillor Vinson

Improvement Manager - Mark Pirnie

Mark.pirnie@southampton.gov.uk

023 8083 3886

Contents

Contents	Page
Introduction	3
Houses in Multiple Occupation	4
Planning Enforcement	7
Permitted Development Rights	9
Community Led Planning	11
Appendix 1 –Terms of Reference	14
Appendix 2 – Project Plan	17
Appendix 3 - Summary of Key Evidence	20

Maintaining Balanced Neighbourhoods Through Planning

Introduction

1. The role of Southampton as the sub-regions economic driver and a provider of higher education creates additional pressure on the city's housing stock and infrastructure.
2. Although the demography of the city is complex the planning system can assist in achieving a mix of households within the city's neighbourhoods, meeting different housing needs whilst protecting the interests of other residents, landlords and businesses.
3. Recognising the importance of maintaining balanced communities within Southampton the Overview and Scrutiny Management Committee (OSMC), at its meeting on 12th September 2013, requested that Scrutiny Panel A undertake an inquiry looking at 3 specific areas; the Houses in Multiple Occupation Supplementary Planning Document; Planning enforcement and Permitted development rights.
4. The agreed purpose of the Inquiry was to examine the contribution planning can make to maintaining balanced neighbourhoods and the quality of life for their residents.
5. The set objectives of the Inquiry were:
 - a. To review how effectively the City Council's Article 4 and HMOs Supplementary Planning Document is working.
 - b. To increase understanding of the various Government proposals to relax permitted development rights, including those relating to extensions, office to residential conversions and changing retail use without consent, and to consider if a local response should be developed.
 - c. To consider the Council's approach to planning enforcement.
6. As the meetings progressed the Panel had a number of discussions relating to empowering communities to have a greater say in the future growth and development of their neighbourhoods. This led to a meeting of the Panel to focus on Neighbourhood Planning.

The full terms of reference for the Inquiry, agreed by the OSMC, are shown in Appendix 1.

Consultation

7. Scrutiny Panel A undertook the Inquiry over 4 evidence gathering meetings and received information from a wide variety of organisations to meet the agreed objectives. A list of witnesses that provided evidence to the Inquiry is detailed in Appendix 2. Members of the Scrutiny Panel would like to thank all those who have assisted with the development of this review.

Houses in Multiple Occupation

Background

8. Southampton has a large number of Houses in Multiple Occupation (HMOs). These play an important role in meeting people's housing needs in Southampton, by providing shared accommodation that is affordable to young workers, postgraduate students, some undergraduate students, and others. Without HMOs, many young professionals and students would not be able to afford to live in Southampton.
9. However, in some areas of the city, high concentrations of HMOs are resulting in changes to the character of the local area, and may also contribute to local parking problems, large numbers of transient households, and the affordability of renting or buying homes in the city. This has led some people to believe that their communities are becoming unbalanced, because the number of short-term tenants with less established community ties has grown too large.
10. To prevent the development of excessive concentrations of HMOs, and to encourage a more even distribution across the city, the Council, in March 2012, resolved to make an Article 4 (1) direction to remove the permitted development rights of house owners to convert a single dwelling house (class C3) into an HMO. Accompanying this the Council approved a Houses in Multiple Occupation Supplementary Planning Document (HMO SPD) to guide the interpretation of the policy and to ensure that HMOs were spread across the city with no area (within a 40m radius) having more than either 20% or 10% of properties as HMOs so communities were balanced (defined as the "tipping point").
11. As the Article 4 and HMO SPD had been in place for 18 months it was appropriate that the Panel reviewed the policies and considered how effective they were in meeting the objectives identified above.
12. The Panel were informed that the National HMO Lobby and the National Organisation of Residents Associations believe that 10% is the tipping point given that it equates to 20-30% of the population, and of the adoption by neighbouring south coast cities Bournemouth and Portsmouth of 10% thresholds.
13. In addition, the Panel discussed at the 9 January 2014 meeting the Additional HMO Licensing Scheme. Since July 2013 the City Council has had a designation for Additional HMO Licensing in 4 wards (Bevois, Bargate, Portswood and Swaythling). This means that all HMOs in these 4 wards need to be licensed.
14. A summary of the key findings from the meeting can be found attached at Appendix 3. The agenda papers for the 9 January 2014 Panel meeting can be found here:

<http://www.southampton.gov.uk/modernGov/ieListDocuments.aspx?CId=424&MId=2816&Ver=4>

Conclusions and Recommendations

Houses in Multiple Occupation Supplementary Planning Document (HMO SPD)

15. Evidence was provided to the Panel from various sources advocating changing the HMO SPD thresholds currently in existence, or indeed removing the thresholds altogether. The Panel are aware that it is a balancing act between protecting family housing and balanced communities and meeting housing needs for the city. The Panel, whilst recognising that the HMO SPD is not perfect, were not convinced that the evidence presented to them was robust enough to recommend changes to the existing HMO SPD thresholds, 10% (Bassett/Portswood/Swaythling) and 20% in the rest of the city, at this time. The Panel believe more research is required in assessing housing need in the city as it relates to HMO accommodation, tipping points and in clarifying the number of HMOs in Southampton before the Council reconsiders amending the thresholds. With this in mind the Panel recommend the following:
 - i. That the Administration reconsider the HMO SPD thresholds once accurate and soundly based information on housing need and HMO numbers in Southampton, and the tipping point at which communities become unbalanced has been gathered. The Panel believe that working with the universities in Southampton, perhaps through commissioning a specific investigation, e.g as a student dissertation topic, could be a way forward here. Information gathered could be used in conjunction with the emerging details on location and HMO numbers emanating from the implementation of the Additional HMO licensing scheme in 4 wards of the city. The Panel ask that a) early consideration be given to Freemantle when determining appropriate thresholds, and b) that a consultative task force is established consisting of council officers, universities, representatives of resident's associations and landlords to monitor progress and to advise on the exercise to accumulate evidence on the supply of, and demand for HMOs.
 - ii. That the Executive give consideration to how the HMO SPD can be amended to reflect the population density of HMO occupants rather than just property density. The Executive may, for example, consider utilising information derived from planning applications since March 2012, from the Additional Licensing Scheme, the location of halls of residence and whether an HMO is C4 or Sui Generis.
 - iii. That the Executive amend the HMO SPD to include no new HMOs which would 'sandwich' family homes.
 - iv. That greater emphasis be placed on amenity and neighbourhood character when considering HMO applications.

HMOs in General

- v. That the Council roll out the Additional HMO licensing scheme to areas within wards that have issues with HMOs as soon as legally and feasibly possible, and deals robustly with irresponsible landlords as the scheme moves into the enforcement phase, including prosecuting where appropriate.
- vi. To address the issue of the proliferation of To-Let signs the Panel supports the motion approved at the 19 March meeting of Council urging the Executive to make full use of the powers available to curb the excessive display of such signs, including consideration of the adoption of a Regulation 7 Direction under the Town and Country Planning (Control of Advertisements) Regulations, and a rigorous Lettings Board Code as adopted by Leeds City Council and others. The Council could, for example, consider the following easy and inexpensive proposals; a total ban in Conservation Areas, a ban on 'Let By / Sold By' boards, and a moratorium of 'Student Let' boards between (say) August and February.
- vii. Development of new student accommodation benefits the wider market, as it frees up homes that are suitable for families and couples. It is therefore recommended that the Executive:
 - a. engage with the two universities in Southampton and encourages the development of additional appropriate purpose built student accommodation;
 - b. review the Council's existing policy with a view to adopting the approach whereby the City Council insist that any student numbers are matched by a proportionate increase in purpose-built student accommodation, and by setting a target for the overall number of students living outside of university provided accommodation at each institution.
- viii. That the Council seek agreement with letting agencies and Universities not to offer unlicensed/unapproved student accommodation to let.
- ix. That the Executive consult with landlords to identify ways of increasing the attractiveness of areas within Southampton in which HMOs are currently significantly underrepresented e.g by improving transport links.
- x. If it is legal it is recommended that the Council develops a closer alignment between Planning and HMO Licensing ensuring that an application for an HMO License is only determined after planning permission has been ascertained. If this is currently illegal then the Council should write to the Government recommending a change in the law.

Planning Enforcement

Background

16. The Planning Enforcement function was the subject of a review by Internal Audit in 2013. The review identified a number of concerns relating to policies and procedures, complaints and executing enforcement decisions within statutory and legal timeframes.
17. At the meeting of the Panel progress on the management actions undertaken in response to the Internal Audit report was presented. Progress had been made against a number of the actions, however a number of actions were still outstanding.
18. Progress must be seen alongside the workload of the Planning Enforcement Team outlined in the table below and presented to the Panel:

Table 1

	2011-12*	2012-13*	2013-14* (31st Dec 2013)
Enquiries	291	430	268
Stop Notice	3	1	0
Enforcement Notice	6	6	12
Breach of Condition Notice	8	5	4
s.215 untidy site notice	0	1	2

19. A summary of the key findings from the meeting can be found attached at Appendix 3. The agenda papers for the 6 February 2014 Panel meeting can be found here:

<http://www.southampton.gov.uk/modernGov/ieListDocuments.aspx?CId=424&MId=2817&Ver=4>

Conclusions and Recommendations - Planning Enforcement

20. The Panel recognise that planning enforcement in Southampton has improved recently but more could be done to ensure that the planning function is not undermined by a lack of prompt and effective enforcement. The following actions are recommended:
- i. That the planning enforcement action plan is fully implemented, including clear guidance and standards on planning enforcement and the audit plan is completed..
 - ii. That, to act as a deterrent, successful enforcement action is publicised (may be included in Street CRED outcome publicity or through Stay Connected).
 - iii. The Council makes direct representation to the Secretary of State at the DCLG and the Planning Minister requesting:
 - a. The introduction of stop notices to stop unauthorised residential uses
 - b. Shifting enforceability to proof of intent instead of actual occupation
 - c. Stopping the ability to appeal about a planning decision and a subsequent enforcement notice
 - d. An additional fee for those who have applied for retrospective planning permission
 - e. Permission to confiscate rent for unauthorised HMO occupancy
 - f. Power to charge fees for HMO applications and appeals.
 - iv. The Council strengthens checks on established use, with published guidelines.
 - v. The Council makes fuller use of the Proceeds of Crime Act where possible and Section 215 (untidy sites) notices.

Permitted Development Rights

Background

21. On 30 May 2013 a raft of amendments to permitted development and change of use came into effect, lasting for 3 years. The two main changes are:
- The change of use of office to residential use
 - Increasing the size limits for single storey domestic extensions and conservatories.

Office to Residential Use

22. The coalition government amended legislation to allow for offices to convert to homes without having to apply for full planning permission. The policy goal was to make it easier to convert redundant, empty and under-used office space into new homes, promoting brownfield regeneration, increasing footfall in town centres and boosting housing supply.
23. The Panel were informed that in the first 9 months the Council has been notified of 33 proposals under these rights. 16 of these are in the city centre and total a loss of 20,000 sq m of offices. These premises are general older lower quality properties and it is likely the conversion of many of these sites would have been supported had planning permission been required.
24. There is some evidence that there was an initial 'spike' of major applications in response to this temporary measure. Of the 20,000 sq m loss, 90% relates to applications received within the first 3 months of the new permitted development rights.
25. The loss of 20,000 sq m can be seen in the following context. They are:
- 43% of the city centre office losses assumed by the Core Strategy Partial Review (2013 – 2026).
 - 7% of the total city centre office stock.

Permitted development rights for residential properties

26. The Government introduced additional permitted development rights for residential properties, allowing, with some exceptions, extensions of between 4m and 8m for detached houses and between 3m and 6m for all other houses.
27. The Panel were informed that since the scheme came into force, Southampton has received 44 applications under the consultation scheme. Only 3 received objections (4 were still under consideration).
28. A summary of the key findings from the meeting can be found attached at Appendix 3. The agenda papers for the 6 March 2014 Panel meeting can be found here:

<http://www.southampton.gov.uk/modernGov/ieListDocuments.aspx?CId=424&MId=2818&Ver=4>

Conclusions and Recommendations - Permitted Development Rights

29. The Panel were informed about the office to residential conversion and the residential properties permitted development rights (PDR). Members recognised that the various PDRs had the ability to impact on the balance of neighbourhoods but were notified that neither of the PDRs has so far had a significant impact on the city and that they are scheduled to be removed in 2016. The following actions are recommended:
- i.** To raise awareness, the Planning Service provides information to all councillors about the permitted development rights.
 - ii.** That the Council monitors the impact of PDRs with a view to taking appropriate action if it is considered that they are having a detrimental impact on the city.
 - iii.** That the Council makes direct representation to the Secretary of State at the DCLG and the Planning Minister requesting that the Government reconsiders their position regarding including HMOs within the PDRs for residential properties.

Community Led Planning: New ways of working – Educate, engage and enforce

Background

30. Since April 2012, local communities have been able to produce Neighbourhood Plans for their local area, putting in place planning policies for the future development and growth of a neighbourhood. Neighbourhood Planning relates to the use and development of land and associated social, economic and environmental issues. It may deal with a wide range of issues (for example housing, employment, heritage and transport) or it may focus on one or two issues that are of particular importance in a local area. These may be issues that are relevant to the whole neighbourhood or just to part of the neighbourhood.
31. The Panel heard from the Development Manager from Locality who provided a national overview of Neighbourhood Planning. Locality is a nationwide network of settlements, development trusts, social action centres and community enterprises who have been actively involved in Neighbourhood Planning for over 18 months. The Panel were presented with information on how plans are addressing community issues in areas, particularly in urban areas similar to Southampton.
32. Southampton has two emerging Neighbourhood Plans, Basset NP and business led East Street NP, although the latter has currently stalled. The Chair of the Basset Neighbourhood Forum provided the Panel with a synopsis of the journey being undertaken in Bassett in the development of a neighbourhood plan. The key to the progress being made in Bassett has been the co-operative, supportive and hardworking residents associations who have helped drive the process forward.
33. A summary of the key findings from the meeting can be found attached at Appendix 3. The agenda papers for the 8 April 2014 Panel meeting can be found here:

<http://www.southampton.gov.uk/modernGov/ieListDocuments.aspx?CId=424&MId=2819&Ver=4>

Conclusions and Recommendations – Community Led Planning

34. The Panel were informed about the new approaches that seek to empower local communities to shape their neighbourhoods. Despite limitations in approaches such as Neighbourhood Planning the Panel saw the value in encouraging, supporting and empowering communities across Southampton to work collectively to develop local solutions. These could work alongside Council enforcement in areas such as Waste Enforcement, HMO Additional Licensing Scheme, Planning Enforcement, Environmental Health and StreetCRED to address negative impacts associated with unbalanced communities. To further this community led approach it is recommended that:

- i. The Council supports Neighbourhood Plans across Southampton.
- ii. With councillors taking the lead, the Council pilots working on a street by street basis, with local residents, resident associations and landlords to address the problems associated with HMOs in certain communities.

General Comment

35. This review has identified the significant pressures facing the Planning Service. Whilst the Panel recognises the immense financial pressures facing the Council there were concerns that the existing service is under resourced and that further reductions in resources would be detrimental to maintaining balanced neighbourhoods in Southampton. It is therefore recommended that:
- i. The Executive review the resources allocated to deliver the Planning Service, particularly for enforcement, to ensure that it is sufficient to deliver the service required by the City of Southampton

Appendices

Appendix 1 – Inquiry Terms of Reference

Appendix 2 – Inquiry Plan

Appendix 3 – Summary of Key Evidence

**Maintaining balanced neighbourhoods through planning
Terms of Reference**

1. Scrutiny Panel: Scrutiny Panel A

2. Membership:

- a. Councillor Derek Burke
- b. Councillor Matthew Claisse
- c. Councillor Les Harris
- d. Councillor Mary Lloyd
- e. Councillor Catherine McEwing
- f. Councillor Sharon Mintoff
- g. Councillor Adrian Vinson

3. Purpose:

To examine the contribution planning can make to maintaining balanced neighbourhoods and the quality of life for their residents.

5. Background:

- To address concerns related to Houses in Multiple Occupation (HMOs), the Council, in 2011, introduced an Article 4 direction to require planning consent to create new HMOs and has produced a Supplementary Planning Document to accompany this change. This policy has been in place for over 18 months and now is an opportunity to reflect on its effectiveness.
- In addition to HMOs there are wider issues relating to planning enforcement. The Council has recently undertaken an internal audit of this area and this review provides members with an opportunity to identify where improvements can be made in addition to the action plan developed following the audit.
- In May 2013 the Government relaxed certain Permitted Development Rights. These include the following;
 - increasing the size limits for single storey domestic extensions and conservatories;
 - the change of use of office to residential use.

The Government has also recently consulted on another proposal, although there has been no decision as to whether this change will happen:

- the change of retail to residential use

Members have an opportunity to explore the proposals, their potential impact on Southampton and how, if at all, the Council want to respond to the proposals. All of the above must be considered in light of the budget pressures the Council is facing.

6. Objectives:

- a. To review how effectively the City Council's Article 4 and HMOs Supplementary Planning Document is working.
- b. To increase understanding of the various Government proposals to relax permitted development rights, including those relating to extensions, office to residential conversions and changing retail use without consent, and to consider if a local response should be developed.
- c. To consider the Council's approach to planning enforcement.

7. Methodology:

- a. Outline of current national policy and local activity including:
 - Key findings from recent internal audit of Planning Enforcement
 - Review recent decisions of the Planning Inspectorate
 - Government Policy
- b. Engage members, partners and community representatives
- c. Identify and consider best practice and options for future delivery:
 - National best practise examples
 - Local success stories

8. Proposed Timetable:

Six meetings November 2013 – May 2014

9. Inquiry Plan (subject to the availability of speakers)

Meeting 1: 28th November 2013

- Introduction, Context and Background

To be invited:

Cllr Letts

Senior officers from Planning

Meeting 2: 9th January 2014

- To review the effectiveness of the Councils Article 4 and HMO Supplementary Planning Document

To be invited:

Residents Association Representative

Landlord Representative

Universities / Student Unions

Senior officers from Planning and HMO licensing officer

Meeting 3: 6th February 2014

- Consider the Councils approach to planning enforcement

To be invited:

Cllr Blatchford, Chair of the Planning Committee

Senior officers from Planning

Meeting 4: 6th March 2014

- To increase understanding of the various proposals to relax certain permitted development rights

To be invited:

Senior officers from Planning

Meeting 5: 3rd April 2014

- To summarise the inquiry's evidence and highlight emerging recommendations

To be invited:

Senior officers from Planning

Meeting 6: 8th May 2014

To approve the final report of the inquiry and recommendations

DATE	MEETING THEME	TOPIC DETAIL	EVIDENCE PROVIDED BY
28/11/13	Agree Terms of Reference		<ul style="list-style-type: none"> • Dr Chris Lyons (Planning & Development Manager, SCC) <p>Items appended to report:-</p> <ul style="list-style-type: none"> • Draft ToR • Background to the review • HMO SPD
09/01/14	To review the effectiveness of the Council’s Article 4 and HMO SPD	Since its introduction in April 2012, how effective has the HMO SPD been in terms of meeting its original aims?	<ul style="list-style-type: none"> • Dr Chris Lyons (Planning & Development Manager, SCC) • Janet Hawkins (HMO Licensing) • Prof Roger Brown, Simon Hill and Jerry Gillen (Highfield Residents Association) • Roger Bell and Dr Julian Jenkinson (Southern Landlords Assoc) • Liz Mackenzie (National Landlords Assoc) <p>Other written evidence submitted</p> <p>Member feedback from:-</p> <ul style="list-style-type: none"> • Cllrs Moulton, Hannides, Shields and Noon <p>Resident Association’s feedback from:-</p> <ul style="list-style-type: none"> • Pointout Residents Group • East Basset RA • Tower Gardens NWA RA • Thornbury RA • Portwood Residents Gardens Conservation Area (Planning group) • Individual residents from Polygon, Bedford Place, Freemantle, Highfield, Portwood <p>University and Student Union response: -</p>

DATE	MEETING THEME	TOPIC DETAIL	EVIDENCE PROVIDED BY
			<ul style="list-style-type: none"> • University of Southampton • Southampton University Students' Union • Solent University • Solent Students' Union <p>Other items appended to report:-</p> <ul style="list-style-type: none"> • HMO SPD • Southampton HMO Planning applications - summary • HMO Licensing Scheme – FAQs
06/02/14	Consider the Councils approach to planning enforcement	To review the Council's approach to planning enforcement.	<ul style="list-style-type: none"> • Councillor Letts (Leader SCC) • Councillor Blatchford (Chair of Planning and Rights of Way Panel) • Dr Chris Lyons (Planning & Development Manager, SCC) <p>Other written evidence submitted</p> <ul style="list-style-type: none"> • Response from Pointout Residents Group • Response from Southern Landlords Assoc <p>Other items appended to report:-</p> <ul style="list-style-type: none"> • Internal Audit Final Report: Development Management – Enforcement • Update on Internal Audit Action Plan • Enforcement table of feedback (Including feedback from Cllrs Moulton, Noon, HRA, East Basset RA, Portswood RGCA, Bedford Place/ Polygon Resident, Southampton University Students' Union) • Roger Bell (SLA)
06/03/14	To increase understanding of the various proposals to relax certain permitted	The Panel will focus on increasing understanding of the various Government proposals to relax permitted	<ul style="list-style-type: none"> • Dr Chris Lyons (Planning & Development Manager, SCC) <p>Other items appended to report:-</p> <ul style="list-style-type: none"> • Southampton Overview of PDR's

DATE	MEETING THEME	TOPIC DETAIL	EVIDENCE PROVIDED BY
	development rights	development rights <ul style="list-style-type: none"> • Office to Residential (C3) • Residential Properties (extensions) 	<ul style="list-style-type: none"> • Written Ministerial Statement by Planning Minister • National Overview of Office to Residential Conversions - VGA • Liz Slater (Housing Needs Manager, SCC) submission of evidence 'HMOs – Housing Need in Southampton'.
08/04/14	Neighbourhood Plans	The Panel will focus on increasing understanding of Neighbourhood Plans. <ul style="list-style-type: none"> • Setting the scene including national context • The councils approach to Neighbourhood Planning • What's happening locally: update on Basset Neighbourhood Plan 	<ul style="list-style-type: none"> • Deb Appleby (Development Manager, Locality) • Councillor Les Harris (SCC and Chair of Basset Neighbourhood Forum) • Dr Chris Lyons (Planning & Development Manager, SCC) Other items appended to report:- <ul style="list-style-type: none"> • Locality: A quick guide to Neighbourhood Plans • DCLG: Notes on Neighbourhood Planning (March 2014)
08/05/14	To summarise the inquiry's evidence and highlight emerging recommendation and agree final report	Approve report for submission to Overview and Scrutiny Management Committee	

Summary of Key Evidence

Inquiry Meeting – 9th January 2014

To review the effectiveness of the Councils Article 4 and HMO Supplementary Planning Document.

Summary of information provided:

Regulatory Services- HMO Licensing, SCC - Janet Hawkins (outside the remit of the inquiry TOR - invited to attend to discuss additional HMO licensing scheme that is focussed on addressing some of the general concerns about impact of HMOs)

- Two licensing schemes; mandatory and additional, which is currently voluntary (enforcement phase March 2014)
- Both schemes aim to improve and regulate HMOs.
- Have received 1300 applications to date
- Good working relationship with Planning and Legal and have been working with landlords groups in the city through the new consultative forum.
- Starting to plan a new stakeholder's forum where interested residents can attend.

Planning & Development Manager, SCC - Dr Chris Lyons

- A number of issues have arisen since the Council adopted the HMO SPD relating to the Planning & Rights of Way Panel refusing planning applications that meet the requirements of the SPD. They have been rejected on the grounds of being out of character with the area and the Planning Inspectors have supported the Panel's decisions. However, the SPD was intended to address the character argument as well and to give clarity on where HMOs would be supported by the Council.
- This has created uncertainty. If the existing SPD is not right for Southampton then it is suggested that it should be changed but clarity is required.
- Any changes must take into account the resources available.

Highfield Residents Association (HRA) - Prof Roger Brown (chair), Simon Hill (Planning sub committee) and Jerry Gillian (committee member)

- HMO SPD not achieving its original aim. It is clear from the Planning Inspectorate's judgements that it is not having a sufficiently restrictive effect.
- **HRA recommendations presented to Panel:**
 - a) HRA would like to see a single limit of 10 per cent to be applied in each ward across the city. In areas where the 10 per cent has already been reached then no new HMOs to be introduced. This change is essential if Southampton is to not become a 'transit' city.

Or

b) HMO SPD is changed to reflect a two-tier approach, it would provide some protection against concentrations of HMOs but would not deal with the central issue of the city's character. The two-tier approach would consist of initially a 100 meter radius test, if the test finds a concentration of more than 10 per cent the application would be refused, if less than 10 per cent the 40 meter radius would be applied.

- To refuse an application where the site is adjacent to a family dwelling and where there is an existing approved HMO on the other side ('sandwiching').
- HMOs must not be created through the 'back-door' means such as the conversion of houses into flats, or extensions that require no planning permission.
- HRA feel that their recommendations are in line with the National Houses in Multiple Occupation Lobby and the National Organisation of Residents Association.

Southern Landlords Association - Roger Bell (chair) and Dr Julian Jenkinson (committee member)

- The current thresholds have limited any increase in HMOs in high concentration areas, and have the Planning Panel have stopped any successful applications elsewhere in the city. As a result HMO numbers are decreasing, the opposite of the HMO SPDs original aim.
- When thresholds were created they were merely a guesstimate and were produced on no evidence, as there wasn't the evidence to base it on. The council is now at a point where the thresholds can be set.
- The market could set the thresholds, and the 'tipping point' could be based upon whether there is a difference in the market value of family housing over HMOs on a street.
- Working collectively is the way forward - Most landlords are reasonable and would welcome participation in schemes to improve areas. Could collectively, pilot a street to target and improve areas.
- Cannot move HMOs to elsewhere in city if demand not there. Market will follow demand, but demand in other areas i.e. Bitterne is not there.
- Purpose built student accommodation will only be successful for first year students; second/ third year students prefer houses.
- **SLA recommendations presented to Panel:**
 - a) Amend HMO SPD to provide clarity with regards to areas where there are only a few C3 houses remaining.
 - b) To increase the threshold/ tipping point
 - c) To consider creating thresholds using housing market intelligence

National Landlords Association - Liz Mackenzie (area representative)

- The HMO SPD in its current form has created a catch 22 situation. This is because:-
 - 1.) Property within an area of high HMO density, C4 planning application is turned down because thresholds are exceeded.

- 2.) Property within an area of low HMO density, C4 planning application is granted initially, but then turned down on the change of character to the area an HMO would bring.
- The result of the HMO SPD and the Article 4 direction has so far frozen the housing mix at pre- April 2012 levels.
 - The HMO SPD increases the cost of renting because it limits the supply of rented housing, and this is at a time when there is increased demand. The HMO SPD has not taken welfare reform into consideration. It appears that the Council used planning to try and affect social issues, which is inappropriate.
- **NLA recommendations presented to Panel:**
 - a) To remove the HMO SPD and the Article 4 direction, as it has failed.
 - or
 - b) The Council clarifies the standard under which a property will be granted C4 planning permission in each ward.

Conclusions from meeting:

Impact of HMOs

- Most issues raised by residents focussed on the impact that HMOs can have on communities and were not directly related to the Article 4 or HMO SPD.
- There was universal support for the additional HMO licensing scheme, including from landlords association representatives who believe that it could help to address unscrupulous landlords.
- Recognition that to overcome wider HMO issues there is a need for landlords, residents and the council to work together, potentially on a street by street basis.

Article 4 & HMO SPD – Have objectives been achieved?

1. Spreading HMOs across the city to create balanced communities?
 - No - There have been only 19 successful C3 to C4 applications since the implementation of the A4D. The majority of these came in the early days of the A4D prior to any appeal results. In the last 12 months since we have had the benefit of the appeal results there have been 6 successful applications for conversion from C3 to C4 across the city.
 - Few applications for conversion to an HMO have been submitted for areas outside the central and northern wards, reflecting the lack of market driven demand in these locations (access to key locations is essential).
2. Preventing the development of excessive concentrations of HMOs?
 - Yes - As only 6 new HMOs have been created in last 12 months then concentrations remain unchanged.
3. Increased the supply of HMOs?
 - No – Only 6 new HMOs in past year, and this does not include HMOs that could have converted back to family housing.

Summary

- For many residents associations, and some existing landlords, the Article 4 & HMO SPD is working by preventing additional HMOs in their neighbourhoods. The thresholds are preventing new HMOs in areas where there is a concentration of HMOs. The Planning and Rights of Way Panel, supported by the Planning Inspectorate, is rejecting applications for HMO conversions, in opposition to the HMO SPD, in areas where there are few HMOs on the grounds of the impact an HMO would have on the character of the area.
- This has created a static housing market for HMOs, causing problems for residents in family houses trying to move out of areas that have exceeded the 'tipping point' as homes are difficult to sell because strict interpretation of exceptional circumstances (para 6.6.1) allowing conversion to HMOs, as well as restricting the growth in supply of HMOs in the city.
- For residents, landlords, planning officers and the future of the city there is a need for clarity on HMO conversion policy.

Potential areas for recommendations

HMO SPD:

- Need to ensure that the HMO SPD is aligned to the interpretation of the impact on character being applied by the Planning and Rights of Way Panel, or change the SPD in a way that the Planning & Rights of Way Panel can support - *How? Is the evidence strong enough?*
- To enable residents to sell properties at a fair price in areas that have exceeded the tipping point there is a need for greater flexibility in the interpretation of 6.6.1 in the HMO SPD.
- Revisit the HMO SPD thresholds when the additional HMO licensing scheme has uncovered more accurate information on the number and location of HMOs.

HMOs in general:

- Roll out the additional HMO licensing scheme to wards that have HMO issues as soon as legally and feasibly possible.

Inquiry Meeting – 6th February 2014

To review the Council's approach to planning enforcement.

Summary of information provided:

Leader SCC – Cllr Letts

- Demand for HMOs will continue into the future – Supports development of more purpose built student accommodation by universities
- HMO Licensing Scheme – Suggested that if the Panel are considering recommending the geographical expansion of the scheme that focus is placed not on entire wards but on areas within wards that have a significant number of HMOs.

- Article 4 / HMOSPD – Would like the same threshold to be applied across the city
- Permitted Development Rights for extending HMOs – Whilst this may help to reduce pressure for new HMOs the Panel may wish to request that the Council write to the Government outlining concerns with this development.

Chair of Planning and Rights of Way Panel – Cllr Blatchford

- Article 4 / HMOSPD – For equality would like the same threshold to be applied across the city
- Concerned that areas of the city that do not have active residents associations have not made representations to the Panel.
- Enforcement – Need sufficient capacity within enforcement and legal services to enable the various aspects requiring enforcement to be enforced appropriately.

Planning and Development Manager – Dr Chris Lyons

- In recognition of the problems relating to protracted cases and decision making, it was requested that Internal Audit reviewed planning enforcement.
- Internal Audit identified several areas where improvement was required. An action plan was developed in response to the report findings. The action plan has not yet been fully implemented.
- Demand on the service has increased. Only 3 enforcement officers so capacity is a constraint.
- Operate within national legal system. Have a duty to negotiate with people and to try to find a solution. Serving notice is last resort and only take enforcement action if it is expedient to do so (harm that needs to be rectified).
- Legal system does not allow stop notices to be served until HMOs are occupied even if intent is clear.
- Provided re-assurance that planning enforcement has improved, stronger relationship with Legal Services, backlog is clearing and happy to listen to residents and consider evidence provided relating to enforcement issues.

Proactive enforcement

- General consensus that a more proactive, robust and well publicised approach to planning enforcement would help to improve confidence in the planning system.
- S215 notices (untidy site notices) for example are easier to prove, send the right message out, equitable but only 2 notices issued in 2013/14 so far.
- The resources available restrict Council's ability to be proactive. The Council does write to people about untidy sites and enforcement officers are active in Street CRED events. Most issues are resolved without the need to issue a notice.
- Publicising action taken place by house owners before enforcement would help reinforce the message about enforcement.

Conclusions from meeting:

- Recognition that planning enforcement in Southampton has improved but more could be done to ensure that the planning function is not undermined by a lack of prompt and effective enforcement.
- A more proactive approach to enforcement would be beneficial to the city but capacity limits ability of the service to be proactive.
- Clearer guidance on enforcement and publicity when enforcement action has been successful would be beneficial.
- The Council should seek to influence national policy.

Potential areas for recommendations

Planning enforcement:

- That the planning enforcement action plan is fully implemented, including clear guidance and standards on planning enforcement, and the service is re-assessed by Internal Audit to review how fit for purpose the service is now.
- Successful enforcement action is publicised, including where issues have been rectified before the need for enforcement notices (may be included in Street CRED outcome publicity).
- Subject to legal restrictions, up to date progress on enforcement cases is available on the Council's website. *(Legal have subsequently confirmed we cannot advertise allegations on our website)*
- The Council seeks voluntary agreement from letting agents not to advertise properties that do not hold valid planning permissions
- The Council considers sharing the cost of legal advice with residents and residents associations who are willing to fund such action *(We cannot share advice with a third party as that could hamper our own case)*
- The Council makes direct representation to the Secretary of State at the DCLG and the Planning Minister requesting:
 1. The introduction of stop notices
 2. Burden of proof of intent
 3. Cap on repeated submissions for the same site. *(There already are stops on repeat applications)*
 4. Stopping the ability to appeal about a planning decision and a subsequent enforcement notice
 5. Additional fee for those who have applied for retrospective planning permission
 6. Fees should be chargeable for HMO applications and appeals. *(There is the power to confiscate income under the Proceeds of Crime Act already)*

Inquiry Meeting – 6th March 2014

Permitted Development Rights (PDRs)

Summary of information provided:

Planning and Development Manager – Dr Chris Lyons

Office to Residential (C3)

- Council has been notified of 33 proposals under these rights. Mostly they have been for older, lower quality premises. 90% of applications were received within first 3 months of new PDRs.
- SCC applied to Secretary of State for a small area of the city to be exempt from the PDR but this, along with most submitted nationally, was rejected.
- The option available to the City Council to remove the PDR is to use an Article 4 Direction. The Planning and Development Managers advice is that it is not necessary now to develop an Article 4 but to keep a close eye on developments. The PDR is scheduled to be removed in 2016.
- Concerns about the quality of the office to residential accommodation. Building Regulations still apply, where relevant, but Planning Regulations do not.

Residential Properties

- Since the scheme came into force 44 applications have been made and only 3 objections received. The Council can only refuse an application if an objection has been raised, and meets other criteria.
- The PDR applies to all residential properties, including HMOs following High Court proceedings that resulted in revised guidance to Planning Inspectors being issued.
- Again the option available to the Council to remove the PDR is to use an Article 4 Direction. For an Article 4 to be agreed by Govt there is a need to prove harm. Difficult to evidence harm with only 44 applications received and 3 objections. The Planning and Development Managers advice is that, to reduce risk of compensation it would be advisable to give 1 years notice if an Article 4 was to be developed. This would possibly lead to rush of applications in year when notice given (similar to HMO Article 4). The PDR is scheduled to end in 2016.

Conclusions from meeting:

- Neither PDR has so far had a significant impact on the city. To our knowledge this is largely reflected nationally outside of London.
- It is important that Members are aware of the PDRs and informed of applications.

Potential areas for recommendations

Permitted Development Rights – Residential properties

- That the Planning Service provides information to all councillors about the permitted development rights.

Inquiry Meeting – 8th April 2014

Neighbourhood Plans

Summary of information provided:

Locality Development Manager – Deb Appleby

- A new approach to Planning introduced by the Localism Act 2011, Neighbourhood Plan's (NP) are a legal document that can be used as a tool to empower communities to work collectively to identify local solutions by having a stronger influence over aspects of land use and development.
- Can help inform, direct and shape development and must comply with European, National and Local Planning Policies and strategies. NP cannot be used as a barrier to stop growth. Must be community led and evidence based.
- Three main stages: Designation > Independent examination (locally appointed examiner both agreed by LA and Forum) > Referendum (51% or more = adoption of NP)
- Approx 1,000 NPs are at varying stages, 17 plans at examination and have been most popular in the South East.
- Referendums present a cost to LA's, but £30k can draw down 'Additional Burdens Funding' to cover costs. There is a limit of how many referendums can be funded for NP, though it is approx 20. This shouldn't be an issue for Southampton as only 2 have been developing over the past year to 18 months.
- Areas must be designated by the LA, can be ward boundaries but often predefined areas chosen by communities (can encroach into other LA areas).
- Funding available to assist groups to develop NPs (up to £7k). Groups can also access the Big Lottery scheme 'Awards for All Scheme' (up to £10k).
- Southampton has no Parish Councils, meaning that a Neighbourhood Forum (with at least 21 local members) would need to be created to drive every NP.
- Urban areas such as Leeds, Exeter, Bristol and Birmingham are pursuing them. Case studies on the Locality website.
- Exeter St James adopted NP in 2013. It is an area with high number of HMOs. Projects include 'working with the Council and University to manage any adverse impacts that arise from high level of student accommodation within the ward' and have Planning Policies that relate to HMOs, and large/ small scale purpose build student accommodation. Survey for NP identified same issues of noise and bins being important to permanent residents and students.
- Limitations include: NPs can be a lengthy process, on average 12-18 months (one has taken up to 3 years) and it very much depends on the drive and skills of the local community.
- Some LA's have developed helpful guides to NP
- The best NP have given consideration to what they like and don't like about the area and think 15 years ahead and about sustainability.

Planning and Development Manager – Dr Chris Lyons

- Southampton has two emerging Neighbourhood Plans, Basset NP and business led East Street NP, although the latter has currently stalled.
- Basset NP has passed designation stage, awaiting independent examination and it is likely that the referendum will take place towards the end of this year.
- Would encourage members and the community to discuss with the Planning Dept a NP after giving consideration as to what you want to achieve.
- The city has a target of 16,000 additional homes, 5,000 of those in inner city. The remainder of the target is not broken down into other areas of the city.
- NP's could cause complications to SCC Planning Policies if it were to encroach into other LA boundaries, especially those where Planning Policies conflict (e.g. Code 4 and Code 3).
- Resources within the Planning Dept have been significantly reduced from six to three policy officers. Don't have resources to do technical work for NP
- Whilst the external resources available to fund a referendum is £30k this may not cover actual cost to LA.
- The Council website has some useful information on NPs.

Basset Neighbourhood Forum Plan (Chair) – Councillor Les Harris (SCC)

- Started journey two years ago, started off being a fairly simple process until the 'goal posts' changed part way through. This resulted in changing the style in the way the NP was written. Although, has now passed designation stage.
- The community, which include 12 Residents Associations, have put in a huge amount of time and effort which has resulted in community ownership of the NP.
- Whilst creating the Forum, in areas where there were no regular Resident Assoc's, Councillors on behalf of the forum, helped out by simply knocking on resident's doors to ensure these areas had fair representation. In turn, the Forum itself has resulted in the community working collectively to address some of the wider issues in their area.
- To help support the development of the plan, funding has been received from Locality (£7k) and have had assistance from Planning Aid to help with the technical planning aspects of the plan. Resident groups have also assisted with funding.
- The NP has the designated boundaries of Basset ward with a population of 14,559, with over 6,219 of those being residences and 2,397 flats. High levels of remaining homes have been converted to HMOs.
- Consulted with residents, land owners, local developers, businesses, the University and the hospital, which resulted in 3 key themes: *Housing density* (including area character), *HMO's* and *Parking*. Whilst a NP cannot deal with parking issues directly, as they are not planning issues, the NP encourages any new development to include adequate parking, unfortunately the City's parking policy does not promote or encourage development to provide sufficient parking off street, and accepts more on street parking.

- A real need to have planning expertise on hand as there is a need to understand planning law.
- Overall it has been a worthwhile community project.

Conclusions from meeting:

- Neighbourhood Plans are an effective tool for the community to come together to have a stronger influence over aspects of land use and development but in turn there appear to be 'spin-offs' from creating Neighbourhood Forums that in themselves could be used as a tool to address some of the underlying social issues within communities.
- It is recognised that Neighbourhood Plans are quite a lengthy process, taking on average 12-18 months to implementation and input from individuals with specialised skills (e.g. knowledge of Planning law) within the community to help drive them is invaluable.

Potential areas for recommendations

- The Council actively encourage Neighbourhood Plans across Southampton, with local councillors playing a pivotal role in bringing communities together to ensure representation.

This page is intentionally left blank

Appendix 2

Scrutiny Panel A Inquiry – Summary of Recommendations

Houses in Multiple Occupation Supplementary Planning Document (HMO SPD):

Evidence was provided to the Panel from various sources advocating changing the HMO SPD thresholds currently in existence, or indeed removing the thresholds altogether. The Panel are aware that it is a balancing act between protecting family housing and balanced communities and meeting housing needs for the city. The Panel, whilst recognising that the HMO SPD is not perfect, were not convinced that the evidence presented to them was robust enough to recommend changes to the existing HMO SPD thresholds, 10% (Bassett/Portswood/Swaythling) and 20% in the rest of the city, at this time. The Panel believe more research is required in assessing housing need in the city as it relates to HMO accommodation, tipping points and in clarifying the number of HMOs in Southampton before the Council reconsiders amending the thresholds. With this in mind the Panel recommend the following:

1. That the Administration reconsider the HMO SPD thresholds once accurate and soundly based information on housing need and HMO numbers in Southampton, and the tipping point at which communities become unbalanced has been gathered. The Panel believe that working with the universities in Southampton, perhaps through commissioning a specific investigation, e.g as a student dissertation topic, could be a way forward here. Information gathered could be used in conjunction with the emerging details on location and HMO numbers emanating from the implementation of the Additional HMO licensing scheme in 4 wards of the city. The Panel ask that a) early consideration be given to Freemantle when determining appropriate thresholds, and b) that a consultative task force is established consisting of council officers, universities, representatives of resident's associations and landlords to monitor progress and to advise on the exercise to accumulate evidence on the supply of, and demand for HMOs.
2. That the Executive give consideration to how the HMO SPD can be amended to reflect the population density of HMO occupants rather than just property density. The Executive may, for example, consider utilising information derived from planning applications since March 2012, from the Additional Licensing Scheme, the location of halls of residence and whether an HMO is C4 or Sui Generis.
3. That the Executive amend the HMO SPD to include no new HMOs which would 'sandwich' family homes.
4. That greater emphasis be placed on amenity and neighbourhood character when considering HMO applications.

HMOs in general:

5. That the Council roll out the Additional HMO licensing scheme to areas within wards that have issues with HMOs as soon as legally and feasibly possible,

and deals robustly with irresponsible landlords as the scheme moves into the enforcement phase, including prosecuting where appropriate.

6. To address the issue of the proliferation of To-Let signs the Panel supports the motion approved at the 19 March meeting of Council urging the Executive to make full use of the powers available to curb the excessive display of such signs, including consideration of the adoption of a Regulation 7 Direction under the Town and Country Planning (Control of Advertisements) Regulations, and a rigorous Lettings Board Code as adopted by Leeds City Council and others. The Council could, for example, consider the following easy and inexpensive proposals; a total ban in Conservation Areas, a ban on 'Let By / Sold By' boards, and a moratorium of 'Student Let' boards between (say) August and February.
7. Development of new student accommodation benefits the wider market, as it frees up homes that are suitable for families and couples. It is therefore recommended that the Executive:
 - a. engage with the two universities in Southampton and encourages the development of additional appropriate purpose built student accommodation;
 - b. review the Council's existing policy with a view to adopting the approach whereby the City Council insist that any student numbers are matched by a proportionate increase in purpose-built student accommodation, and by setting a target for the overall number of students living outside of university provided accommodation at each institution.
8. That the Council seek agreement with letting agencies and Universities not to offer unlicensed/unapproved student accommodation to let.
9. That the Executive consult with landlords to identify ways of increasing the attractiveness of areas within Southampton in which HMOs are currently significantly underrepresented e.g by improving transport links.
10. If it is legal it is recommended that the Council develops a closer alignment between Planning and HMO Licensing ensuring that an application for an HMO License is only determined after planning permission has been ascertained. If this is currently illegal then the Council should write to the Government recommending a change in the law.

Planning Enforcement:

The Panel recognise that planning enforcement in Southampton has improved recently but more could be done to ensure that the planning function is not undermined by a lack of prompt and effective enforcement. The following actions are recommended:

11. That the planning enforcement action plan is fully implemented, including clear guidance and standards on planning enforcement and the audit plan is completed.
12. That, to act as a deterrent, successful enforcement action is publicised (may be included in Street CRED outcome publicity or through Stay Connected).

13. The Council makes direct representation to the Secretary of State at the DCLG and the Planning Minister requesting:
 - a. The introduction of stop notices to stop unauthorised residential uses
 - b. Shifting enforceability to proof of intent instead of actual occupation
 - c. Stopping the ability to appeal about a planning decision and a subsequent enforcement notice
 - d. An additional fee for those who have applied for retrospective planning permission
 - e. Permission to confiscate rent for unauthorised HMO occupancy
 - f. Power to charge fees for HMO applications and appeals.
14. The Council strengthens checks on established use, with published guidelines.
15. The Council makes fuller use of the Proceeds of Crime Act where possible and Section 215 (untidy sites) notices.

Permitted Development Rights:

The Panel were informed about the office to residential conversion and the residential properties permitted development rights (PDR). Members recognised that the various PDRs had the ability to impact on the balance of neighbourhoods but were notified that neither of the PDRs has so far had a significant impact on the city and that they are scheduled to be removed in 2016. The following actions are recommended:

16. To raise awareness, the Planning Service provides information to all councillors about the permitted development rights.
17. That the Council monitors the impact of PDRs with a view to taking appropriate action if it is considered that they are having a detrimental impact on the city.
18. That the Council makes direct representation to the Secretary of State at the DCLG and the Planning Minister requesting that the Government reconsiders their position regarding including HMOs within the PDRs for residential properties.

Community led Planning: New ways of working – Educate, engage and enforce

The Panel were informed about the new approaches that seek to empower local communities to shape their neighbourhoods. Despite limitations in approaches such as Neighbourhood Planning the Panel saw the value in encouraging, supporting and empowering communities across Southampton to work collectively to develop local solutions. These could work alongside Council enforcement in areas such as Waste Enforcement, HMO Additional Licensing Scheme, Planning Enforcement, Environmental Health and StreetCRED to address negative impacts associated with unbalanced communities. To further this community led approach it is recommended that:

19. The Council supports Neighbourhood Plans across Southampton.
20. With councillors taking the lead, the Council pilots working on a street by street basis, with local residents, resident associations and landlords to address the problems associated with HMOs in certain communities.

General comment – Planning resources

This review has identified the significant pressures facing the Planning Service. Whilst the Panel recognises the immense financial pressures facing the Council there were concerns that the existing service is under resourced and that further reductions in resources would be detrimental to maintaining balanced neighbourhoods in Southampton. It is therefore recommended that:

21. The Executive review the resources allocated to deliver the Planning Service, particularly for enforcement, to ensure that it is sufficient to deliver the service required by the City of Southampton.

Agenda Item 7

DECISION-MAKER:	CABINET		
SUBJECT:	EXECUTIVE APPOINTMENTS 2014-2015		
DATE OF DECISION:	17 JUNE 2014		
REPORT OF:	HEAD OF LEGAL AND DEMOCRATIC SERVICES		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Judy Cordell	Tel: 023 8083 2766
	E-mail:	judy.cordell@southampton.gov.uk	
Director	Name:	Mark Heath	Tel: 023 8083 2371
	E-mail:	mark.heath@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

None

BRIEF SUMMARY

Under the City Council's democratic arrangements it is a requirement that appointments to all organisations and bodies which relate to executive functions are determined by the Executive.

Although the work of the bodies/organisations listed in the Appointments Register cover all aspects of city life and Council activities and therefore affect all wards the decision to appoint to them is of administrative affect only.

RECOMMENDATIONS:

- (i) That the executive appointments for the 2014/15 Municipal Year be approved as set out in the attached revised Register; and
- (ii) That all appointments be for one year save where the terms of reference and or constitution of the body or organisation concerned specify the duration of an appointment or where the decision on any nomination by the City Council to their membership is reserved to the body or organisation concerned to determine the appointment or continuation of appointments, in light of any changes in City Council Administration.

REASONS FOR REPORT RECOMMENDATIONS

1. Member appointments are required to a number of statutory and best practice bodies, as well as a number of external organisations the Council has links with.
2. Under the constitution or terms of reference in respect of some outside organisations appointments are in some cases specified as having a term of office/appointment longer than one year or are nominations, the final decision on appointment lying with the body itself. In such cases when a change of Administration occurs and the appointment term has not expired and is of significance to the incoming administration that member/appointee should be encouraged to step down in favour of a new appointee from the incoming administration but noting that the final decision in some cases lies with the

organisation or outside body concerned.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. No other options are presented, it is a matter for the Cabinet to determine whether it wishes to approve the revised appointments and be represented on all the bodies set out in the attached revised Register of Appointments.

DETAIL (Including consultation carried out)

4. The executive appointments set out in the appendix to this report have been the subject of consultation and agreement with all political groups represented on the City Council.
5. After Annual Council, numerous appointments to a variety of statutory, best practice and external organisations and bodies which require City Council Member representation need to be made by the Cabinet.
6. The following appointments were made at the Annual Council on 4th June, 2014:-
 - South East Employers;
 - Local Democracy Network for Councillors;
 - Hampshire Fire and Rescue Authority;
 - Partnership for Urban South Hampshire – Overview and Scrutiny Committee; and
 - Hampshire Police and Crime Panel
7. Appointments are categorised into groups developed by the Head of Legal, HR and Democratic Services as follows:-
 - a) Joint Authority;
 - b) Joint Committee;
 - c) Mutual and Public Interest Companies;
 - d) Partnerships;
 - e) Partnerships as Companies;
 - f) Statutory Bodies;
 - g) Trust and Charities;
 - h) Unincorporated Associations; and
 - i) Other

RESOURCE IMPLICATIONS

Capital/Revenue

8. The cost of travel and subsistence costs for Members meeting the commitment of serving as a representative on an executive appointment are met from existing budgets.

Property/Other

9. None.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

10. The Local Government Acts 1972 and 2000 and the Localism Act 2011.

Other Legal Implications:

11. None.

POLICY FRAMEWORK IMPLICATIONS

12. Cabinet approval of the appointments listed in the Register of Appointments appended to this report are in line with the City Council's Policy Framework.

KEY DECISION? No

WARDS/COMMUNITIES AFFECTED:	None
------------------------------------	------

SUPPORTING DOCUMENTATION

Appendices

1.	Revised Register of Appointments
----	----------------------------------

Documents In Members' Rooms

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

Equality Impact Assessment

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

Other Background Documents

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

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

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

This page is intentionally left blank

REVISED REGISTER OF APPOINTMENTS 2014 - 2015

	Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	Portfolio/ Council	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
A. Statutory Partnership												
A	01	Cabinet	Adoption & Permanence Panel 1	Multi-agency Panel to consider adoptions.	E&C	1	No	3 Yr	Tucker	Jun-14	May-17	Theresa Levy (023 8083 4899)
A	02	Cabinet	Adoption & Permanence Panel 2	Multi - agency Panel to consider adoptions.	E&C	1	No	3 Yr	Conservative vacancy	Jun-14	May-17	Theresa Levy (023 8083 4899)
A	03	Cabinet	Southern Regional Flood and Coastal Committee	Surveys, prepares and carries out programmes together with the maintenance of land drainage byelaws. Shared seat with Portsmouth and the Isle of Wight.	E&T	0	No	2 Yr	Payne	Jun-14	May-15	Bernadine Maguire (023 8083 2403)
A	04	Cabinet	Fostering Panel 1	The establishment of this Panel is required under Government Guidance. The Panel makes recommendations on the approval or not of applicants who apply to be foster carers with Southampton City Council.	E&C	1	No	1 Yr	Spicer	Jun-14	May-15	Theresa Levy (023 8083 4899)
A	05	Cabinet	Fostering Panel 2	The establishment of this Panel is required under Government Guidance. The Panel makes recommendations on the approval or not of applicants who apply to be foster carers with Southampton City Council.	E&C	1	No	1Yr	Chamberlain	Jun-14	May-15	Theresa Levy (023 8083 4899)
A	06	Cabinet	Hampshire Countryside Access Forum	A joint Forum of representatives from HCC, Portsmouth CC, SCC and countryside interest groups to provide guidance and contribute towards improving opportunities to enjoy Hampshire's countryside and coast. The City shares a seat with	H&S	1	No	3 Yr	PCC	Oct-14	Sept-17	David Blakeway (023 8083 3987)

	Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	Portfolio/ Council	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
				Portsmouth City Council with an agreement that the seat alternates between the two authorities with the next appointment from October 2011 to October 2014 to be made by Portsmouth.								
A	07	Cabinet	Hampshire County Council's Pension Fund Panel		R&L	1	No	2 Yrs	Barnes-Andrews	Jun-14	May-16	Andy Lowe (023 8083 2049)
A	08	Cabinet	Southern Health NHS Foundation Trust	To set the strategic direction of the organisation within the priorities set by the government and NHS, to oversee delivery of planned targets and ensure effective financial stewardship.		1	No	1 Yr	Lewzey	Jun-14	May-15	Carole Binns (023 8083 4785)
A	09	Cabinet	Learning Disabilities Partnership Board	Partnership Board established to take responsibility for local delivery of the Government's Valuing People White Paper, led by the Council with the active participation of all key stakeholders.	H&ASC	3	No	1 Yr	Parnell Shields Labour vacancy	Jun-14	May-15	Hilary Linssen (023 8083 4854)
A	10	Cabinet	Safe City Partnership	The Partnership brings together senior representatives of all the local agencies involved in community safety and includes; Southampton City Council, Hampshire Constabulary, Hampshire Fire and Rescue Service, Youth Offending, Primary Care Trust and Hampshire Probation established 1998 as the primary vehicle for tackling crime and disorder issues in Southampton.	COM	1	No	1 yr	Kaur	Jun-14	May-15	Linda Haitana, (023 8083 3989)

	Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	Portfolio/ Council	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
A	11	Cabinet	Schools Forum	To receive information on and comment on LEA's school funding formula, other issues in connection with schools budgets and service contracts.	E&C	1	No	1 Yr	Dr Paffey	Jun-14	May-15	Chris Tombs (023 8083 3785)
A	12	Cabinet	Southampton Children and Young People's Trust Partnership Board	Statutory Multi agency Board Chaired by the Cabinet Member for Children's Services.	E&C	1	No	1 Yr	Jeffery	Jun-14	May-15	Graham Talbot (023 8091 7503)
A	13	Cabinet	Southampton International Airport Consultative Committee	To act as the consultative body in relation to the Airport for the purposes of Section and of the Civil Aviation Act 1968, between the airport management, users, local authorities and local organisations and the county.	E&T	6	Yes	3 Yrs	Mintoff Barnes-Andrews Lewzey (Deputy) Smith	Jun-12 Jun-12 Jun-12	May-15 May-15 May-15	Stuart Love (023 8091 7713)
A	14	Cabinet	Southern Inshore Fisheries and Conservation Authority (IFCA)	To regulate sea fisheries within the Southern Sea Fisheries District, (coasts of Hampshire, Dorset and the Isle of Wight).	E&T	1	No	1 Yr	Thorpe	Jun-14	May-15	Sandra Westacott (02380 832763)
A	15	Cabinet	Standing Advisory Council for Religious Education (S A C R E)	Constructed under the Education Reform Act 1998 to advise the Authority on matters connected with collective worship and the teaching of RE in City Schools.	E&C	4	Yes	1 Yr	Dr Paffey Denness Parnell Daunt	Jun-14	May-15	Graham Talbot (023 8091 7503)
A	16	Cabinet	Traffic Penalty Tribunal (TPT)	Provides an adjudication service in areas that carry out decriminalised parking enforcement in England and Wales excluding London. Membership is a statutory obligation under the Traffic Management Act 2004.	E&T	1	No	1 Yr	Chaloner	Jun-14	May-15	Frank Baxter (023 8083 2079)

	Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	Portfolio/ Council	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
A	17	Cabinet	Health and Wellbeing Board		H&ASC	5		1 Yr	Shields Jeffery Chamberlain Lewzey Conservative vacancy	Jun-14	May-15	
B. Non-Statutory Partnership												
B	01	Cabinet	Early Years Development and Childcare Partnership	To oversee the implementation of the Early Years Development Plan for Southampton.	E&C	1	No	1 Yr	Spicer	Jun-14	May-15	Graham Talbot (023 8091 7503)
B	02	Cabinet	F.W. Smith Bequest Purchasing Committee	To provide/buy pictures for the Art Gallery principally from English artists from the income of the F.W. Smith Bequest.	H&S	2	No	1 Yr	Lloyd Norris	Jun-14	May-15	Tim Craven (023 8083 2203)
B	03	Cabinet	Spectrum-Western Challenge	To scrutinise performance delivery of Spectrum Western Challenge Housing Association, to agree policies and procedures and local offers to residents and to also take a wider community perspective.	H&S	1	No	1 Yr	Payne	Jun-14	May-15	Sherree Stanley (023 8083 2632)
B	04	Cabinet	Hampshire Partnership		Ldrs	2	No	1 Yr	Letts Conservative vacancy	Jun-14	May-15	Dawn Baxendale (023 8091 7713)
B	05	Cabinet	Southampton Energy Partnership	The Energy Partnership brings together organisations and businesses in the City with high energy usage. To share information on best practice and local case studies the Partnership of	E&T	1	Yes	1 Yr	Payne	Jun-14	May-15	Neil Tuck (023 8083 3409)

	Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	Portfolio/ Council	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
				organisations with the ability and commitment to take action to reduce energy needs and costs, and to reduce the carbon footprint of the City.								
B	06	Cabinet	Southampton Heritage And Arts People (SHAPE)		H&S	1	No	1 Yr	Tucker	Jun-14	May-15	Christine Rawnsley (023 8083 2730)
B	07	Cabinet	Southampton Housing Partnership	A multi-tenure forum that represents all housing interests in the city.	H&S	1	No	1 Yr	Payne	Jun-14	May-15	Barbara Compton (023 8083 2155)
B	08	Cabinet	University Hospital NHS Trust Foundation			1	No	1 Yr	Bogle	Jun-14	May-15	
B	09	Cabinet	Solent NHS		H&ASC	1	No	1 Yr	Shields	Jun-14	May-15	
B	10	Cabinet	Standing Conf on Problems Associated with The Coastline (SCOPAC)	To provide a more co-ordinated approach to coastal engineering and related matters between authorities on the Central South coast - Lyme Bay to Worthing	E&T	1	No	1 Yr	Payne	Jun-14	May-15	Stuart Love (023 8091 7713)
B	11	Cabinet	The Wulfris Educational Foundation	Provision of school clothing, books and equipment to the needy children resident in Southampton.	E&C	1	No	1 Yr	Hammond	Jun-14	May-15	Graham Talbot (023 8091 7503)
B	12	Cabinet	Transport for South Hampshire Joint Committee	To promote the sub regional transport agenda, implement schemes of a sub-regional nature and lobby and/or influence on all other associated aspects of life within the TfSH Area	E&T	1	Yes	1 Yr	Rayment	Jun-14	May-15	Philip Marshall (023 8083 2590)

	Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	Portfolio/ Council	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
B	13	Cabinet	Southampton Adult Mental Health Partnership Board		H&ASC	1	No	1 Yr	Shields	Jun-14	May-15	
B	14	Cabinet	Southampton Cultural Development Trust	To promote the educational and economic benefits of the cultural sector in the City	H&S	1	No	1 Yr	Burke	Jun-14	May-15	Mike Harris (023 8083 2882)
B	15	Cabinet	Port Health Consultative Committee		E&T	1	No	1 Yr	Rayment	Jun-14	May-15	
B	16	Cabinet	Solent Transport		E&T	1	No	1 Yr	Rayment	Jun-14	May-15	
B	17	Cabinet	ECO Partnership		H&S	1	No.	1 Yr	Payne	Jun-14	May-15	
C. Informal groups												
C	01	Cabinet	Bereavement Services Liaison Group	To co-ordinate activities of stakeholders who provide services to the bereaved.	E&T	1	No	1 Yr	Lewzey	Jun-14	May-15	Stuart Love (023 8091 7713)
C	02	Cabinet	Corporate Parenting		E&C	5	Yes	1 Yr	Bogle Chaloner Dr. Paffey Morrell Moulton	Jun-14	May-15	Theresa Levy (023 8083 4899)
C	03	Cabinet	Major Cities Housing	The Major Cities Housing Group brings together cities such as Derby, Bristol, Leicester and Nottingham to discuss issues of common interest to cities of similar size and urban make-up. It provides a forum to share information and ideas and consider the impact of change, particularly in relation to new legislation. It also acts as a lobby of	H&S	1	No	1 Yr	Payne	Jun-14	May-15	Barbara Compton (023 8083 2155)

	Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	Portfolio/ Council	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
				urban interests to central government.								
C	04	Cabinet	Plus You Ltd	Oversees the implementation of projects funded from NDC grant designed to address the imbalances that have arisen within the Community in relation to educational attainment, poor health indices, low skill, low pay, employment and rises in periodical anti-social behaviour.	COM	1	No	1 Yr	Stevens	Jun-14	May-15	John Connelly (023 8083 4402)
D. Appointments and / or financial commitments to outside bodies												
D	01	Cabinet	Association of Port Health Authorities	Exchange of ideas and the promotion of the interests of Port Health Authorities. To act as the consultative body with Central Government.	E&T	1	No	1 Yr	Rayment	Jun-14	May-15	Sandra Westacott (02380 226631)
D	02	Cabinet	Association Of Port Health Authorities (Scrutiny Committee)	To scrutinise the activities, decisions and policies of the Port Health Authorities Board and to exercise call-in powers under certain circumstances.	E&T	1	No	1 Yr	Conservative vacancy	Jun-14	May-15	Mitch Sanders (023 8083 4920)
D	03	Cabinet	Hampshire British Legion Poppy Appeal	Armed Forces charity providing care and support to all members of the British Armed Forces past and present and their families, administering and supporting the delivery of welfare services and the membership and fundraising activities of the Legion's branches and clubs throughout Hampshire. It also acts as the national Custodian of Remembrance and	Ldrs	1	No	1 Yr	Burke	Jun-14	May-15	Judy Cordell (023 8083 2766)

	Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	Portfolio/ Council	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
				safeguards the Military Covenant between the nation and its Armed Forces.								
D	04	Cabinet	Member User Group	To provide strategic leadership and direction for Member Development, including support services for Members. To lead, monitor and evaluate Member Development programmes and initiatives.	Ldrs	6	Yes	1 Yr	Stevens L Harris Norris Thomas Morrell Conservative vacancy	Jun-14	May-15	Sandra Coltman (023 8083 2718)
D	08	Cabinet	Nuffield Theatre - Southampton Theatre Trust Ltd Board	As Board Members, the Councillor's role is to monitor the affairs of the Trust, oversee policy changes and development of the company.	H&LS	2	No	1 Yr	Barnes- Andrews Burke	Jun-14	May-15	Christine Rawnsley (023 8083 2730)
D	10	Cabinet	Solent Skies - Board Of Directors	To preserve the aviation heritage of Southampton. (Conditional appointment subject to satisfactory conclusion of lease and management agreement).	H&LS	1	No	1 Yr	Hannides	Jun-14	May-15	Mike Harris (023 8083 2882)
D	12	Cabinet	Southampton Mencap	Southampton Mencap is a registered company with charitable status and works to raise awareness to the rights of children, young people and adults with a learning disability, and their families, parents or carers, alongside the direct provision of services, which allow opportunities for inclusion, socialisation and short breaks. The organisation prides itself on retaining a non-bureaucratic approach, and works effectively with other local statutory	CS	1	No	1 Yr	Chaloner	Jun-14	May-15	Graham Talbot (023 8091 7503)

	Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	Portfolio/ Council	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
				and voluntary agencies to improve the support available to people of all ages with learning disabilities and their families, parents or carers.								
D	13	Cabinet	Southampton Record Series	To represent the City at the Joint Committee of the Southampton Record Series with the University.	H&S	3	Yes	3 Yrs	Tucker Fitzhenry Bogle	Jun-13	May-16	Sue Woolgar (023 8083 2631)
D	14	Cabinet	Southampton Solent University Board Of Governors	Co-opted external Governor to sit on the Southampton Solent University Board of Governors to form a link between the Council and the Institute as one of the providers of higher education in the City.	E&C	1	No	4 Yrs	Kaur	Jun-13	May-17	Alison Elliott (023 8083 2602)
D	15	Cabinet	Southampton Voluntary Services	To provide a focus for the voluntary sector activities in Southampton and to act as a local development agency for voluntary action.	COM	2	No	1 Yr	Noon Inglis	Jun-14	May-15	Vanessa Shahani (023 8083 2599)
D	16	Cabinet	Radian Housing - Solent Area Panel	The provision of affordable, quality, cost effective housing and related services to people in housing need through the provision of rented, shared ownership and sheltered housing schemes.	H&S	1	No	1 Yr	Mintoff	Jun-14	May-15	Sherree Stanley (023 8083 2632)
D	17	Cabinet	Thorner's Homes	Almshouse Charity providing accommodation for women over 55 in limited financial circumstances.	H&S	1	No	1 Yr	Denness	Jun-14	May-15	Sherree Stanley (023 8083 2632)

	Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	Portfolio/ Council	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
E. Commercial Partnerships												
E	01	Cabinet	Business Solent	To provide engagement between the private, public and voluntary sectors and promote Southampton City Region	LDR	1	No	1 Yr	Letts (Barnes-Andrews Deputy)	Jun-14	May-15	Dawn Baxendale 023 8091 7713
E	02	Cabinet	Community Champion For Older Persons	To lead consultation with relevant groups at both local and city wide level.		1	No	1 Yr	LAB	Jun-14	May-15	Alison Elliott (023 8083 2602)
E	03	Cabinet	Community Champion for Armed Forces			1	No	1 Yr	Burke	Jun-14	May-15	Mark Pirnie
E	04	Cabinet	Hampshire and Isle of Wight Joint Health Scrutiny Panel	A Cross Council Panel monitoring the provision of Health Services.	H&ASC	1	No	1 Yr	Baillie	Jun-14	May-15	Martin Day (023 8083 7831)
E	05	Cabinet	Street Lighting PFI Network Board	The Board comprises of representatives of the Authority and Service Provider to secure a working relationship between those involved in meeting or contributing to the Authority's objectives with a view to ensuring that all decisions support the Authority's compliance with its duties.	E&T	1	No	1 Yr	Rayment	Jun-14	May-15	Stuart Love
F. Commercial or Contractual Agreements												
F	01	Cabinet	Local Government Association	Pressure Group and lobbying organisation providing an overall national voice for local government in England with a view to promoting and protecting the interests of member councils by providing advice and	Ldrs	4	Yes	1 Yr	Letts Jeffery Tucker Smith	Jun-14	May-15	Suki Sitaram (023 8083 2060)

	Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	Portfolio/ Council	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
				support.								
F	02	Cabinet	Local Government Information Unit	Independent research and information organisation with the principal aim of making the case for strong democratic Local Government together with information and support services to member authorities and individual councillors.	Ldrs	1	No	1 Yr	Kaur	Jun-14	May-15	Judy Cordell (023 8083 2766)
F	03	Cabinet	Local Govt Association Coastal Issues Special Interest Group	To increase awareness and debate at National and European level of economic, environmental and social issues that directly affect, or may affect, coastal, estuarine and maritime communities.	E&T	1	No	1 Yr	Waiting to hear if this is still needed.	Jun-14	May-15	Frank Baxter (023 8083 2079)
G. Legally defined arrangements												
G	01	Cabinet	Partnership for Urban South Hampshire (PUSH)	To promote sustainable, economic-led growth and development of South Hampshire supported by enhanced transport and other infrastructure and to lobby and/or influence on all other associated aspects of life within the PUSH Area.	Ldrs	3	No	1 Yr	Letts	Jun-14	May-15	Dawn Baxendale (023 8091 7713)
G	02	Cabinet	Project Integra Management Board	Partnership body consisting of all Local Authorities in Hampshire to deal with waste management in the County.	E&T	2	No	1 Yr	Rayment (+ Deputy)	Jun-14	May-15	Frank Baxter (023 8083 2079)
G	03	Cabinet	Southampton Admissions Forum	To advise the City Council on matters connected with the determination of admissions arrangements. Under the new arrangements set out in the School Admissions (Local Authority	E&C	2	Yes	1 Yr	Dr. Paffey Vassiliou	Jun-14	May-15	Ross Williams (023 8083 4048)

	Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	Portfolio/ Council	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
				Reports and Admissions Forums) (England) Regulations 2008 two appointments to be made one representative from the majority group and one from the largest opposition group.								
G	04	Cabinet	Solent Local Enterprise Partnership	To provide a private sector led Local Enterprise Partnership to promote the economic wellbeing of South Hampshire and the Isle of Wight	Ldrs	1	No	1 Yr	Letts	Jun-14	May-15	Dawn Baxendale (023 8083 2966)

Agenda Item 9

DECISION-MAKER:	CABINET		
SUBJECT:	EXPANSION OF GREAT OAKS SCHOOL		
DATE OF DECISION:	17 JUNE 2014		
REPORT OF:	CABINET MEMBER FOR EDUCATION AND CHANGE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Oliver Gill	Tel: 023 8091 7594
	E-mail:	Oliver.gill@southampton.gov.uk	
Director	Name:	Alison Elliott	Tel: 023 8083 2602
	E-mail:	Alison.elliott@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

None

BRIEF SUMMARY

The demand for places at Great Oaks Special School is greater than the number of places the school can offer in 2014/15. Following consultation by the school and the Local Authority, this paper is seeking approval to expand the school.

RECOMMENDATIONS:

- (i) to note the outcome of statutory consultation as set out in this report;
- (ii) to authorise the increase in pupil numbers at Great Oaks School (Foundation Special School) from the 1 September 2014 by the addition of 17 places from 1 September 2014 and an additional 8 places from 1 September 2015; and
- (iii) to delegate authority to the People Director, following consultation with the Cabinet Member for Education and Change, to do anything necessary to give effect to the recommendations in this report.

REASONS FOR REPORT RECOMMENDATIONS

1. The number of students that require a place at Great Oaks is greater than the number of places that will be available in 2014/15. Great Oaks is the only school that can suitably support the needs of these students. The additional 17 places in 2014/15 and a further 8 in 2015/16 would allow the Local Authority to meet its statutory duty of providing a school place to all young people that require one.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. The Council could decide not to increase pupil numbers at the school but this would mean it wouldn't be able to offer a school place to all those who require one. The Local Authority would not meet the requirements of the Special Education Needs test or the duty to provide sufficient places suitable for the needs of children with identified Special Educational Needs (SEN) requirements.

DETAIL (Including consultation carried out)

3. Four weeks of consultation on the proposal to expand the school ran from 1 May 2014 until 30 May 2014 following the publication of a statutory notice in the Daily Echo on 1 May 2014 and at the school's main entrances. Key stakeholders (headteachers, SCC education staff, local councillors, local MP's, trade union representatives and the Roman Catholic and Church of England Dioceses) were notified of the proposals via email. A webpage with full details of the proposal, including a copy of the formal statutory notice, was published on the SCC website on 1 May 2014. No responses to the consultation have been received.

4. SEN Improvement Test

When proposing any reorganisation of SEN provision, the Local Authority must demonstrate how the proposals are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs. To this end, the LA provide the following information to highlight details of the specific educational benefits that will flow from the proposals. These are in line with the eight criteria set out in the document, *Planning and Developing Special Educational Provision. A Guide for Local Authorities and Other Proposers*.

- a. The additional places will provide a greater number of children with access to the specialist education available at the school.
- b. The additional places will provide a greater number of children with access to the specialist staff, both education and other professionals, that work at the school.
- c. Additional accommodation at the Compass School Site (Green Lane, Millbrook) will be made available for Great Oaks for use by their post-16 students. This will free up space on the existing site.
- d. This proposal would result in additional places being available in the City, thus meeting the demands of those children with Special Educational Needs.

Local Authorities are also required to provide the following:

- i. All headteachers in the City were notified of the consultation via email.
- ii. The LA is committed to delivering a proposal to increase appropriate SEN provision in order to accommodate those children that require SEN support. These children have been assessed and it is clear that their needs can best be served at Great Oaks. The headteacher at Great Oaks has been heavily involved in the formation of this proposal and put forward the suggestion to use vacant space at the Compass School.
- iii. The current transport and admission arrangements for the children will continue to apply. Additional transport may be required for post-16 students to travel from the existing site in Vermont Close to the proposed site on Green Lane
- iv. The proposal will drive up education standards and attainment for children with SEN by enabling a greater number of students to access the educational support that they need. It will also allow a greater number of those students that have a preference to attend Great Oaks to do so.

RESOURCE IMPLICATIONS

Capital/Revenue

5. The proposed increase in place numbers at Great Oaks School has been assumed when setting the 2014/15 special schools budget, funded by the Dedicated Schools Grant.
6. The capital costs of accommodating the increase in pupil numbers at the school are estimated to be £120,000. This funding was added by Full Council to the Education Capital Programme on 4 June 2014.

Property/Other

7. The additional accommodation will be created by using vacant space at the Compass School site on Green Lane, Millbrook.
8. As a foundation (trust) school, the land/buildings are held on trust by the Upper Shirley Learning Community Trust. The proposals are being implemented in consultation and with the consent of the Trust in order to accommodate the pupil increase. Such co-operation and consent is required when increasing pupil numbers at a Foundation school.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

9. Local Authorities have a statutory duty under s.14 of the Education Act 1996 to secure sufficient high quality places for children and young people with SEN. Local Authorities must also ensure that there are sufficient schools in their area and promote diversity and parental preference.
10. Alterations, changes, creation or removal of SEN provision across the City is subject to the statutory processes contained in the School Standards and Framework Act 1998 as amended by the Education and Inspections Act 2006. Proposals for change are required to follow the processes set out in the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2013. Statutory Guidance on bringing forward proposals entitled "School Organisation-Maintained School. Guidance for Proposers and decision makers" applies, which requires publication of statutory notices followed by a prescribed representation period which must take part predominantly within school term time to meet the requirements of full, open, fair and accessible consultation with those most likely to be affected (pupils, parents and staff often being on vacation or otherwise unavailable during school holiday periods). Any representations made during this period must be considered by Cabinet who are responsible for determining whether or not to approve the proposals as advertised. Minor modifications and / or statutory conditions can be applied to proposals in limited prescribed circumstances but are not proposed in this case.

Other Legal Implications:

11. In bringing forward School Organisation proposals the Council must have regard to the need to consult the community and users, the statutory duty to improve standards and access to educational opportunities, the statutory special educational needs improvement test, observe the rules of natural justice, the provisions of the Human Rights Act 1998, article 2 of the First

Protocol (right to education) and the Equalities Act 2010. The Council is satisfied the proposals in this report fully conform to the legislative framework and are necessary to meet a pressing social need in the local authority area.

POLICY FRAMEWORK IMPLICATIONS

- 12. This proposal is in line with Southampton’s School Organisation Plan and SEN Strategy.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	City wide (SEN pupils attend the school from across the City).
------------------------------------	--

SUPPORTING DOCUMENTATION

Appendices

1.	Copy of the statutory notice
2.	Equality Impact Assessment

Documents In Members’ Rooms

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

Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	Yes – see Appendix 2
--	----------------------

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	

Proposed Expansion of Great Oaks School

School and LA details;

Great Oaks School (Vermont Close, Southampton, SO16 7LT) and Southampton City Council are proposing to expand Great Oaks School by 25 additional places from September 2014.

Description of alteration and evidence of demand;

The proposal is to increase the size of Great Oaks School by 25 places. This would allow 17 additional Year 7 (age 11-12) to start at the school in September 2014 and will allow the school to admit an additional 8 pupils in September 2015. The school and Local Authority know that more students require a place than there are currently places available so this expansion is most certainly required.

Objectives (including how the proposal would increase educational standards and parental choice);

The objective of this proposal is to ensure students in the city can receive the best educational support available.

The effect on other schools, academies and educational institutions within the area;

Great Oaks is the only school in the city that specially supports for students aged 11-18 with Learning Difficulties and/or Autism and, as such, is the only appropriate school that could expand to accommodate these additional students. It should, therefore, have no impact upon any other schools in the area.

Project costs and indication of how these will be met, including how long term value for money will be achieved;

It is anticipated that the cost of providing the extra accommodation would be approximately £100,000 - £120,000, although this is subject to change. It is proposed that modular classrooms are located on the current site or an off site provision is developed.

Implementation and any proposed stages for implementation; and

If approved, the additional accommodation would be in place in August / September 2014.

17 additional places would be available in September 2014.

8 additional places (as well as those places vacated by Year 11 leavers) would be available in September 2015.

A statement explaining the procedure for responses: support; objections and comments.

Great Oaks Expansion Consultation, Infrastructure, Southampton City Council, 4th Floor, One Guildhall Square, Civic Centre, Southampton, SO14 7FP; or infrastructureandcapital.projects@southampton.gov.uk


Any responses must be submitted by **Friday 30 May 2014**.

This page is intentionally left blank

The **public sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with section 17 of the Crime and Disorder Act and will enable the council to better understand the potential impact of the budget proposals and consider mitigating action.

Name or Brief Description of Proposal	Great Oaks School Expansion The proposal is to expand Great Oaks Special School by a total of 25 additional places from September 2014. 17 places will be available in September 2014 and a further 8 in September 2015.
Brief Service Profile (including number of customers)	Education and Change Head of Education – Graham Talbot Provision of school places for all those young people in the city that require one.
Summary of Impact and Issues	If approved, this proposal would increase that number of students on roll at Great Oaks School, thus enabling the Local Authority to meet its statutory duty. If it is not approved, the Local Authority would be unable to meet its statutory duty.
Potential Positive Impacts	A greater number of children would be able to access the excellent provision available at Great Oaks School.
Responsible Service Manager	James Howells
Date	May 2014

Approved by Senior Manager	Oliver Gill
Signature	
Date	May 2014

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	The school accommodates students aged 11-18 and will continue to educate children of this age. However, students aged 16-18 will no longer be taught on site. The post-16 provision will be moved to the Compass School site on Green Lane.	The school's preference was to develop an off site solution, rather than expanding on their current site so this option suits both the school and the LA
Disability	The rooms at the Compass School may not currently be available for use for Great Oaks students.	The Local Authority has the necessary time and capital to make alterations to the site/buildings to make it suitable for Great Oaks' post-16 students.
Gender Reassignment	N/A	N/A
Marriage and Civil Partnership	N/A	N/A
Pregnancy and Maternity	N/A	N/A
Race	N/A	N/A
Religion or Belief	N/A	N/A
Sex	N/A	N/A
Sexual Orientation	N/A	N/A
Community Safety	N/A	N/A
Poverty	N/A	N/A
Other Significant	N/A	N/A

Agenda Item 10

DECISION-MAKER:	CABINET		
SUBJECT:	TRANSFER OF LAND AND BUILDINGS FROM SOUTHAMPTON CITY COUNCIL TO ST JOHN'S PRIMARY AND NURSERY SCHOOL		
DATE OF DECISION:	17 JUNE 2014		
REPORT OF:	CABINET MEMBER FOR EDUCATION AND CHANGE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Oliver Gill	Tel: 023 8091 7594
	E-mail:	Oliver.gill@southampton.gov.uk	
Director	Name:	Alison Elliott	Tel: 023 8083 2602
	E-mail:	Alison.elliott@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

None

BRIEF SUMMARY

St John's Primary and Nursery School is expanding from a 210 place school to a 420 place school which will necessitate the acquisition of additional buildings. This report is seeking permission to facilitate the necessary land and buildings transfers.

RECOMMENDATIONS:

- (i) to approve the leasehold transfer of the Eagle Warehouse from the Council to St John's Primary and Nursery School (the Regents Park Learning Trust) for;
- (ii) to approve the freehold transfer of the Mission Hall from the Council to St John's Primary and Nursery School (the Regents Park Learning Trust);
- (iii) to approve the freehold disposal of the Mission Hall on terms at less than Best Consideration in accordance with the Local Government Act 1972 General Consent 2003;
- (iv) to delegate authority to the Head of Property Services, following consultation with the Head of Education to determine the detailed terms and conditions pertaining to the above property transactions and all ancillary and associated matters.

REASONS FOR REPORT RECOMMENDATIONS

1. In response to the increased demand for primary school places in the City centre, St John's Primary School is expanding to become a 420 place primary school from September 2014. As there is very little space on the school site the expansion will be achieved using an SCC owned building, the Eagle Warehouse, which is opposite the school. Eagle Warehouse is currently occupied by Archaeology Services, who will need an alternative storage space.

2. Children's Services and Leisure Officers have agreed that Archaeology Services will vacate the Eagle Warehouse (French Street) and the Mission Hall (the latter is located on the school site) and relocate to the Melbourne Centre on Melbourne Street, which was previously occupied by the Pupil Referral Unit. This will allow the school to occupy the vacated buildings and provide them with the necessary space.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. If these moves did not happen it would make the expansion of the school almost impossible. This could result in the Local Authority (LA) being unable to meet its statutory duty of offering a school place to all those children that require one.
4. The LA could transfer the freehold of the Eagle Warehouse to the school, but given the historical significance of the building and the fact that it is outside of the current school site, it seems prudent for the LA to retain ownership of this building and lease it to the school.
5. The Mission Hall could be sold on the open market to generate a capital receipt but this would mean that the school could not expand their overall accommodation. Therefore this has been rejected.

DETAIL (Including consultation carried out)

6. The Eagle Warehouse is currently used to store archaeological artefacts and the Mission Hall is used as office space for Archaeology Services. While this has been appropriate in the past, due to the historical significance of both buildings, the increased demand for school places in the City centre has led to the exploration of converting council buildings near schools into teaching spaces. The proposal to convert the Eagle Warehouse, as part of the expansion of St John's was consulted on between September 2012 and January 2013, and approved in February 2013. Key stakeholders were consulted with and a consultation meeting was held at the school. The majority of responses were supportive of this proposal.
7. Consultation with those staff currently working at the Eagle Warehouse and the Mission Hall, about their relocation to Melbourne Street, has taken place.
8. The remodelling of the Eagle Warehouse into teaching space for the expansion of St John's Primary School will be undertaken in accordance with current Building Regulations and school building guidance, including the provisions of the Equality and Diversity Act 2012. In particular the building will be re-configured to provide 3 double and 1 single classroom spaces, some ancillary teaching spaces, toilet accommodation, a new main staircase and lift, a secondary staircase for means of escape in case of fire and staff work room. Given the historical importance of the Eagle Warehouse a leasehold, as opposed to freehold transfer, will ensure that the Council retains ownership of the building and could use it for a different purpose should it not be needed for school purposes in the future. The lease would be for 21 years. A freehold transfer would mean disposing of this asset at nil cost and has therefore been discounted.

The works to the Mission Hall include the following:

- Limited re-pointing of brickwork.
 - Repairing of windows to cure existing leaks.
 - Internal redecoration of the hall.
 - Repair of damp/defective areas of floor.
 - Recovering of the hall floor.
 - Replacing and rewiring the lighting.
 - Providing a fence to allow safe access to the building.
 - The school has made a request for pupil toilets in the Mission Hall and funding for this is being considered from the capital allocation provided to facilitate free school meals for years R, 1 and 2 pupils.
9. Repairs and maintenance obligations for the Eagle Warehouse will be as per our current arrangements for maintained schools. The school would be responsible for smaller maintenance items and the Local Authority would be responsible for large capital works (e.g. boiler replacement). This will be reflected in the terms and conditions of lease.
10. The conversion and occupation of Eagle Warehouse to a school annex after the Schools change in status to a Foundation Trust and does not require the transfer of the Freehold.
11. The requirement for this additional accommodation is predicated by the City's birth rate spike. Currently the demographic data provides 5 yearly trends. In this regard, the leasing of the building to Regents Park Learning Trust, provides flexibility in the school having possession for a medium term period (21 years) if the birth rate spike is set to continue enabling the school to sustain the form of entry. Additionally if there is a subsequent fall in numbers and therefore a reduction in the demand for places, the lease can be terminated by option to break linked to the change in pupil numbers, enabling the premises returned to the Council and reducing any burden on the school.
12. The Mission Hall is accessed from within the school grounds (which are within the freehold ownership of the School Trust), with rights of access reserved to the City Council. Whilst the access is limited, the building has beneficial use as the current offices and store for Archaeology Services. The building does have potential alternative uses and therefore has a capital value which is being forgone in a nil freehold Transfer to the Trust.
13. The Mission Hall has a Market Value of £200,000 this will be forgone in a freehold transfer at nil value.
14. The conversion of Eagle Warehouse to School annex is a function of the increase in Form of Entry of the school through the Local Authority's statutory function to provide sufficient Primary School places. The provision of this accommodation has been subject to £2.335 million capital investment works, the value of the building is within this capital investment. There is not any additional monetary value to be secured from the property and rental value is not attributable.

RESOURCE IMPLICATIONS

Capital/Revenue

15. The Education Capital Programme includes £2.335 M for the conversion of Eagle Warehouse into seven classrooms and supporting ancillary accommodation for St John's Primary School and £75,000 for repairs to the Mission Hall. The work to make the space useable for the school will commence once archaeology services have vacated it.
16. The Curator of Archaeology and the Collections Manager have estimated that it will cost up to £90,000 to relocate the collection from the Eagle Warehouse. It is proposed that this will be funded from the Education Revenue budget.
17. It is estimated that it could cost up to £60,000 to refurbish Melbourne Street to make it suitable to house the archaeology collection. Should this level of funding be required, a decision will be sought separately in accordance with Financial Procedure Rules.
18. The City Council will be forgoing a capital receipt of £200,000.

Property/Other

19. As explained above, we are seeking to implement the following moves:
 - Leasehold transfer of Eagle Warehouse to St John's Primary and Nursery School (the Regents Park Learning Trust);
 - Freehold transfer of the Mission Hall from SCC to St John's Primary School (the Regents Park Learning Trust).; and
 - Internal transfer (appropriation) of the Melbourne Centre from Children's Services to Leisure.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

20. The law provides that when a school becomes a foundation school (and joins a Trust), all land used for the purposes of the school before the change of status will transfer from the Local Authority to the Trust. The property transactions relating to the Trust arrangement for St John's have already been completed. Any additional site would transfer to the trust on a freehold basis under the Education Act provisions. However, it seems prudent to transfer the Eagle Warehouse via a lease as the site is of significant historical and archaeological interest and located on a separate site to the main school / has not previously been used in any way wholly or mainly for the purposes of the school (and therefore sits outside of the statutory test for transfer to the school). This will provide greater safeguards for the building. If the leasehold transfer is approved, it is intended that the school would be granted a full repairing and insuring lease for 21 years. This would mean that all liabilities would sit with the school. Eagle Warehouse will be appropriated to Local Government Act 1972 to enable the lease to the Trust will be granted under S123 Local Government Act 1972. The leasehold transfer of the school will be required to comply with the requirements of s.123 Local Government Act 1972 and the disposal by way of lease is deemed to fall within the terms of the General Disposal Consent made under that Act as, while potentially a disposal at an undervalue, the undervalue falls within the relevant financial

thresholds under the General Disposal Consent and assist the Council in meeting a pressing social and environmental need to provide sufficient school places while retaining a property interest in an asset of historical value to the City.

21. The Freehold transfer of the Mission Hall will be required to comply with the requirements of s.123 Local Government Act 1972 a nil value disposal is deemed to fall within the terms of the General Disposal Consent made under that Act as, while potentially a disposal at an undervalue, the undervalue falls within the relevant financial thresholds under the General Disposal Consent and assist the Council in meeting a pressing social and environmental need to provide sufficient school accommodation.

Other Legal Implications:

22. In order for the properties to be brought into educational use, they will require enabling works to comply with the requirements of the Equalities Act 2010, particularly with regard to the need to ensure accessibility for pupils, staff and visitors with disabilities.

POLICY FRAMEWORK IMPLICATIONS

23. The proposals in this report are compliant with the Council’s policy framework in relation to the planning of school places and meeting the educational needs of the City.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Bargate
------------------------------------	---------

SUPPORTING DOCUMENTATION

Appendices

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

Documents In Members’ Rooms

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

Equality Impact Assessment

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

Other Background Documents

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

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None


This page is intentionally left blank

The **public sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people's needs. The Council's Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with section 17 of the Crime and Disorder Act and will enable the council to better understand the potential impact of the budget proposals and consider mitigating action.

<p>Name or Brief Description of Proposal</p>	<p>Transfer of Land & Buildings from SCC to St Johns Primary & Nursery School</p> <p>To approve the leasehold transfer of the Eagle Warehouse from SCC to St Johns Primary and Nursery School (the Regents Park Learning Community Trust)</p> <p>To approve the freehold transfer of the Mission Hall from SCC to St Johns Primary and Nursery School (the Regents Park Learning Community Trust).</p> <p>To approve the internal transfer of the Melbourne Centre from the Children's Services portfolio to the Leisure Portfolio.</p>
<p>Brief Service Profile (including number of customers)</p>	<p>Education and Change</p> <p>Head of Education – Graham Talbot</p> <p>Provision of school places for all those young people in the city that require one.</p>
<p>Summary of Impact and Issues</p>	<p>If approved, St John's Primary School would take ownership (via a lease) of a council owned, listed building. They would also be given full ownership of the Mission Hall, which is on the school site.</p>
<p>Potential</p>	<p>If approved this will enable St John's Primary School to</p>

Positive Impacts	have the space they require and will help the LA to meet its statutory duty with regards to school places. It would also allow the archaeology service to be located in one place (Melbourne Street) as opposed to being split across two sites as they currently are
Responsible Service Manager	James Howells
Date	May 2014

Approved by Senior Manager	Oliver Gill
Signature	
Date	May 2014

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	N/A	N/A
Disability	N/A	N/A
Gender Reassignment	N/A	N/A
Marriage and Civil Partnership	N/A	N/A
Pregnancy and Maternity	N/A	N/A
Race	N/A	N/A
Religion or Belief	N/A	N/A
Sex	N/A	N/A
Sexual Orientation	N/A	N/A
Community Safety	N/A	N/A
Poverty	N/A	N/A

Other Significant Impacts	<p>The school will assume responsibility for a listed building.</p> <p>The council would lose the Mission Hall as an asset.</p>	<p>By transferring the Eagle Warehouse via a lease as opposed to a freehold transfer, the council will retain ownership of the building.</p> <p>It is unlikely that the building could be used for anything other than school purposes (as it is on the school site) and the current occupants are being provided with a new building (Melbourne Street).</p>
----------------------------------	---	---

DECISION-MAKER:	CABINET		
SUBJECT:	LOOKED AFTER CHILDREN STRATEGY		
DATE OF DECISION:	17 JUNE 2014		
REPORT OF:	CABINET MEMBER FOR CHILDREN'S SAFEGUARDING		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Fiona Mackirdy	Tel: 023 8091 7507
	E-mail:	Fiona.Mackirdy@southampton.gov.uk	
Director	Name:	Alison Elliott	Tel: 023 8083 2602
	E-mail:	Alison.elliott@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY
None

BRIEF SUMMARY

The Cabinet are asked to consider and approve the Looked After Children Strategy, note key priorities and the links to other key documents (such as the Looked After Children and Care Leavers Placement Commissioning Strategy 2014-17, and the Looked After Children Improvement Plan).

RECOMMENDATIONS:

- (i) To approve the Looked After Children Strategy and associated Placement Commissioning Strategy 2014-17 attached at Appendices 1 and 2 of this report.

REASONS FOR REPORT RECOMMENDATIONS

1. Under primary legislation the Council has responsibilities and a positive role to play as the Corporate Parents of Looked After Children in the care of the Council. A Looked After Children Strategy is a key document which outlines how the Council will discharge its responsibilities and prioritise delivery of services for this group of children.
2. The Children and Young Persons Act 2008 strengthens the requirement on the Council to take steps to secure, so far as is reasonably practicable, sufficient accommodation for looked after children within their local authority area (Section 22G Children Act 1989). This is now referred to as 'the sufficiency duty'. The Looked After Children and Care Leavers Placement Commissioning Strategy 2014-17 outlines how the Council will meet its duty under the 1989 and 2008 Acts.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. While the Council has a duty to prepare and approve the attached Strategies, the form and content of them is open to Council discretion having regard to a local needs assessment and meeting local priorities. A variety of different options exist which have been discounted having regard to the Council's assessment of priorities and needs within its area.

DETAIL (Including consultation carried out)

4. The Looked After Children Strategy identifies eight priorities framing our services for looked after children
 1. Safeguarding
 2. Participating and Having your Say
 3. Staying Together, Identity and Relationships
 4. Ensuring Good Educational Outcomes
 5. Providing Clear Care Pathways and Timely Permanence
 6. Promoting Health and Well being
 7. Positively Managing Risk Safe and Stable Placements
 8. Widening Access to Culture and Leisure Activities
5. The priorities outlined in the Strategy give the broad ambition and direction of travel of the Council in respect of its Corporate Parenting Responsibilities. The Strategy is underpinned by the detailed actions contained within the Children's Services Improvement and Transformation Plans, specifically in Themes 3 and 4:
 3. *Robust and timely LAC provision. Ensure all looked after children have a care plan that delivers permanency in a timely manner.*
Review contact service and family centre provision to amalgamate into one Family Support Service that delivers assessed contact as part of an overarching family assessment.
 4. *Enhance Fostering and Adoption Provision within the City. Ensure the capacity within our fostering and adoption service is maintained and the recruitment of resources is increasingly targeted to our identified needs.*

The Improvement and Transformation plan has previously been considered by the Corporate Parenting Committee.
6. The Placement Commissioning Strategy outlines the context to securing placements for looked after children in Southampton. The number of looked after children has grown beyond levels previously forecast and the demography of the looked after children cohort has also changed with increased numbers of children under 10 years of age.
7. It also outlines current service provision and performance in the areas of placement stability, location and type of placements, placement choice.
8. The strategy outlines a number of priorities including how in-house fostering be the preferred provision within a range of providers, adoption provision will be increased, development of accommodation and support for young people leaving care, and in developing joint commissioning arrangements.

9. In the medium term, the strategy reflects the anticipated impact of the transformation agenda. It envisages that early intervention strategies and swift planning for permanence will be to favourably impact the care population over the next three years.

RESOURCE IMPLICATIONS

Capital/Revenue

10. Delivery of services for looked after children is funded across a number of council services including the core social work teams, the fostering and adoption service, and preventative and support services provided by specialist teams such as the Integrated Family Assessment and Intervention Service.
10. Successful implementation of the strategy should reduce the numbers of looked after children from 2014-15 onwards. The financial impact of this reduction has been reflected within the medium term budget projections.
11. In the strategy, it has been assumed that the use of in house fostering will rise as a proportion of total fostering placements, but that the total number of fostering placements will reduce over time. It is also anticipated that residential provision will continue to be used as a last resort measure, and that the need for such placements will remain static. Unit costs for Independent Fostering Agency range from between £600 to £1,900 per week depending on the type of placement and complexity, whereas internal fostering placements cost between £150 to £620 per week. Costs for residential provision can range between £2,400 per week through to £5,200 per week for the most intensive or therapeutic provision. In-house provision is much more cost effective and quality can be monitored and delivered more effectively.

Property/Other

12. None

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

13. The Children Act 1989 placed the statutory responsibility on the council to provide accommodation and services for looked after children. The Care Standards Act 2002 and associated regulations define the operation of local authority fostering and adoption services.
14. As mentioned previously in this report, the Council has a statutory duty in respect of delivering its Corporate Parenting Responsibilities and in ensuring sufficient and suitable placements for looked after children.

Other Legal Implications:

15. In delivering the priorities and services outlined in the strategy the Council will have regard to its duties under the Equalities Act 2010 and the Human Rights Act 1998.

POLICY FRAMEWORK IMPLICATIONS

16. The proposals in this report fully support the Council’s Policy Framework in relation to early years provision and children’s services for children and young people.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
------------------------------------	-----

SUPPORTING DOCUMENTATION

Appendices

1.	Looked After Children Strategy
2.	Looked After Children & Care Leavers’ Placement Commissioning Strategy 2014 -2017

Documents In Members’ Rooms

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

Equality Impact Assessment

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

Other Background Documents

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

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

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



**LOOKED AFTER CHILDREN AND CARE
LEAVERS**

**PLACEMENT COMMISSIONING
STRATEGY**

2014 - 2017

CONTENTS

1. Introduction3
2. The Legal Context3
3. Local Context for Children’s Services5
4. Local Context for Looked After Children6
5. Placement Analysis of Looked After Children9
6. Current Accommodation Provision10
7. Ongoing Actions/Commissioning Priorities14

1 INTRODUCTION

- 1.1 This Looked After Children and Care Leavers Placement Commissioning Strategy provides an update to the original strategy document dated 2012 – 2015. It includes key information regarding the profile of looked after children in Southampton and the range of accommodation currently provided. The strategy included actions which are underway in order to demonstrate how the City aims to increase the range and choice of accommodation to meet the presenting needs of the children looked after population now and over the forthcoming 3 years. Whilst the information in the 2012 - 2015 strategy was accurate and reflected the position at the time it was written, in the 18 months since, the looked after children population in Southampton has continued to rise beyond forecasts.
- 1.2 As part of a systematic review of the current structure for provision of services and in response to a wider range of challenges, an overarching Children's Services Transformation Programme (CSTP) is in place within Southampton Children's Services in order to focus on the development of early intervention and prevention, and for those children who need to be looked after away from home, to drive forward timely permanence.
- 1.3 The CSTP will transform and redesign services across the City in order to deliver the partnership's agreed vision as follows:

'An Early Intervention City with a multi agency, integrated service provision that works to ensure children's needs are met at the earliest stage. Where possible, and children's welfare is assured, these needs will be met within their family and community resources.'

2. THE LEGAL CONTEXT

- 2.1 Since the implementation of the Children Act 1989 local authorities have been required to take steps that secure, so far as is reasonably practicable, sufficient accommodation for looked after children within their local authority area (Section 22G Children Act 1989). This section of the 1989 Act was also inserted into Section 9 of the Children and Young Persons Act 2008. This is now referred to as 'the sufficiency duty'.
- 2.2 The Statutory Guidance on securing sufficient accommodation for looked after children provides examples of best practice in securing sufficiency that include the following:
- That all children are placed in appropriate placements with access to the support services they require in their local authority area, except where this is not consistent with their welfare;

- That the full range of universal, targeted and specialist services work together to meet children's needs in an integrated way in the local area, including children who are already looked after, as well as those at risk of care or custody;
- Where it is not reasonable or practical for a child to be placed within her/his local authority area, there are mechanisms in place to widen the range of provision in neighbouring areas, or region which is still within an accessible distance, while still being able to provide the full range of services to meet identified needs;
- That partners, including housing, work together to secure a range of provision to meet the needs of those who become looked after at the age of 16 and 17 years, and support the continuity of accommodation beyond the age of 18 years;
- And in addition to meeting relevant national minimum standards, services are of high quality to secure the specific outcomes identified in the care plans of children looked after;

2.3 The Statutory Guidance states that 'Local authorities must be able to show that at a strategic level they are taking steps to meet the sufficiency duty, so far as is 'reasonably practical'.' It further explains what is meant by 'reasonably practical', and it includes the following:

- that it is a general duty that applies to strategic arrangements, rather than to the provision of accommodation to a particular, individual child;
- it does not require local authorities to provide accommodation within their area for every child they look after;
- there may be a significant minority of children for whom it is not 'reasonably practical' to provide a certain type of accommodation within the area;
- in accordance with section 22C (5) of the 1989 Act, the overriding factor is that the placement must be the most appropriate placement available;
- the local authority must give preference to a placement with a friend, relative or other person connected with the child and who is a local authority foster parent [section 22C (7) (a)];

2.4 The term 'looked after children' as defined in the 1989 Act refers to all children and young people being 'looked after' by the local authority. These may be subject to Care Orders or Interim Care Orders; placed or authorised to be placed, with prospective adopters; voluntarily accommodated including unaccompanied asylum seeking children and

finally those subject to court orders with residence requirements i.e. a secure order or remanded to local authority accommodation.

2.5 The term 'care leavers' as defined in The Children (Care Leavers) Act 2000 refers to eligible, relevant and former relevant children:

- Eligible children are those young people aged 16 and 17 who are still in care and have been 'looked after' for (a total of) at least 13 weeks from the age of 14 and including their 16th birthday;
- Relevant children are those young people aged 16 and 17 who have already left care, and who were 'looked after' for (a total of) at least 13 weeks from the age of 14, and have been 'looked after' at some time while they were 16 or 17;
- Former relevant children are those young people aged 18, 19 or 20 who have been eligible and/or relevant.

3 LOCAL CONTEXT FOR CHILDREN'S SERVICES

3.1 Southampton's population is approximately 240,000 with an estimated 50,000 children. The City is ranked 81st out of all 326 local authorities in England in the overall Index of Multiple Deprivation 2010 (where one is the most deprived). It ranks 114th out of 152 Local Authorities in England for the percentage of children living in poverty. 18.2% of people are from an ethnic group other than White British. The largest proportion of this non-white population comes from the Asian or Asian British ethnic group (6.4%).

3.2 There is the strongest imperative for change; outcomes for children in the City require improvement, and in some areas substantial improvement. The City's performance needs to improve across a range of indicators. Analysis of that performance, both quantitative and qualitative, has clearly identified that in order to close the wide gap between all children and vulnerable children, across a range of outcomes, the services in the City require transformational change.

3.3 In July 2013 an analysis of the demand for services and the subsequent journey of the child and family across a range of access points was undertaken. This analysis identified a range of improvements necessary. These improvements aim to ensure that when children cannot safely and effectively be brought up within their own families, interventions will be timely and service provision will be of a sufficiently good and sufficient standard to ensure the looked after children population in Southampton subscribes to 'right child, right time, right placement, only for as long as necessary'.

4. LOCAL CONTEXT FOR CHILDREN LOOKED AFTER

- 4.1 The number of Looked After Children in Southampton has grown significantly in recent years almost doubling from its low of 268 in March 2007 to 482 in March 2013 and increasing to 507 as of the end of December 2013. This high number of looked after children is unsustainable for the service and an action plan is in place to address this. The City now has one of the highest Looked After Children rates per 10,000 in the country (See Table 1).
- 4.2 The projected figures within the original Placement Sufficiency Strategy 2012 - 2015 can be seen in Table 2 below and when compared to actual figures, it can be seen that the number has significantly exceeded those forecast. Revised forecasts based on actual numbers project that the population of looked after children will peak. As the transformation is implemented, early intervention strategies and swift planning for permanence when children are removed from their families, will begin to favourably impact the care population over the next 3 years (see Table 2)

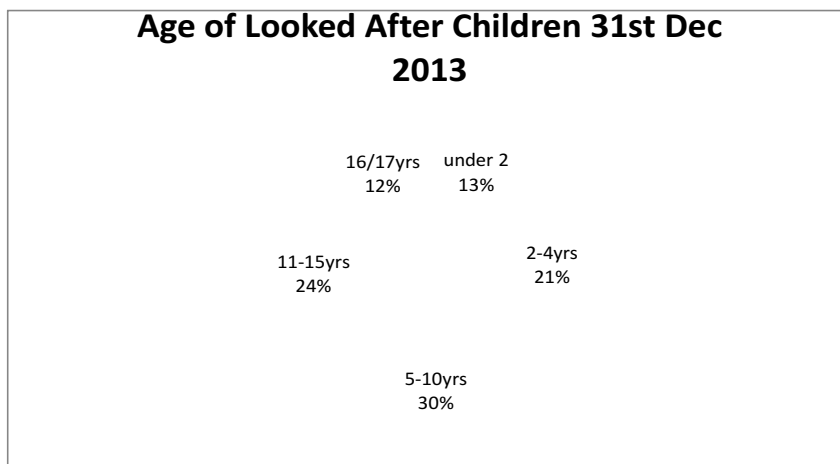
Table 1 – Looked After Children Numbers

Number of Looked After Children at 31 Mar.		2006/07	2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
All looked after children at 31 March	LA	296	268	289	374	386	429	482
Looked after children at 31 March per 10,000 population 0 to 17 yrs	LA	70	63	67	86	89	93	102
	SN	81	81	79	82	86	82	83
	England	55	54	55	59	59	59	60

Table 2 – Looked After Children Numbers and Forecasts

Projected Numbers of Looked After Children (2012 - 2015 Placement Strategy)	Actual Mar-12	Forecast Mar-13		Forecast Mar-14	Forecast Mar-15	
	429	417- 438	-	413- 451	405- 455	-
Projected Numbers of Looked After Children (Refresh January 2014)	Actual Mar-12	Actual Mar-13	Actual Oct-13		Forecast Mar-15	Forecast Mar-16
	429	482	506	-	499	449

- 4.3 A crucial factor and indicator for the future is the number of children (47 as at the end December 2013) who are already placed in adoptive placements awaiting a final order. At 10% this is above the national average and underlines a lack of sufficient rigour and pace historically in securing final orders – there is now a concerted programme underway to ensure that these cases are progressed in a timely way for these children and their adoptive families. Once these children and the 82 others who also have a plan for adoption but are yet to be placed, are secured a permanent family this year it is anticipated that the number of looked after children will begin to fall.
- 4.4 There were more boys than girls looked after at the end of 2012/13 with 276 (57%) compared to 206 (43%), this differential continues in the end of year figures and is wider than national or neighbour figures. Intriguingly this is reversed in only one area - the under 2 age range where of the 67 under two years old in the year end figures 60% of these children were female. Analyses by age demonstrates that the growth in looked after children numbers is essentially in the 0 – 9 age group, whilst numbers for those over 10 have remained relatively stable over recent years.
- 4.5 At 31 March 2013, the largest proportion of looked after children in Southampton was aged 1 to 4 (34%) and 10 to 15 (28%). Significantly less young people aged 16 and over were looked after in 2012/13 (11%) compared to 2011/12 (16%) and national (20%) and local (21%) trends. Statistics as at the end of December 2013 can be seen below.



- 4.6 White children continue to represent the largest cohort of looked after children at 81%. Children from an Asian background rose from 2% (2011/12) to 5% (2012/13) slightly higher than national figures which remained static at 4%.
- 4.7 **Placement stability:** Research highlights the importance of stability, security and lasting relationships as fundamental for the healthy

development of children. 10% of looked after children in Southampton had 3 or more placements during 2012/13, the same as in 2011/12, slightly lower (better) than local and national figures (11%). In terms of longer term stability in 2012/13, 73% of children who had been looked after for at least 2.5 years have been living in the same placement for 2 years or more or placed for adoption. Whilst this is lower than 2011/12 (77%) it remains higher than local (69%) and national (68%) figures.

- 4.8 As at the end of 2012/13 84% of looked after children were placed within 20 miles from their home compared to 76% (England) and 71% (SN) supporting them to maintain networks and stability.

Table 3 – Distance between Home and Placement

Looked after children on 31 March – distance between home and placement		2008/09	2009/10	2010/11	2011/12	2012/13
Placement 20 miles or less - all episodes at 31 March	LA	78%	82%	82%	83%	84%
	SN	77%	76%	79%	79%	71%
	England	72%	74%	76%	76%	76%
Placement 20 miles or less - inside LA boundary	LA	51%	52%	49%	48%	52%
	SN	54%	53%	54%	53%	
	England	54%	54%	55%	55%	
Placement 20 miles or less - outside LA boundary	LA	27%	29%	34%	34%	36%
	SN	23%	24%	25%	26%	
	England	18%	20%	21%	22%	
Placement over 20 miles - all episodes at 31 March	LA	9%	8%	10%	10%	10%
	SN	15%	16%	14%	14%	
	England	17%	16%	16%	16%	12%
Placement over 20 miles - inside LA boundary	LA	2%	1%	1%	1%	0.2%
	England	4%	4%	4%	4%	
Placement over 20 miles - outside LA boundary	LA	7%	6%	9%	10%	10%
	SN	15%	16%	14%	14%	
	England	13%	13%	12%	12%	
Not known or not recorded (includes children placed for adoption and children with no home address such as UASCs)	LA	11%	11%	9%	7%	2%
	England	11%	10%	8%	8%	

5. PLACEMENT ANALYSIS OF LOOKED AFTER CHILDREN

5.1 Placement details up to the end of December 2013 are detailed below.

Table 4 – Breakdown of Placement Type

Looked After Children, placements number in Southampton	2008/09	2009/10	2010/11	2011/12	2012/13	End Dec 2013
Foster placement with relative or friend: inside LA	13	32	46	49	53	68
Foster placement with relative or friend: outside LA	13	14	20	29	27	
Placement with other foster carer: inside LA	117	129	116	141	159	344
Placement with other foster carer: outside LA	74	106	131	142	171	
Secure unit	4	5	1	2	0	4
Homes and hostels	12	21	9	11	11	12
Hostels and other supportive residential placements	2	3	4	7	1	0
Residential schools	5	8	6	2	1	2
Other residential settings	2	3	1	2	7	4 (M & baby)
Placed for adoption (inc placed with former foster carer)	15	15	16	19	23	47
Placed with own parents	21	27	30	17	23	20
In lodgings, residential employment or living independently	7	9	4	6	1	5
Absent from agreed placement	4	2	2	2	2	1
Total	289	374	386	429	479	507

5.2 As at the end of December 2013, of the 507 looked after children in Southampton, 81% were in foster care (excluding those placed for adoption with current foster carers) which comprises 239 with in-house mainstream carers, 68 children placed with family and friends carers and 105 placed with Independent Fostering Agencies (IFAs). Just over 2% of children were placed in residential care (excluding 2 children in residential schools). The population of looked after children has increased by 28 since the end of March 2013 and since that time, IFA placements have increased by 14.

5.3 **Care Leavers:** At the end of March 2013 63% of the City's care leavers who were in contact with the City, were in suitable accommodation compared to 84% (SN) and 88% (England), which places Southampton at the bottom of the table (see Table 5 below). This is a slight improvement from 2011/12 when it was 61%, but up until end March 2013 there was a general downward trend over the last seven years. Addressing this is a priority area for focus and further development, and as at the end of December, 88% of care leavers were in contact

and in suitable accommodation. This is a much improved position and one which continues to be a priority for development.

Table 5 – Care Leavers in Suitable Accommodation

Care Leavers		2007/08	2008/09	2009/10	2010/11	2011/12	2012/13
The percentage of former care leavers aged 19 looked after on 1 April in their 17th year, who were in contact and in suitable accommodation (former NI 147)	LA	69%	93%	63%	73%	61%	63%
	SN	87%	92%	93%	90%	90%	
	England	88%	90%	90%	90%	88%	88%

5.4 In October 2013 of the 107¹ care leavers were living in a range of accommodations as follows:

- 24 young people in supported housing (flats, shared living)
- 28 with family and friends
- 26 in council/private rented accommodation
- 3 in custody or secure home
- 6 other e.g. Army or adult placement (e.g. shared lives)
- 6 not known (not in touch with the service)
- 13 young people who are living with their foster carers in 'Staying Put' arrangements
- 1 young person is living in a residential placement following a breakdown in a supported lodgings placement

5.5 As at the end December 2013 there were 106 care leavers open to the service in Southampton with a further 38 young people becoming 18 over the next 12 months.

6. CURRENT ACCOMMODATION PROVISION

6.1 In-House Foster Care (Mainstream)

6.1.1 There are currently (as at February 2014) 271 fostering households. Of these, 176 households are within the City boundaries, 79 are within 20 miles of Southampton and 16 are over 20 miles away. In terms of maximum capacity, there are 540 placements although in real terms there are always likely to be less available, e.g. a carer may be approved for 1 child, 2 if siblings, and they may only have one in placement, leaving the second placement unavailable. It may also be the case that a carer is approved for 2 children, but may have a child in placement who would benefit from being the only child in placement,

¹ Of the 107 care leavers aged 18+ 6 young people aged 16/17 are included in this figure as they discharged themselves from care, having been looked after under Section 20 of the CA1989.

due to their needs. This results in the second placement being unavailable.

- 6.1.2 The fostering service operates a continuous recruitment campaign throughout the year. This includes radio campaigns, poster and billboard advertising, features in The Southern Evening Echo, postcard drops, local events, working with the faith communities, Face book and web pages.

Table 6 - Recruitment and assessment statistics²

Table 6	1st April – 30th June 2013	1st July – 24th September 2013	25th September- 31st December 2013
Enquiries	129	95	89
Initial home visit	72	45	40
Conversion rate	55%	47%	45%
Assessments	19	15	14
Overall Conversion rate	14.7%	15.7%	15.7%

- 6.1.3 The conversion rate for the first 3 months (14.7%) of enquiry to assessment is above the national average of 10%. This does not reflect any prospective carers that may withdraw through the assessment process. The same can be said for the 2nd quarter showing a 15.7% conversion rate. The service continued to have a 15.7% conversion rate from enquiry to assessment in the 3rd Quarter.

- 6.1.4 **Family and Friends Carers:** The fostering service progress all assessments in respect of family and friends carers. The team screen out and progress all Viability Assessments in order to determine those whereby it is recommended to progress to a full fostering assessment or temporary approval.

6.2 Commissioned Fostering Placements

- 6.2.1 It is absolutely acceptable and the norm that local authorities, as part of their sufficiency strategy, commission placements externally from the independent sector, i.e. Independent Fostering Agencies (IFAs). Southampton is one of 11 authorities in the south east region who have commissioned IFA placements via a Framework Contract. The IFA framework sets out clear guidance on the type, volume, and locality of IFA placements required, helping to shape the market. Providers were also required to submit detailed costs, which enabled participating authorities to have a clear understanding of what they are purchasing.

² These figures do not include family and friends approvals.

The process encouraged new providers to enter the local market, increasing choice and driving down cost. Following the procurement process, Providers selected to join one or more of three lots within the framework contract:

- Framework 1 General Fostering Placements - 27 providers
- Framework 2 Parent and Child Placements - 25 providers
- Framework 3 Disabled Children Placements - 13 providers.

This collaborative procurement process has:

- Assisted in improving outcomes for children and young people.
- Increased the availability of diversity in placement choice.
- Increased the number of local placements.
- Reduced placement costs

The contract was implemented in April 2012 and spans a period of 3 years with the potential to extend for a further 2 years.

6.2.2 Prevention of Offending Contract: Southampton, alongside Hampshire, Portsmouth and the Isle of Wight currently commission Action for Children, via a Block Contract, to provide prevention of re-offending beds for young people. These placements are provided by specialist foster carers who offer young people a high level of supervision and support in line with the needs identified in their care plan, the aim being to enable young people to access appropriate support services. The four authorities commission 2095 beds per year broken down as follows: Hampshire 1700, Southampton 225, Portsmouth 150 and the Isle of Wight 20.

The service is to provide fostering placements as follows:-

Group A - Young people remanded to Local Authority accommodation who are normally resident within the Local Authorities of Hampshire, Southampton, Portsmouth and the Isle of Wight.

Group B - Young people who are at risk of offending/re-offending, and who have been assessed as vulnerable, which is likely to lead to their involvement with the Youth Justice system. Priority will be given to those young people most at risk of court ordered secure remand.

Group C - Convicted young offenders serving the community phase of a custodial sentence.

Group D - Emergency overnight placements for young people as required under the Police and Criminal Evidence Act 1984 (P.A.C.E) coming to the attention of the Local Authorities Out of Hours Services.

Group E - Emergency placements out of hours (not including 2.1.4 above) for young people who present as vulnerable and/or are at risk of offending.

Group F - Youth Rehabilitation Order with a Local Authority Residence Requirement

6.3 Adoption Placements

6.3.1 At 30 September 2013 there were 23 assessments of new adopters underway. 13 new adoptive households completed their assessment and were approved by the Adoption panel in the six months between April and September 2013. This took the overall number of approved adoptive households to 39, of whom 31 had children in placement, and one had been matched with a child.

6.3.2 Throughout 2013-14 an average of 21 adoptive households have been assessed at any one time, including foster carers wishing to adopt children already in their care. During the same period the adoption team have been family finding for an average of 50 children at any one time. It is expected that the number of children with a plan for adoption will remain constant for at least the next twelve months and therefore family finding will remain at this level. There is therefore a shortfall in the number of adopters being recruited to meet the needs and numbers of the children with a plan for adoption.

6.4 Residential Provision

6.4.1 Southampton has no residential beds as part of its range of in-house accommodation provision. The City is an extremely low user of children's residential care and it is therefore not a viable option to provide residential beds in-house. Placements are currently spot-purchased when required, with support from a Placement Officer, whose role is to assist with the identification of a resource, in line with presenting needs, and who works in partnership with the child's social worker to identify outcomes required from the placement, and draft an Individual Placement Agreement accordingly. Assistance is also provided regarding the negotiation of costs.

6.5 Care Leaver's Accommodation

6.5.1 There is no question about the favourable impact '**staying put**' with foster carers will have for care leavers, and it must be seen as an absolute priority for most young people. In Southampton those 18+ have the choice to remain with their carers where it is their wish to do so and the carer is able to offer this resource. This applies to those placed with in-house foster carers and those placed with IFAs. At present there is no provision within the IFA Framework Contract to address young people staying put beyond their 18th birthday. This

currently results in a lack of consistency in rates charged. At the end of December 2013 there were 9 young people who have remained with their carers beyond their 18th birthday and this trend is predicted to increase with the removal of the condition that these children need to be in employment, education or training for them to remain in placement.

6.5.2 The most common route to independence in Southampton (after those who return to live with their families) is to enter a shared living arrangement via **Chapter One** or **YMCA**. Chapter One is a large house with single bedrooms which are secured by locks. The kitchen, lounge, toilets and a shower rooms are shared between the residents. The YMCA is made up of self contained flats with a shared larger kitchen. Shared living can bring challenges and risks for young people who can lack maturity, independence skills and self regulation. It is an expectation that all residents are engaged in education, employment or training.

6.5.3 **Supported Lodgings:** Southampton's fostering service recruit supported lodgings carers in order to ensure a range of accommodation is available for those care leavers who wish to have an element of independence but with the back-up of a higher level of support. The City currently has 15 supported lodgings households which provide 17 beds. Of these, 3 households are currently unavailable and 1 has a vacancy. 11 young people (as at February 2014) are in supported lodgings.

6.5.4 A number of young care leavers move to private rented accommodation, once they have completed tenancy training and/or independent skills training (provided by a company Next Steps). They are supported with deposits and rent in advance and increasingly the City are funding private rents through Next Steps Care Management (NSCM). NSCM take on tenancies with landlords on behalf of care leavers and are very flexible about the level of floating support they provide and the duration of the tenancy. They generally take a 6 month tenancy and if the young person wants to move out before then for whatever reason, it is possible to place another young person in for the balance of the tenancy. If the young person successfully completes the 6 month tenancy then they are able to take the tenancy on themselves and for this reason they always try to source flats that can be paid for by Housing Benefit if necessary.

7. Ongoing Actions/Commissioning Priorities

7.1 In allocating resources for 2014-5, funding has been identified to meet the increasing numbers of children who have been placed under the care of the local authority. Funding has been built into the budget to provide additional resources for further pressures in safeguarding that are already in the system, such as social work staffing. It is anticipated that the numbers of children in care will increase in the short term, but

will subsequently reduce from 2014-15 onwards (see Table 7) as a result of measures taken to transform Children's Services. This will reduce the cost of children in care accordingly and budget forecasts are now based on this projection.

Table 7 – Projections of numbers of Looked After Children

Placements for Looked After Children	Actual Mar-12	Actual Mar-13	Actual Oct-13	Projected Mar-15	Projected Mar-16
Fostering up to 18	282	320	306	315	282
Independent Fostering Agencies	62	86	105	87	70
Supported Placements or Rent	7	4	1	1	1
Inter agency fostering placements	0	3	3	3	3
Residential - Independent Sector and Our House	14	11	11	12	12
Secure	0	0	0	1	1
Other placements	64	58	80	80	80
Total	429	482	506	499	449

7.2 The City's Integrated Commissioning Unit is in its early stages of development. As part of these developments a Buyers Team is currently being configured, the aim being to work in collaboration with Children's and Adults services to procure placements. In respect of Children's Services a Placement Officer will be recruited imminently to support the commissioning of placements in respect of children's residential care and IFAs. This arrangement ensures that placement management will no longer be dependent on a single officer and will benefit from team support.

7.2.1 The core functions of Placement Officer role remains to provide a centralised process for making external placements, offering a strategic overview of resources, securing better value for money and achieving better outcomes for children and young people. Specifically the Placement Officer supports Children's Social Care to:

- Undertake financial monitoring and fee negotiation with providers.
- Monitor performance and outcomes for children and young people, in conjunction with Quality Teams.
- Monitor and check the quality of placements.
- Realise benefits under the Independent Fostering Agency (IFA) Procurement Project.
- Complete Individual Placement Agreements (IPAs) for all new placements.
- Negotiate over any additional services not specified in the IFA Framework.
- Issue amended IPAs for all placements where the cost changes.
- Check invoices to see if they are correct and liaising with finance

- Maintain an overview of all placements and all payments.
 - Improve management information on outcomes and costs for individual placements.
- 7.3 Looked after children who require specialist residential placements are not currently subject to a Framework Agreement or pre-placement agreement. However, work has commenced on addressing this in collaboration with other local authorities in the South East. A framework approach is being designed to unify purchasing processes across local authorities to ensure quality standards and outcomes for children as well as enabling the achievement of best value.
- 7.4 A similar approach is being developed within the region in respect of post 16 collaborative tender approaches. Recent provider events have enabled Southampton along with other Local Authority areas to share their service requirements and to encourage providers to shape service provision to meet needs. It also is a mechanism for informing potential new providers of requirements in an attempt to broaden market choice.
- 7.5 Southampton is currently undertaking a Strategic Review of the Housing Support Services for Young People and Young Parents aged 16 to 25 at risk of homelessness in Southampton. The current housing support service contracts end in summer/autumn of 2014 and new housing support services will be commissioned in 2014. Although the funding for the Supporting People programme is no longer ring-fenced, there is a commitment within the City to continue to improve outcomes for young people and young parents in the City who are at risk of homelessness. Housing support is an important part of achieving this aim and representatives from Children's Social Care, including the Looked After children and Care Leavers Team, are involved in the review in order to ensure needs assessments are taking into account our care leavers.
- 7.6 In November 2013 the Government proposed to extend accommodation provision under 'Staying Put' and released some funding which will enable all young people to stay with their foster carers until the age of 24 years, regardless of whether they are in employment, education or training. This will have ongoing financial and practical implications for the City if all those young people who are entitled to now "Stay Put" do so. The need for a continuation of payment to the carer in order to provide an incentive for them to continue to support the care leaver in their household (as opposed to fostering another child) will impact financially and in addition, for each care leaver in question, a fostering placement will be 'taken up' for each care leaver who 'Stays Put'. The predicted increase for 2014/15 for those Staying Put is 24 young people.
- 7.6.1 Ongoing developments regarding the City's Staying Put policy are underway. Confirmation of the City's allocation is awaited and strategies to address the impact, both financially and practically are

part of this. This includes the need to work collaboratively with the 11 authorities who, as part of a Framework Contract, have commissioned Independent Fostering Agencies (IFAs) to provide fostering placements. A working group has been set up to take this work forward.

7.6.2 The City's partnership arrangements with Next Steps Care Management is positive and the plan is to grow connections with them and assess the feasibility of entering into contracting arrangements in order to look at more efficient rates and defined outcomes.

7.7 Ongoing recruitment of foster carers within the City is a priority and an ongoing marketing strategy is in place. There are 33 mainstream assessments underway (as at February 2014). A target is set for an additional 40 carers in 2014/15 in order to increase capacity and choice and replace those carers who cease fostering as they are granted Special Guardianship Orders in respect of children they care for. Specific areas for recruitment are being targeted in response to the presenting needs of the looked after population in Southampton. The target areas are as follows:

- Mother and baby placements (including assessment placements);
- Placements for sibling groups;
- Placements for young people aged 12+, including for those staying put 18+

7.7.1 Training and development of the City's in-house foster carers remains a priority in order to maximise the skills mix available in meeting the needs of more complex children, and minimising the need to commission placements out of city and/or use IFA placements.

7.7.2 The fostering service is currently assessing three supported lodgings households. One assessment is due to be presented to fostering panel in March 2014.

7.8 A target has been set to recruit and approve 40 adoptive households in 2014-15. This is nearly double the number approved in each of the last two years but reflects the current and ongoing number of families needed for children who have a plan for adoption. This is a challenging target which will be supported by a revised recruitment and marketing campaign including improvement of the council website pages for adoption, revised marketing materials and use of social media and press campaigns. A more detailed recruitment strategy has been written which details all the planned activity to increase recruitment of adopters.

7.8.1 In order to progress adoption for children with adoption as the plan in a timely way we have matched 19 children with 14 adoptive households from other local authorities and voluntary adoption agencies, using the

Adoption Reform Grant to provide funding for some of these placements. 6 adoptive households approved by Southampton City Council have been matched with other local authority children which provides an income to the Council, but clearly these are fewer in number than placements commissioned. In 2014-15 we will continue to recruit adopters who can be matched with children nationally as well as locally. There has been some local consideration about the feasibility of expanding local consortium arrangements in a range of adoption practice areas, including recruitment and family finding. A decision will be made in the spring of 2014 about how this will be taken forward.

- 7.9 Increasing choice of placement for care leavers within the City remains a high priority. In addition to the Strategic Review of the Housing Support Services for Young People and Young Parents aged 16 to 25 in Southampton, capacity for provision of supported lodgings is a focus for activity and led by the fostering service, with a specific emphasis on recruiting and training prospective carers to meet the needs of the more challenging young people. Ongoing collaboration with housing colleagues and private providers, as part of the transformation of Children's Services within the City is a focus and plans to put in place a dedicated care leaver's service in order to improve outcomes, including addressing suitability of accommodation, are underway.
- 7.10 Changes to the Care Planning, Placement and Case Review (England) Regulations 2010 are due to be published early in 2014 to address safeguarding issues regarding the placements of children at some distance from their local authority area. Statutory guidance will be issued imminently which will clarify the role of Director of Children's Services in ensuring robust processes are in place for challenge and scrutiny and that decisions to place a child in a specific placement is consistent with the assessed needs of the child concerned. Arrangements within Southampton to ensure robust oversight and scrutiny of these arrangements at the point of placement and on an ongoing basis are in place but need to be strengthened in order to respond in full to the revised statutory guidance and Regulations when they are published.

This page is intentionally left blank



Looked After Children Strategy



Theresa Leavy

Head of Children's Services

TABLE OF CONTENTS

INTRODUCTION	2
LEGISLATIVE FRAMEWORK	3
NATIONAL CONTEXT	3
LOCAL CONTEXT	4
CORPORATE GOVERNANCE	8
DELIVERING PRIORITY OUTCOMES	10
CONCLUSION.....	18

INTRODUCTION

‘We will ensure our Children Looked After have all the opportunities that good parents afford their children’

This multi-agency strategy outlines our strategic ambitions, pledge and commitment to the children and young people who come into our care. We want to ensure that all children and young people who are looked after are provided with the best possible care and support, in placements that are as close as possible to their home. In providing this support we will seek to work in partnership with children and young people, their parents and families and partner agencies, aiming to ensure that children and young people enjoy their childhood and succeed in adult life.

This strategy should be read in parallel with the Looked After Children and Care Leavers Placement Commissioning Strategy 2014-17, the Primary Prevention and Early Help Joint Commissioning Strategy to triangulate the way in which we are Transforming Services to safeguard and improve the outcomes for all vulnerable children. It specifies the means by which our strategic intentions will be realised and the actions that will be taken to ensure that we achieve the best possible outcomes for all the children and young people for whom we have responsibility. We will review this strategy on an annual basis to measure our success as champions for our looked after children and young people. An essential part of this review will be to ensure that the views of children and young people are taken into consideration on all aspects of the priorities included in this strategy.

Keeping children safe and protecting them from harm presents unique challenges. Children, by virtue of their age, immaturity and dependence on adults are all vulnerable to some extent or other because adult voices tend to dominate when dealing with professionals. In the vast majority of circumstances these voices can be relied upon to act in the child’s best interests; however this does not apply when the adults are the source of the child’s problems.

The challenge for children’s social care professionals is judging when it is timely to take a child into care and when it is in their best interests not to do so. When children are removed from their birth families social workers can often be accused of being over-zealous in their efforts to protect the child. Yet when things go badly wrong the public, with the benefit of hindsight, wonder why the child wasn’t taken into care earlier. The reality of social work requires professionals to identify and manage a myriad of complex risks and relationships. They must not only respond to the child’s immediate presenting needs but must also evaluate and predict what may or may not happen to that child in the future.

The United Nations Convention on the Rights of the Child sets out the basic human rights that all children have including the right (i) to survival (ii) to develop to the fullest (iii) to protection from harmful influences, abuse and exploitation (iv) to participate fully in family, cultural and social life. Of these, studies have shown that children themselves consider ‘protection from abuse’ to be the most important. The

vision of children in the Children's Act 1989 is that they are neither the property of their parents nor should they be viewed as helpless objects of charity.

LEGISLATIVE FRAMEWORK

The Care Planning, Placement and Case Review Regulations 2010 came into force on 1st April 2011 and to support their implementation, a suite of statutory guidance was issued setting out how local authorities should carry out their responsibilities in relation to the care planning, placement and review for all children who are looked after.

These revised regulations and guidance streamline processes to increase the emphasis on more effective care planning, with a focus on the child, and are designed to improve the quality and consistency of care planning, placement and case review for looked after children. They also aim to improve the care and support provided to care leavers. This statutory guidance outlines all of our responsibilities and underpins all of our work in promoting good outcomes for children who are looked after.

The legislative framework is supported and underpinned by a wide range of publications, identifying good practice and research into the national context and impact of strategies to improve the outcomes for children looked after. In Southampton, we are using this intelligence to improve services and stretch our ambitions as corporate parents, for example, the OfSTED report on, 'The Impact of Virtual Schools on the Educational Progress of Looked After Children', published in 2012, has shaped the way we are improving educational achievement for our children.

NATIONAL CONTEXT

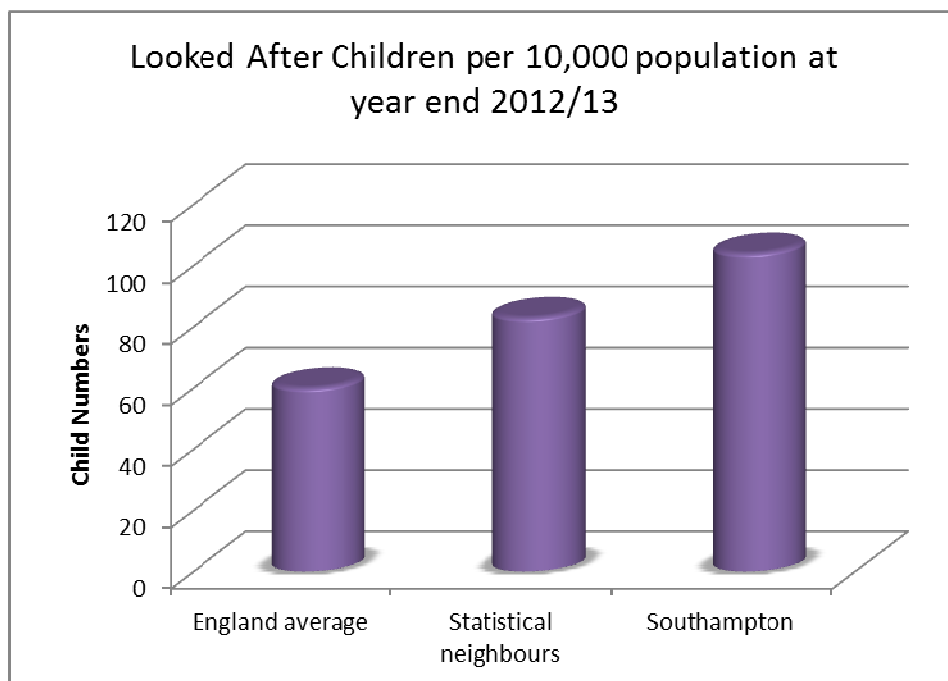
A 'looked after child' can be defined as someone at risk aged 0 to 18 years for whom a local authority has full or shared parental responsibility. A child can become looked after either by voluntary agreement with their parent or they can be placed in the care of a local authority through the courts. The term 'care leaver' refers to a young person aged 16+ who is transitioning into adulthood. A local authority will maintain a statutory duty of care until they reach the age of 21 (or 25 if they are in full time education). A child may become looked after (i) because of temporary or permanent problems facing their parents, (ii) as a result of abuse or neglect, (iii) because of challenging behaviour or (iv) because they have no-one to care for them. Looked after children and care leavers face a variety of unique challenges as they grow up and transition into adulthood. For example, they are at greater risk of experiencing social exclusion because moving away from the family home can often break social networks, which in turn can induce strong feelings of loss and separation.

By the end of March 2012 there were 67,050 looked after children and young people in England. 62% of these cases recorded 'abuse or neglect' as the main reason for entry into the care system. Looked after children are amongst the most vulnerable groups in society and their physical health, social, emotional and educational well-being is heavily influenced by the quality of care they receive. Their early life

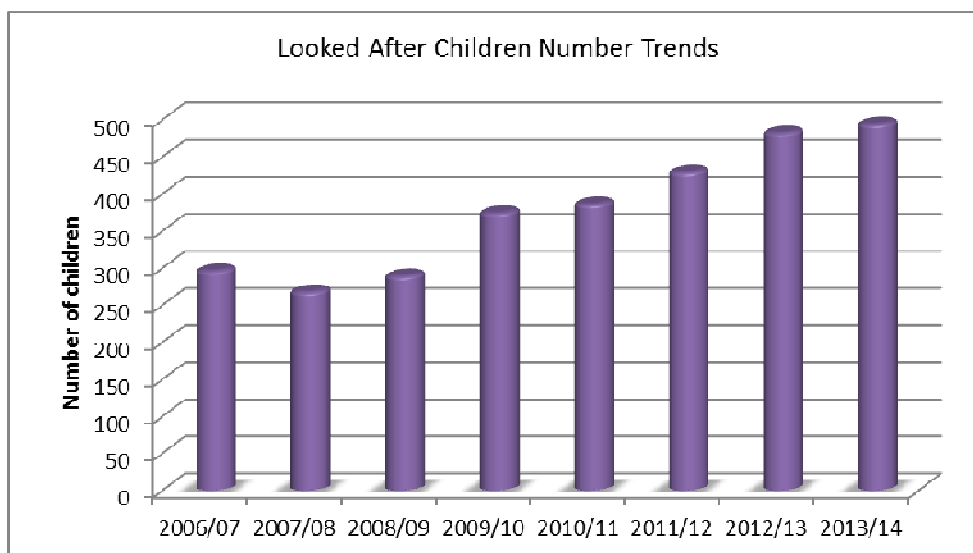
experiences can have a profound impact on their personal development and future life chances. As such, when children cannot be looked after by their birth parents, it is vital to ensure that the best alternatives are identified early and that timely interventions take place in order to maximise their chances of achieving their full potential and narrowing the gap with their peers.

LOCAL CONTEXT

Southampton has a local population of 239,400, with an estimated 58,000 children. The city is one of the more deprived areas in England and is ranked 81st on the overall indices of multiple deprivation (2010) (where 1 equals the most deprived and 354 equals the least deprived). 20% of the local population are aged between 16 and 24 and they experience 29% unemployment. A recent Save the Children report estimated that 6,000 children locally live in severe poverty, as measured through median income and material deprivation levels.



This challenging environmental context places acute pressures on all local public services. For example, hospital admission rates for alcohol and substance misuse among young people is 26% higher than our statistical neighbours, teenage pregnancy rates are 17% higher and domestic violence accounts for 20% of all local violent crime. It places particular pressure on social care services and the overall trend in demand for children's services has been consistently rising in recent years.



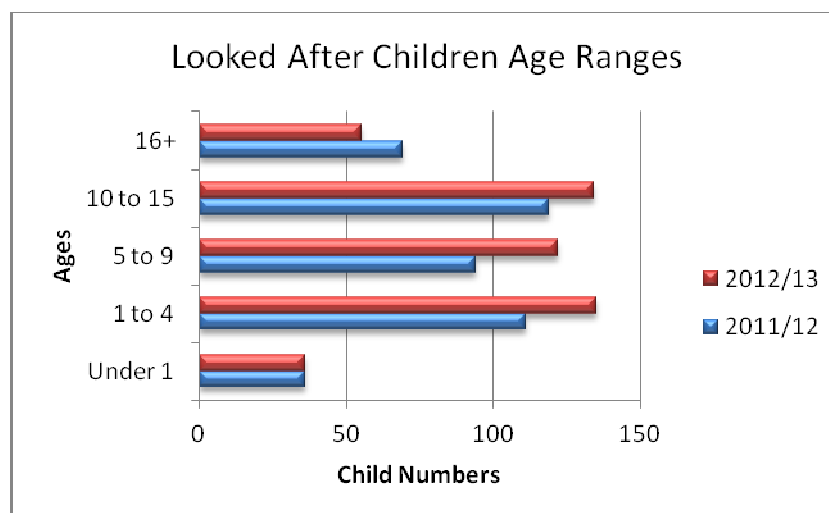
The Southampton Journey

The trend data demonstrates a dramatic increase in the number of Looked After Children from 286 in 2007 to 494 in April 2014. This high rate in some ways reflects the City's levels of deprivation, currently 81st out of 326 Local Authorities in the Multiple Deprivation index. The percentage of children living in poverty is 6-7% above the national average and the unemployment rates in Southampton show the highest increase for 16-24 year olds, creating further demand within the system. Domestic Violence is also a significant priority issue in the City, impacting on the safeguarding and wellbeing of children and is a factor in 80% of all referrals to social care and the Multi-Agency Safeguarding Hub.

The City has responded well to the pressures as shown in the 2011 OfSTED inspection reports on Adoption, judged to be 'Good' and Fostering, judged to be 'Outstanding'. Following these inspections, there was a dip in some outcome measures and the 2012 inspection report on Children Looked After and Safeguarding, judged services to be 'Adequate' setting the agenda for further improvement.

A policy change on safeguarding was implemented to ensure that the safeguarding and wellbeing of children and young people in the City is the top shared priority, driven and challenged by the Local Safeguarding Children's Board.

The impact of this strategy is reflected in the increasing numbers of babies and children in the 0- 9 age group taken into care reflecting the strong multi-agency priority on safeguarding and the focus on early adoption to secure permanence in children's lives. The largest proportion of Looked After Children is the 34% within the 0 to 4 age range.



In April 2014, 40 children were placed in adoptive placements awaiting final adoption orders, signifying the leadership focus on permanence within the lives of our most vulnerable children. However, concerns still remain around the pace of decision making and delays in progressing some cases.

The focus and impact on the life chances of babies and younger children is in evidence through the dramatic improvements in outcomes as a result of high quality placements, greater stability and more robust plans for permanence. This has been mirrored by the drive to raise standards in schools and improve educational outcomes, with significant success at Key Stages 1 and 2, which will enable our Looked After Children to progress to achieve and sustain outcomes in the future. Our ambition to ensure all Looked After Children are taught in good or outstanding schools is making progress, standing at 77% in March 2014. It is also underpinned by the work of Early Years Advisory Teachers, who support Early Years providers, ensuring children have a coherent PEP to improve their achievement and guide their transition to primary school.

The intervention strategies in place for older children and young people have not impacted so impressively on overall outcomes, although progress is evident in some key areas, notably Youth Offending, teenage pregnancy rates, mental health and the decreasing levels of drug and alcohol abuse. There is a real drive to secure more robust Pathway Plans, health assessments and reviews, increased access to Education, employment and training and to provide suitable accommodation for care leavers, maintaining contact to offer support into independence and adult life.

Transformational Change

In April 2013, a new People Directorate was set up to adopt a more strategically aligned approach to maximising the health and well-being of everyone living in the city from cradle to grave. The overriding aspiration is to make a real and positive difference to people's lives and to improve the outcomes for those in need of services. Since then Children's Services has embarked on an ambitious three year Transformation Programme with the expectation that upon completion practice standards will be improved, performance will be raised and good outcomes will be consistently achieved. The vision is:

“An early intervention city with a multi-agency integrated service provision that works to ensure children’s needs are met at the earliest stage. Where possible, and children’s welfare is assured, these needs will be met within their family and community resources.”

This vision stems from our belief that all children and care leavers deserve to be healthy, happy and safe and to feel loved, valued and respected. They also deserve to have a good experience from social care pathways. Through this programme we aim to refocus our delivery model towards adopting prevention and early intervention strategies, because we believe that in doing so we can reduce the demand for tier 4 (highest level) services over time. This approach is also in response to the growing body of evidence which demonstrates that investment in children from pre-birth up to age 8 will maximise their life chances later on.

Where children and young people cannot safely be brought up with their own family, we will act quickly and effectively to safeguard and protect children and young people by taking them into our care for as long as necessary.

The Children’s Transformation programme is designed to take a ‘whole systems’ approach to service provision and as such our modus operandi for supporting looked after children and young people is underpinned by the following principles:

- The child’s welfare will take precedence in all our decision making activities and interventions, ensuring we meet our duty to protect children from significant harm, through abuse, neglect or exploitation
- In all our work with children we will protect and promote their cultural inheritance, religion and racial identity. We will challenge racism and discrimination.
- Children with a disability or learning difficulty have the same right to be heard and to access and achieve excellent outcomes
- Children will be given the opportunity to make their views known and will feel confident that they have been involved and listened to.
- Prevention and early intervention services will enable families to stay together but where this is not possible kinship will be considered as the next best alternative.
- Where children require alternative care provision outside their family or kinship network, our preference will be to try and meet their needs through local in-house services first, securing flexible, high quality, affordable placements.
- Independent fostering agencies will only be used as a last resort and residential placements will only be made if they are judged to be in the child’s best interests.

- Where it is safe to do so, children will be placed locally to enable them to remain close to their communities, maintain their networks and minimise disruption to their lives.
- All children of statutory school age will have access to the highest quality education provision to meet their individual needs.
- Placements will provide stability and permanency for children and support positive transitions into adulthood.
- Young people leaving care will receive positive preparation and support so that they are enabled to participate fully as active citizens once they reach adulthood. Significant attention should always be given to preparing and implementing Pathway Plans with young people and minimising any engagement with criminal activity.
- Children will be supported by an experienced, well trained stable team of social workers and form strong relationships to enable them to achieve good health, educational and developmental outcomes.

SOUTHAMPTON'S AMBITION FOR LOOKED AFTER CHILDREN

*Where children cannot safely and effectively be brought up within their own immediate family our interventions will be timely and our service provision of a sufficiently good standard to ensure our looked after children population subscribes to the **'right child, right placement, right time'** only for as long as necessary.*

In Southampton we want the same things for the children and young people we look after as any good parent would want for their child. We want our children to be healthy and happy in childhood. We want them to feel valued for who they are and to feel loved. We want them to enjoy learning and to benefit from the experience. We want them to grow into well adjusted, emotionally balanced individuals who will experience positive relationships, be responsible citizens, fulfil the goals and ambitions they have for themselves and ultimately provide good parenting to their own children.

CORPORATE PARENTING AND GOVERNANCE

The term 'corporate parenting' stems from the Children's Act 1989 and refers to the collective statutory duty of council officers and elected members to provide the best possible care and protection for looked after children and care leavers in the local area. These children tend to have complex, acute, specialist or multiple needs (tier 4) and as such they require a high level of support. Because elected members have position, power and influence in the local community, they are well placed to champion the cause and broaden opportunities for looked after children and those leaving care.

In Southampton they take this responsibility very seriously, through the leadership of the Cabinet Member for Children's Services. He chairs the City's Corporate

Parenting Committee which acts to assist the Council in continuing to fulfil its legal obligations and responsibilities towards looked after children and those leaving care. It acts strategically to ensure that looked after children and care leavers are effectively supported to reach their potential through the provision of excellent parenting, high quality education, opportunities to develop their talents and skills, and effective support for their transition to adulthood.

The Corporate Parenting Committee monitors and reviews the quality and effectiveness of services for looked after children delivered by the Council and its partners. Within this responsibility the Committee has a key role in listening to and hearing the voice of children and young people looked after and leaving care. In this context, the Corporate Parenting Committee's objectives are:

- To oversee the implementation of the Southampton City Council Corporate Parenting Strategy and Action Plan and monitor the quality and effectiveness of services to ensure they fulfil the council's responsibilities and achieve good outcomes for LAC
- To monitor and evaluate progress of relevant legislation and government guidance and its implementation in Southampton to ensure services are responsive to the needs of LAC in line with the national agenda.
- To monitor and review the quality and effectiveness of services across the council, partner agencies and commissioned services to achieve continuing improvements in outcomes for looked after children and care leavers.
- To ensure that the voice and opinions of as wide a range as possible of children looked after and care leavers are heard and that their views are used to shape policy and monitor performance.
- To directly receive the views of children and young people looked after and leaving care via the Children in Care Council mechanisms and annual consultation to ensure their views and experiences directly influence decisions made at this level.
- To receive reports on all aspects of children looked after and care leavers' welfare as required from the local authority and partner agencies in sufficient detail to enable it to undertake its strategic responsibilities for planning, monitoring and evaluation.
- To monitor the performance of the Council by receiving progress reports on the score card of key performance indicators relating to children looked after and care leavers.
- To monitor Southampton's whole authority commitment to joint-working arrangements between council departments and partner agencies and examine ways in which holistic, integrated and cross-cutting practice can be further embedded and priorities and objectives agreed.
- To maintain a strategic overview on the development of all new policies, procedures and initiatives to ensure these are in line with local and national priorities and objectives including the Corporate Parenting Strategy; and that they will effectively meet the needs of children looked after.
- To make recommendations to decision makers in Southampton City Council and its strategic partners as it deems appropriate to fulfil its Corporate Parenting duty.

Southampton's Corporate Parenting Committee is a strategic forum which meets six times a year. It is chaired by the Lead Member for Children's Services, has a broad membership base and works collaboratively with the local Children's Safeguarding Board and The Health and Well Being Board to maximise the impact of the governance arrangements across The City. The purpose of this Committee is to be a champion for looked after children and care leavers, to monitor multi-agency working and analyse performance outcomes to improve their life chances.

DELIVERING PRIORITY OUTCOMES

The strategy is based on 8 key areas, arising from our self- evaluation, which are the focus for intervention and improvement. Each key area has an overarching aim and ambition which will be measured by improving outcomes that impact on children's lives. These key areas as follows:

1. Safeguarding
2. Participating and Having your Say
3. Staying Together, Identity and Relationships
4. Ensuring Good Educational Outcomes
5. Providing Clear Care Pathways and Timely Permanence
6. Promoting Health and Well being
7. Positively Managing Risk Safe and Stable Placements
8. Widening Access to Culture and Leisure Activities

In all areas of focus we have highlighted our pledge to Looked After Children. Whilst we have 'A Promise' in place within Southampton, it is our intention to broaden this promise and subscribe, as Corporate Parents, to an ambitious agenda to improve outcomes for the children and young people who are in our care.

We are 'looking out' to learn from national research and other local authorities to improve our practice in services for looked after children and care leavers. We have highlighted our ambitions for children in our care and the progress we have made along The Southampton Journey. This is evidenced in our Self Evaluation document and monitored by the Corporate Parenting Committee and The Southampton Safeguarding Children Board, through the Improvement Action Plan from the OfSTED inspection in 2012.

1: Safeguarding

Aim: To work in partnership to manage risk, keeping our children and young people safe and free from harm.

We passionately believe that children are best protected if we take a 'whole systems' approach to safeguarding through key agencies working together. We are therefore convinced that multi-agency partnerships represent the most effective pathway to delivering good outcomes for looked after children and care leavers. Through our Local Safeguarding Children's Board in particular these key agencies come together to agree on how best to co-operate with one another to safeguard and promote the welfare of local children. The purpose of this forum is to hold each other to account and to ensure that safeguarding underpins everything that we do. It also serves to

reinforce in very practical terms the notion that safeguarding is everyone's responsibility. Any child or young person may be at risk of sexual exploitation, regardless of their family background or other circumstances, regardless of gender, age or any other socio-demographic factor. We are consistently monitoring and managing risk to ensure that when children are taken into care it is at the right time. To do this effectively we need to have shared intelligence, open and honest dialogue with children and their families and put robust interventions in place which enable everyone to take responsibility for bringing about agreed changes.

What we know nationally

- Research identifies that young people who are at risk of sexual exploitation are often at risk because they have significant unmet emotional needs or have earlier life experiences of abuse and neglect.
- Children looked after are therefore a particularly vulnerable group and this vulnerability is heightened should any child go missing from care.

Next Steps

- We will use the SSCB multi agency assessment of the risks for Missing Children and those in danger of sexual exploitation to improve safeguarding practice
- We will ensure that management oversight and the audit of care plans assesses the quality of risk assessments based on the full assessment of the child's needs, previous missing episodes or the possibility of going missing in the future.
- We will monitor the impact of MASH and Early Help in safeguarding and protecting children and reducing the number of children coming into the care system.

2: Participating and having your say

Aim: Looked after children and care leavers will be listened to and they will be involved in making decisions about their lives. They know how to get information and support, as well as how to raise a concern if they are not happy.

In our Pledge, we recognise that children and young people have a key role in making decisions about their lives and the services they are able to access. We will ask looked after children to help us in providing the most appropriate services and ensure they have access to an advocate to assist them in feeding back to us, including complaining about the services received when appropriate. We will ensure there are a variety of ways for looked after children to give their feedback to all agencies, including through statutory and health reviews and through the Children in Care Council. Children looked after will be supported through Independent Visitors or access to a Mentor to help them play an active role in the decision making to achieve their aspirations.

What we know nationally

- Findings from a Care Inquiry by eight leading children's charities in 2013 showed that too often children and young people in contact with the care system were neither listened to nor involved in decisions about their lives
- In June 2013, Ofsted's review of Independent Reviewing Officers (IROs) in 10 local authorities reported some good work in involving children in their plans and reviews, and to make their wishes and feelings known. However, overall, the key findings of the report were negative, highlighting that IROs are responsible for too many children in care and too many additional duties, leaving them insufficient time to speak to children and listen to their views

Next Steps

- We will develop a comprehensive participation strategy, building on the feedback from children looked after and care leavers, building on the Brightspots Project
- We will strengthen the Children in Care Council broadening the membership to include children with disabilities and children from other minority groups
- We will build stronger links between the Governance arrangements for Corporate Parenting to enable children looked after and care leavers to have their voice heard.

3. Staying together

Aim: To keep children and families together wherever possible, through a single needs assessment that minimises risk and respects their identity and heritage

We fervently believe that children's needs are best served within their own families if this can be supported. By taking a 'whole systems' perspective, we see the child's presenting needs within the context of their family, their school and their community. In this context it is imperative that we understand and respect each child's heritage and identity. This needs to be part of the work from across the thresholds and services, from Early Help services through to the MASH. A whole service approach, with a single assessment of the needs of children and families will enable us to identify and intervene early and in doing so help to reduce the number of children reaching the threshold for care proceedings and becoming looked after. Prevention and early intervention is excellently supported in our Children's Centres, where staff are well placed to understand the identity of the child and their needs, offering practical assistance to vulnerable families e.g. through parenting classes, advocacy and a wide range of cultural activities. Children's Centres also play a vital role in supporting families with a looked after child to work towards returning them back home e.g. through supervised visits.

Wherever possible, when children become looked after, we will keep children with their siblings and maximise communication with their birth families.

In our Pledge, we promise to enable children to maintain, build and sustain positive relationships with others, including their birth families, siblings in care, carers and their peers and ensure children and young people know who they are, why they are looked after and understand their heritage. They feel valued by others, and their individual needs are understood.

What we know nationally

- Developing a positive identity is associated with high self-esteem and emotional wellbeing.
- Life-history work can contribute to this by helping children and young people to explore and make sense of their family history and life outside the care system.
- Children and young people have needs and preferences for contact with people they value, for example siblings, who may be an important part of their identity. Good contact management is important for promoting a sense of belonging, positive self-esteem and emotional well-being.
- In 2011, 68% of looked after children said that they thought coming into care was the right thing for them at the time. 20% were not sure and just 12% thought that coming into care was the wrong thing for them at the time.
- 92% of children looked after placed together with their siblings thought this had been the right in their case.
-

Next Steps

- We will continue with targeted recruitment for local foster carers and adopters to ensure we can effectively match children's needs with carers' skills and cultural backgrounds
- As part of our transformation programme we are reviewing our service delivery models and staffing structure across the directorate for looked after children, fostering and adoption services to ensure outcomes improve
- We are creating a bespoke team for Care Leavers to meet our aspirations and ambitions as corporate parents
- We will ensure learning from our audit programme improves the quality of work, including ensuring that permanent care plans for fostering have knowledge of their life-story & memory boxes
- We will ensure that contact plans take notice of the child's wishes and contact with birth families and other relevant key people are at the heart of the child's care plan.

4: Ensuring good educational outcomes

Aim: Looked After Children have access to good or outstanding education, supported by high quality Personal Education Plans which support them to make good progress and achieve

We ensure that all our children and young people looked after have access to education in a good or outstanding placement. The Virtual School team monitor, support and challenge schools and act as a champion for ensuring they make progress and achieve good outcomes. Looked after children and care leavers are particularly vulnerable in this area, because problems at home can often manifest themselves as problems in school and vice versa. Being suddenly taken into care can be deeply disruptive, because it can break daily routines, friendship groups and support networks simultaneously with minimal notice. Where appropriate we will collaborate with key stakeholders in order to keep children in the school they were attending before coming into care. We will ensure that Personal Education Plans are

tailored and updated to meet individual needs, preparing for key transition points. We will work with designated teachers, foster carers and social workers to promote and monitor progress and attendance, supporting through maximising the impact of the Pupil Premium and Careers Advice and Guidance. Southampton's Virtual School works closely with the Education Data Analysis Team to promote and track children looked after and celebrate achievements. We fully recognise that a care leavers life chances can be dramatically improved if they can be supported into education, employment or training and this remains a key priority. The council wants to ensure apprenticeships are available both within council services and in our partnership organisations to enable looked after young people to have opportunities for work and training.

What we know nationally.

- Children and young people who are looked after have poorer educational outcomes than children and young people who are not in care
- Care Leavers are over represented in the national figures for children Not in Education, Employment and Training
- Children and young people with an effective high quality Personal Education Plan make more progress.

Next Steps.

- We will strengthen the role of the Virtual School, in partnership schools and Education Data Analyst, to develop a robust scheme for delegating and monitoring the impact of The Pupil Premium Grant
- We will improve the number and quality of up to date PEPs to ensure they reflect the targets and progress of children looked after
- We will create a Care Leavers Team under the Transformation Programme and improve the Pathway Plans for Care Leavers, ensuring more young people access Education, Employment and Training

5. Providing clear care pathways and timely permanence

Aim: We will provide the best placement to meet your needs and only for as long as necessary, progressing to timely permanence when appropriate

Providing looked after children and care leavers with a sense of security, continuity and commitment is crucial to their experience of care. This sense of permanence and stability can be achieved through a variety of means:

- Reunification with their birth family
- Living with extended family or friends
- Being placed voluntarily in temporary foster placements
- Being placed with permanent foster carers until they reach adulthood
- Adoption or other legally permanent order

Because the option chosen will largely depend upon the child's unique circumstances, having a clear care plan and pathway in place is essential. A robust care plan ensures that interventions are timely and sufficiently flexible to allow 'step up' or 'step down' support depending upon progress. In Southampton we passionately believe in the importance of child-centred care and that children have the right to participate in decisions made about them. This means encouraging them

to make their views known, if they are old enough to do so, and taking these into account when determining their best interests. We also offer advocacy services to those who may have difficulty expressing themselves and for children and young people with a learning difficulty or disability. This enables the child to feel a greater sense of involvement in proceedings and to have the security of knowing what to expect now and in the future. We also believe in the value of developing care plans in partnership with the child, their family and other key stakeholders. Through open and honest dialogue, mutual trust can be built, options can be explored and shared responsibilities can be agreed to ensure we make timely progression to permanence, including adoption where appropriate.

Ultimately our goal will always be to work towards reuniting families. However we recognise this is not always possible and in these cases we will strive to ensure that the child's experience of the care system is a positive one. We promise to progress a permanent placement as soon as possible and to meet children's needs and best interests to seek a place with family or friends. Most importantly, we will endeavour to ensure that their journey through the care pathway equips them with the necessary life-skills and confidence to thrive when they leave care.

What we know nationally

- Children would rather stay within their family network. At March 2013 11% of looked after children were placed with family or friends foster carers
- The percentage of children with 3 or more placements in a 12 month period is 11%.
- The percentage of children looked after for 2½ years or more (aged under 16) who have been in the same placement for two years, or are placed for adoption and their adoptive placement plus their previous placement totals 2 years is 69%

•

Next Steps

- We will develop a recruitment strategy to increase the availability of adopters and to ensure we only use inter-agency placements where this is necessary to meet the specific needs of children
- We will improve timescales for the assessment of adopters and ensure all are within the six month timescale, unless there are exceptional circumstances
- We are strengthening further the family finding model within the adoption team as part of Phase 2 of Southampton's transformation journey
- We will embed Family Group Conferences and use them more in planning for children

6. Ensuring positive health outcomes

Aim: Children looked after are healthy and supported to achieve emotional stability, resilience and self - confidence.

All too often children who enter the care system have had their health needs neglected. These can be driven by a broad range of factors, including poor parental support, missed medical appointments, unhealthy lifestyles and the impact of substance misuse and domestic violence within the home. The impact of early neglect and trauma on well-being is also well researched and proven.

The physical health, mental health and emotional wellbeing needs of looked after children and care leavers need to be identified and addressed in a timely manner if they are to be enabled to cope with the challenges of being in care. We already have mature links to local health partners and have recently strengthened these further through improved information and intelligence sharing. We will continue to work closely with health partners and local schools to ensure that healthcare is timely and easily accessible so that looked after children and care leavers can have routine health assessments and up to date health plans, which are reviewed regularly.

Through our multi-agency network we will work collaboratively to deliver consistent messages about the benefits of maintaining a healthy lifestyle through a balanced diet, regular exercise and respectful relationships. We will also use these networks to raise awareness among looked after children and care leavers about the dangers of substance misuse and risky behaviours. This joined up approach will be further strengthened by our aspiration to co-locate health and social care professionals in the future.

In the wider context, we will enlist the support of parents to ensure that the family health history is known when securing a permanent placement for the child, and through our stakeholder training programme we will educate professionals and carers on a broad range of health promotion topics including obesity, self-harm and sexual exploitation. Furthermore our established multi-agency CAMHS service (Child and Adolescent Mental Health Service) is specifically designed to provide a single point of access for our looked after children and care leavers.

What we know nationally

- Children and young people say that their emotional well-being and self-esteem is supported when they cared for in an environment where they feel they belong
- Interventions and support for children and young people need to be accessible, so that children experience placement stability.
- Looked after children need continuity of support from their social worker and other professionals
- Foster carers want better peer support networks, on-going training to deal with emotional needs and more information on access to services, in particular mental health services
-

Next Steps

- We are monitoring and scrutinising health data and taking action to improve outcomes for children looked after
- We plan to establish the use of a screening tool as routine to measure the emotional and behavioural health of children and young people as they enter the care of the local authority and monitored annually thereafter. This will be used to identify looked after children who require additional support, via health assessments
- We are developing mentoring support to looked after children through the Integrated Service led group, to build on emotional resilience and identity, in partnership with the Pathways Looked After Children Service

- We will improve the take up of health assessments for care leavers

7. Positively Managing Risk Safe and Providing Flexible and Affordable Placements

Aim: Children looked after live in high quality placements where they feel safe and supported, and where they are able to remain for as long as they need to

In many respects the experiences of looked after children and care leavers will be unique and as such their needs at any given time will be distinctive also. Whilst the council has a statutory duty to meet these needs, this must be balanced with the need for Southampton's residents to obtain value for money. Therefore a key priority for Children's Services is to ensure the range of placements is sufficiently flexible and affordable to meet all types of local need. We will continue to invest in in-house services by focusing effort and resources on recruiting and training new foster carers. This will enable us to cope with rising service demand and ensure that local carers have the appropriate skills to meet a diverse range of child needs. In doing so, we hope to reduce our dependency on independent fostering agencies, continuing our trend of increasing permanency plans and placing more children for adoption. Although we will always require the support of a range of independent providers, in-house provision will always be our preferred option.

What we know nationally

- Government targets state that the time from a child becoming looked after to placing them with an adoptive family should be no more than 608 days. The average in England was 647 days. This target will become more challenging each year
- Government targets state that the time from a council having court permission to place a child for adoption to matching them with adopters should be no more than 182 days. The average in England was 210 days. This target will become more challenging each year.
- The Family Justice Review has implemented timescales for care proceedings to be concluded in 26 weeks.

Next Steps

- We will monitor the implementation of the Looked After Children and Care Leavers Placement Commissioning Strategy to achieve flexible, affordable placements
- We will be proactive in care planning for permanency and ensuring we meet our Pledge to try our best to keep children within their family and kinship group where it is safe and suitable
- We will ensure the recruitment and assessment of foster carers and adopters is sufficient to meet the needs of children and takes account of the 'Staying Put' initiative for Care Leavers

8: Widening access to cultural and leisure activities

Aim: To develop healthy active lifestyles for children and young people

To complement our efforts to promote active and healthy lifestyles we will collaborate with partners to broaden opportunities for looked after children and care leavers to

engage in sport and recreational activities. Because of the potentially disruptive nature of the social care system, many children in care experience social exclusion through no fault of their own. Access to cultural and leisure activities not only enable them to have fun but it also enables them to build friendships, learn new skills and express themselves. Exposure to these types of activities can enhance their self-esteem by developing their sense of personal identity in a very positive way. We will therefore continue to work with schools and other partners to encourage looked after children and care leavers to actively participate in local group activities which will help them to become fit and healthy, to gain self-confidence and to improve self-esteem. We will also encourage them take up or develop hobbies in order to feed their interests, talents and imagination so that their overall quality of life will be improved. Finally we will acknowledge and celebrate the achievements of our looked after children and care leavers both individually and collectively.

What we know nationally

- Children looked after and care leavers often miss out on opportunities to access the full range of sport and leisure activities
- Children who move away from their locality may experience difficulties in developing friendships and engaging in leisure and sporting activities
- Children may experience trauma and depression that reduces their engagement in social and leisure activities
-

Next Steps

- We will explore the use of the Pupil Premium with schools to secure access to a wide range of leisure and sporting activities
- We will consult the Young People in Care Council about what we need to do to make a difference
- We will look at good practice nationally and review our offer to children and young people looked after

Conclusion

This strategy sets out our commitment to improve outcomes for looked after children and care leavers in Southampton. Our Corporate Parenting Committee will work jointly with The Health and Well Being Board and the SSCB to ensure our Children's Services senior management team monitor the impact of services on children and their families to champion our children looked after and achieve our collective ambitions.

Our improvement and Transformation Plan underpins this strategy and provides the specific detail of the action we are taking to deliver our priorities.

We resolutely believe that with strong political leadership and corporate parenting, our Children's Services Partnership will make a real difference to children's lives

This page is intentionally left blank

Agenda Item 12

DECISION-MAKER:	CABINET COUNCIL		
SUBJECT:	BETTING SHOPS, PAY DAY LOAN PREMISES AND FAST FOOD OUTLETS		
DATE OF DECISION:	CABINET 17 JUNE 2014; COUNCIL 16 JULY 2014		
REPORT OF:	LEADER OF THE COUNCIL		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Chris Lyons	Tel: 023 8083 2044
	E-mail:	chris.lyons@southampton.gov.uk	
Director	Name:	Stuart Love	Tel: 023 8091 7713
	E-mail:	stuart.love@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

NOT APPLICABLE

BRIEF SUMMARY

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.”

The Executive considered the motion at Cabinet on 17th December 2013 and resolved:

- (i) That the Council assesses all new planning applications for hot food takeaways within 500m of schools and, if there is considered to be an 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 also consider whether an article 4 should be served to prevent the conversion of pubs to other use classes.

Recommendation (i) is already taking place, although it was accepted by Cabinet that in reality it would often prove difficult to conclude that a single proposed hot food takeaway would result in an overriding health implication with current planning policies. Therefore, this will be looked at in more detail as part of the new Local Plan adoption process, which is now underway, to assess whether more detailed policies are required and Planning will work with Public Health to assess this.

This report now feeds back on the findings of the cross departmental group that met and the consideration around using an article 4 direction to prevent the conversion of pubs to other uses.

RECOMMENDATIONS:

- (i) That the Planning & Development team assess the impact of betting shops, pay-day loan businesses, and takeaways near schools as part of the work on the new Local Plan to see if new policies are necessary to give more control.
- (ii) To delegate authority to the Director of Place to do anything necessary to progress new policies through the Local Plan process in line with recommendation (i) above if deemed to be appropriate to provide effective planning controls.
- (iii) To delegate authority to the Director of Place to progress work on an article 4 direction to prevent the conversion of pubs to other uses, giving one years notice before the article 4 will take effect. This will include guidance on how any subsequent planning applications will be determined for the conversion of a pub. This will require determination by a subsequent Cabinet and Full Council meeting to assess the evidence to support an article 4 direction before making a final decision.

REASONS FOR REPORT RECOMMENDATIONS

1. It is considered that many of the issues raised in this report are legitimate concerns and while the Council is working on many of the areas, there is insufficient evidence of significant harm or suitable policies in place, to justify the service of an article 4 direction relating to betting shops, pay-day loans, or takeaways near schools. However, there is sufficient evidence of harm and suitable policy support to support the service of an article 4 direction relating to the conversion of pubs, subject to undertaking due process to bring such a direction into force.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. Do nothing. This is possible in the current economic climate where further work may be considered to not be cost effective but, on balance, it is considered that the input of officer time to serve an article 4 direction to stop the loss of pubs without proper consideration is worth pursuing.

DETAIL (Including consultation carried out)

3. There are effectively three different issues covered by this report – betting shops and payday loans (these are considered together as they have considerable overlap in planning terms); fast food outlets near schools; and the conversion of pubs to other uses.

Betting Shops and Payday loan shops

4. 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).
5. 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

6. 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 RE13 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

7. 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 Gambling Act 2005. 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.
8. The codes of practice or guidance do not contain much to assist with this matter. The statutory licensing objectives are:
 - preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,
 - ensuring that gambling is conducted in a fair and open way, and
 - protecting children and other vulnerable persons from being harmed or exploited by gambling

9. 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.
10. It does not appear that there has been a substantial increase in betting shops within the city. 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.
11. 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”.
12. 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.
13. In September 2013, the Association of British Bookmakers (ABB) published a ‘Code for Responsible Gambling and Player Protection in Licensed Betting Offices in Great Britain’. The ABB is the leading trade association for Licensed Betting Offices (LBOs) in Great Britain and represents the operators of around 80% of LBOs in Britain, including Gala Coral, Ladbrokes, Paddy Power, William Hill and about 100 independent bookmakers. This code contains a new “Harm Minimisation Strategy” focusing on how the industry is seeking to improve its performance at four levels of harm minimisation:
 - Issuing clearer and more accessible information on how to gamble responsibly and highlighting the sources of help available;
 - Providing customers with new tools such as mandatory time and money based reminders, the ability to set spend and time limits on gaming machines and to request machine session data;
 - Training staff to detect the signs of potential problem gambling more quickly and how to interact more effectively with those identified; and
 - Undertaking more consistent central analysis of data to identify abnormal activity both in specific shops and, where possible, that relating to individual customers.

14. Recent national developments relating to betting shops have focused on Fixed Odds Betting Terminals (FOBTs). Nearly £200m was gambled in Southampton last year alone by residents on FOBTs, which is a similar amount to that spent on the entire health budget of Southampton's clinical commissioning group. In December 2013 the Labour Party leader announced that the next Labour Government would modify the Gambling Act 2005 to enable local authorities to review betting shop licences in their area and reduce the number of FOBTs in existing locations. An Opposition Motion was debated and defeated in January 2014.

Payday Loan shops

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 now run by the Financial Conduct Authority (FCA), having moved responsibility from the Office of Fair Trading in April 2014. Trading Standards will be notified of an application for a license and are of the opinion that the FCA is more likely to place a greater emphasis on the 'customer benefit' outputs of the business. There is an increasing political pressure for the FCA to address the overall impact of business activities rather than specific examples of technical non-compliance which was the approach taken by the OFT.
16. 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).

Proposals for betting shops and pay-day loans

17. The role of the local authority is somewhat limited in dealing with both betting shops and pay-day loans companies. Changes in business practice mean that areas of concern are also more with on-line business with the Public Health team advising that the rise in on-line gambling is a greater concern, for example. As noted, there also appears to be some signs of a change in approach with more attempts at self-regulation as concern grows.
18. The Council is working on these issues, where it is able, and has already included details about choices of lower costing finance on publications and has blocked public access to the main payday loans companies from SCC computers. There is also a debt toolkit available online, joint working has taken place on credit 'hot spots', training given on 'loan sharks', courses run, funding bid for, and the Credit Union has been promoted. Work is now underway on the next phase to update the economic wellbeing section of the Joint Strategic Needs Assessment, on-going working with the Illegal Money Lending Team is being planned, and advice will continue to be issued where possible. Therefore, the Council is already very active in supporting residents on financial issues.
19. Looking at the national picture, 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 under the planning system. This was supported by other groups and in the 2014 Budget, the Government advised that it is looking at creating a 'wider' retail

use class but excluding betting shops and payday loan shops from this use class. This would effectively require planning permission for a change of use to these premises.

20. The only real means of dealing with betting shops and pay-day loans under the planning system at present would be to serve an article 4 removing the existing permitted development rights and requiring planning permission. However, this would cover the entire A2 use class and therefore any change of use to *any* use within A2 – banks, building societies, estate and employment agencies, professional and financial services etc. would all require planning permission. This would both impact on the businesses and the Council’s resources determining applications for all of these uses, when the majority do not raise any concern.
21. It should also be remembered that this only covers change of use to an A2 use from another use and so there is no control over a change of use from an existing A2 use and there are already many buildings in an A2 use in the city centre. In addition, an article 4 simply requires that an application is made for planning permission, and as was explained earlier, the current planning policies would support such a use in the commercial centres. Therefore, if there are particular concerns to be addressed, the policy framework would need to be more explicit about the potential social impact from such developments. This is something that could be considered as part of the new Local Plan to see if more detailed policies could be considered. However, it should be noted that this process will take at least 3-4 years to develop so will not be a quick solution.
22. However, Government guidance about issuing an article 4 direction is clear that local planning authorities should only consider an article 4 in “exceptional circumstances” and where there is evidence that the existing permitted development rights are harming the proper planning of the area. It is considered that, at present, while betting shops and pay-day loan shops raise concerns, they are not an exceptional issue and there is insufficient evidence to support an article 4 direction and insufficient policy guidance on what a planning application would then seek to address.

Recommendation on betting shops and pay-day loans

23. Therefore, it is recommended that the Council continues with the work that it is doing but that it waits to see if the Government changes the Use Classes Order to create a separate use class for these types of uses (that would require some accompanying guidance on how to deal with planning applications for those uses). In the longer term, the Council should review its planning policies to see if a new policy could be produced as part of the new Local Plan to address concerns.

Takeaway (fast food) outlets near schools

24. Officers have previously assessed the number of takeaways near to secondary schools and found that less than half of secondary schools have a takeaway within 500m. However, most of these have had fast food takeaways since 2005 (the date of the previous survey) and so they are a long standing use. There is no evidence that this is a significant problem and there is nothing that can be done about existing shops in planning terms.

25. 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."

26. 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.

27. 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.

Current planning policy

28. 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.
29. 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

30. 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.

31. However, in Southampton, no planning policy exists that would currently 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 guidance) 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.
32. At the previous Cabinet meeting in December 2013, it was recognised that healthy eating is a complex issue and takeaways near schools are only a small part of the problem.

Recommendation on takeaway policy

33. It is considered that there is a renewed focus on health issues within the planning system and now that Public Health is part of the Council, this will improve the ability to tackle health issues through the planning system. For example, Public Health England published a briefing paper on “Obesity and the environment: regulating the growth of fast food outlets” in March 2014 and makes some useful suggestions. However, it also points out the need for existing policies in the local plan to be suitable and so this needs to be the focus.
34. In March 2014, the Government published new national Planning Practice Guidance and it now includes a section on “Health and wellbeing” and supports planning looking at the wider health issues of proposals. Therefore, the Council needs to assess whether a new policy should be produced to deal with takeaways (and wider health issues) as part of the new Local Plan.

Conversion of pubs to other uses

35. There have been a considerable number of pubs converted to other uses (primarily small retail units) over recent years. There is a permitted change of use from pubs (use class A4) to A1 (shops), A2 (financial and professional services), and A3 (restaurants and cafes). Therefore, while any required extensions or signage may require planning permission or advertisement consent, the actual use of the pub building for one of these uses is not controlled by the planning system.
36. There has been considerable concern by the public about this lack of control and concern that issues, such as parking, deliveries, intensification of use, etc. are not being assessed when the use changes. In addition, there is a concern that sometimes the pub fulfils an important community function where local people can congregate and if there are no other similar community facilities, this can lead to a detrimental impact on community life.

Obviously there is a need to weigh up the economic circumstances of the pub, as many are going out of business, and an active alternative use is likely to be preferable to an empty building. However, these are the sorts of issues the Local Planning Authority should be considering and assessing and currently it cannot do that. Likewise, significant change can happen within a community and they have no say on that.

37. At Full Council on 18th September 2013, 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. It is considered that as there is unlikely to be a change in national approach that this needs to be considered.
38. The National Planning Policy Framework specifically states that the Local Planning Authority should consider community facilities and mentions pubs in the list of such facilities (see paragraph 70). Therefore, there is existing national policy support for an article 4 to relate to. However, there would need to be some detailed guidance (likely via a Supplementary Planning Document) drawn up to assess that once an application is submitted for conversion of a pub to another use, what issues would be assessed in making a decision.
39. It should be noted that the article 4 only requires planning permission to be sought and the subsequent planning application would not involve the payment of any fee.
40. It should also be noted that 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.
41. 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.
42. To avoid claims of compensation, the Council is required to give a year's notice of its intention to serve an Article 4 Direction. It should be noted that this could lead to a rush of conversions in the year to avoid the deadline. In parallel to this, evidence would have to be produced to support guidance to consider how planning applications would be considered.

Recommendation on pub conversion

43. It is considered that due to the loss of community facilities in a piecemeal fashion and the potential uncontrolled use of large premises in residential areas, that the existing permitted development rights to convert pubs is

harmful to the proper planning of the city. Therefore, it is recommended that Planning & Development staff pursue an article 4 direction and the production of suitable guidance to assess how planning applications will be determined. It is likely this would only apply to pubs outside of the city centre. It is suggested that to minimise the risk of compensation claims that a years notice is given of the intention to serve the article 4 direction.

44. The service of an article 4 direction requires evidence of the harm that is being caused and consultation with affected groups before a final decision is taken. Therefore, this report is seeking authorisation to pursue this work and then a full report will be considered by a subsequent Cabinet and Full Council meeting when the evidence can be weighed up and considered.

RESOURCE IMPLICATIONS

Capital/Revenue

45. There is unlikely to be a significant additional or unbudgetted cost, although there is a risk of legal challenge or compensation claims from an article 4 direction. There will also be significant amount of officer time taken to deliver the article 4 direction and then to produce a suitable guidance document that weighs up all the relevant issues.

Property/Other

46. No implications

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

47. Town & Country Planning Act 1990

Other Legal Implications:

48. In undertaking any review the Council must have regard to the implications (if any) of the Equalities Act 2010 and the Human Rights Act 1998 when taking any action which may interfere with any protected characteristics of individuals or rights protection under the European Convention on Human Rights. As planning permission and development control functions invariably impact upon the property rights protected in the first protocol of the Convention, due consideration and impact assessment of all proposed planning controls highlighted in this paper will need to be undertaken in preparing the relevant planning policies and article 4 directions however the Council is satisfied in principle that the interference with these rights is justified and necessary in the circumstances to protect the wider public and public realm as set out in this report..

POLICY FRAMEWORK IMPLICATIONS

49. The proposals in this report are consistent with the Council's Core Strategy, 2010 and Local Plan Review, 2006

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All wards
-----------------------------	-----------

SUPPORTING DOCUMENTATION

Appendices

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

Documents In Members' Rooms

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

Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No – future reports relating to article 4 directions will.
--	--

Other Background Documents

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

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

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

This page is intentionally left blank

DECISION-MAKER:	CABINET		
SUBJECT:	PARIS 5.1 UPGRADE		
DATE OF DECISION:	17 JUNE 2014		
REPORT OF:	CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Sean Dawtry	Tel: 023 8083 2983
	E-mail:	sean.dawtry@southampton.gov.uk	
Director	Name:	Alison Elliott	Tel: 023 8083 2602
	E-mail:	alison.elliott@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

NOT APPLICABLE

BRIEF SUMMARY

The Paris system is the Council's Adult and Children's Social Care Management System. Paris is also used by NHS staff in Southampton, which enables the better integration of services between the Council and the NHS.

For several reasons, including operational practice and maintaining support from the provider, it has now become necessary for the Council to upgrade its current version of Paris to version 5.1.

RECOMMENDATIONS:

- (i) To approve the addition of £300,000 to the Health and Adult Social Care Capital Programme in 2014/15 for the upgrade of the Council's Social Care system from Paris 4.4 to Paris 5.1. This will be funded by Council resources made available through the un-ring fenced Personal Social Services Capital grant.
- (ii) To approve, in accordance with Financial Procedure Rules, capital expenditure of £300,000 in 2014/15 to facilitate the upgrade of the Paris system from 4.4 to 5.1.

REASONS FOR REPORT RECOMMENDATIONS

1. To ensure continued compliance with regulatory bodies concerning Information Governance.
2. To ensure continued support for the system after the City Council has completed the upgrade from Windows XP to Windows 7.3
3. The upgrade will provide the City Council with a system that is more conducive to more modern computer applications, and a platform that will better enable transformation.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. Do nothing and remain with Paris 4.4 – This option is not considered feasible as it would result in the City Council remaining on an unsupported system in the long term. This could result in non-compliance with Data Protection and Information Governance requirements, and potentially result in the system being vulnerable in the event of a major system failure.
5. Replace Paris with an alternative system – At this stage, this option is not considered financially viable.

DETAIL (Including consultation carried out)

6. The Paris system has been in use at the City Council and with some NHS partners for Case and Care Management for Adults and Children since 2003. During this period, whilst the system has had new modules added to it, the underlying infrastructure and ‘look and feel’ of the system has remained the same.
7. The latest version of Paris (5.1) has now been released. Paris 5.1 represents a considerable change in the ‘look and feel’ of the system, and the technical development environment that supports it. The new version is also fully supported in Microsoft Windows 7, our current version (4.4) is not.
8. It is felt that an upgrade of the system from 4.4 to 5.1 is essential for the following reasons:
 - Ensuring that the system is fully supported. An unsupported system could compromise the Council’s ability to deliver a service, and result in information governance issues in the event of a system failure or data loss
 - Paris 5.1 has a more advanced development environment and ‘look and feel’ which will facilitate mobile working and support the developments envisaged under the Care Bill.2013.
9. There has been no formal consultation in respect of the Paris 5.1 upgrade; it is seen as an operational upgrade.

RESOURCE IMPLICATIONS

Capital/Revenue

10. The total cost of the scheme is estimated to be £370,000, of which £70,000 is a one off revenue cost that cannot be capitalised. This £70,000 will be funded from identified sources within the Health and Adult Social Care Portfolio’s existing revenue budget.
11. This report seeks approval for the Capital expenditure of £300,000 identified for this project as detailed in the table below. It is proposed that this will be funded by existing council resources, specifically from the un-ring fenced Personal Social Services Capital Grant allocation for 2014/15.
12. There will not be any additional ongoing revenue implications as a direct result of this project.

13. This project is expected to end prior to 31st March 2015, therefore all costs will be incurred in 2014/15.

Item Description	Total Price	Revenue	Capital
Core Software Upgrade to Paris V5.1			
Implementation & Testing	£122,900.00	£6,700.00	£116,200.00
Go-Live	£7,200.00	£0.00	£7,200.00
Go-Live In DR environment	£6,700.00	£0.00	£6,700.00
Capita / Civica IT Project Cost	£136,800.00	£6,700.00	£130,100.00
SCC Project Manager	£80,000.00	£0.00	£80,000.00
SCC System Testers	£48,000.00	£0.00	£48,000.00
SCC Training (Learning and Development)	£64,800.00	£64,800.00	£0.00
Contingency	£40,000.00	£0.00	£40,000.00
Total SCC Project Cost	£232,800.00	£64,800.00	£168,000.00
Total Project Cost	£369,600.00	£71,500.00	£298,100.00

Property/Other

14. N.A.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

15. The legal powers to pursue the course of action recommended in this report are contained in the Local Government Acts 1972, 1999 and 2000 and the Localism Act 2011.

Other Legal Implications:

16. Transfer of data will be fully compliant with the Data Protection Act 1998.

POLICY FRAMEWORK IMPLICATIONS

17. The recommendations made in this report support the Council's Health and Wellbeing Strategy.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	None
-----------------------------	------

SUPPORTING DOCUMENTATION

Appendices

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

Documents In Members' Rooms

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

Equality Impact Assessment

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

Other Background Documents

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

Title of Background Paper(s)

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

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

DECISION-MAKER:	CABINET		
SUBJECT:	AWARD OF SUBSTANCE MISUSE TENDER		
DATE OF DECISION:	17 JUNE 2014		
REPORT OF:	CABINET MEMBER FOR HEALTH AND ADULT SOCIAL CARE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Jackie Hall	Tel: 023 8083 4258
	E-mail:	jackie.hall@southampton.gov.uk	
Director	Name:	Alison Elliott	Tel: 023 8083 2602
	E-mail:	alison.elliott@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

Appendix 1 of this report is not for publication by virtue of Paragraphs 3 and 7A of the Council's Access to Information Procedure Rules. It is not in the public interest to release this information as it would prejudice the Council's ability to contract with third parties and obtain best value when entering into competitive tenders with the market..

BRIEF SUMMARY

This report seeks approval from Cabinet for the award of a contract to provide Substance Misuse advice and assistance support following a tender process. Tenders have been evaluated according to the most economically advantageous criteria, taking into consideration the criteria of quality and price.

RECOMMENDATIONS:

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

- (i) To approve the award of the three contracts which make up the substance misuse tender to the providers and on the key terms and conditions set out in Confidential Appendix 1.

The service model consists of three distinct services, which have been procured in accordance with the council's Contract Procedure Rules and the European Procurement Regulations. This has been a two-stage procedure, which requires a pre-qualification of suitable candidates, who are then short-listed and invited to submit tenders, based on the specifications and terms and conditions provided by the council.

The three elements are:

- a) Early Support and Planning service (Young People aged 11 – 24 years)
- b) Assessment, Review, Monitoring and Recovery co-ordination service
- c) Delivery of Drug and Alcohol Treatment Recovery service

- (ii) To delegate authority to the People Director, following consultation with the Head of Finance and IT and the Head of Legal & Democratic Services to do anything necessary to give effect to the recommendation above including, but not limited to progressing to contractual and financial close and entering into any associated or ancillary documents necessary to give effect to the contracts.

REASONS FOR REPORT RECOMMENDATIONS

1. This report is submitted for consideration as a General Exception under paragraph 15 of the Access to Information Procedure Rules in Part 4 of the City Council's Constitution, notice having been given to the Chair of the relevant Scrutiny Panel and the Public.
2. The substance misuse tender commenced in 2012 as part of a joint commissioning exercise between Southampton PCT and Southampton City Council under the s75 arrangements and has continued as a joint exercise between the City Council and Southampton Clinical Commissioning Group. The tender was advertised in 2013 and the ITT stage completed in March 2014. It is now urgent that a decision is made to award the tender and this matter cannot therefore be deferred for inclusion on the next forward plan as current services have been given notice of termination and although willing to extend existing services if required, they have flagged up considerable risks including:
 - The difficulties of maintaining committed staff teams,
 - Two providers have leases of buildings which have now expired or are due to expire
 - Reduced staff numbers will lead to a reduction in treatment options
 - All of the above will lead to reduced performance of treatment services in Southampton in relation to other Local Authority areas nationally
 - It will also represent a risk to service users as the effectiveness of treatment may be compromised.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. Other options were considered prior to the development of the current model, for example, continuing to contract with the current provider. However, these were rejected as they did not comply with the procurement rules. The advantages and disadvantages of each option was fully considered by the s75 Partnership and the current service model decided upon. The full option appraisal is contained within the Strategic Review document which will be available in members rooms.
4. **Joint commissioning with other Local Authorities:** The possibility of tendering jointly for substance misuse services with other local authority and CCG areas (Hampshire, Portsmouth and IOW) was considered at an early stage of the procurement process. Unfortunately, as the four local authorities were at different stages of the procurement cycle at that time, it was not felt to be a viable option.

DETAIL (Including consultation carried out)

5. A full service review of drug treatment services was jointly commissioned by Southampton City Council and Southampton PCT in 2011/12 to inform future commissioning intentions. This highlighted a number of performance issues in relation to the services currently being commissioned which were impacting on our performance against national targets and on outcomes for service users. This review concluded at the same time as an alcohol pilot which was undertaken to identify where investment in alcohol treatment should be targeted.
6. Southampton City Council and Hampshire County Council areas were part of a national Systems Change Pilot in 2009-11, and pioneered the use of Self Directed Support and Personalisation in their substance misuse services. Alcohol services in Southampton were part of the national programme piloting the use of Personal Health Budgets (PHB) These approaches have been incorporated into the new specification and the new treatment pathway will therefore be commissioned in order to achieve more personalised outcomes for service users.
7. The new specification was developed through consultation with current service providers, service users and strategic partners, as well as researching the success of developments in other local authority areas, where similar re-tendering exercises were taking place. The new integrated substance misuse treatment system will integrate, as far as is currently possible, drug and alcohol treatment into a single treatment pathway and will comprise 3 elements:
 - a. Early support, assessment and planning service (ESAP) for young people aged between 11-24 years.
 - b. Assessment, Review, Monitoring and Recovery planning service (ARM) for adults aged 24 years and over.
 - c. Delivery of Drug and Alcohol Treatment and Recovery Service (DDATRS).
8. Following initial/full assessment, these services will provide assistance with recovery and support planning, case management and regular review of how the service user is progressing and whether the interventions provided are delivering the required outcomes.
9. Once the initial or full recovery/support plan has been prepared, the services will refer the service user on to treatment delivery, where the service user will be able to access a wide range of personalised services and treatment opportunities.
10. An option appraisal was undertaken to decide the procurement route for drug and alcohol services and was considered by the section 75 Partnership Board. The decision to tender was taken in order to :
 - a. Meet the council's procurement rules.
 - b. To achieve best quality at the best price.
 - c. To achieve the scale of change required in style and culture of services.

The full option appraisal is included within the Strategic Review which will be made available in members rooms (see appendices).

11. The decision to amalgamate the drug and alcohol services and to combine all age ranges was made in order to maximize economies of scale and best value and because of the considerable overlap in service user base and provider expertise.
12. Tenders have been assessed and providers identified in accordance with the “most economically advantageous” criteria, which take into consideration both quality and price. The quality/price split has been agreed as 60% Quality/40% Price, through discussions with adult and children’s commissioners and with colleagues in Public Health. This has been agreed due to the need to improve the quality of services locally and because poor quality services have a cost in relation to representations following relapse. It is recognised that obtaining the best value for money is a key consideration.

13. **Outcomes - Adults:**

The appointed providers will work in partnership with Southampton City Council and the Commissioners to contribute towards the delivery of the following objectives and outcomes which are consistent with local strategies, including the Health and Wellbeing Strategy and the national Drug Strategy 2010 and Alcohol Strategy 2012.

- To enable people to achieve abstinence
- To provide services that are personalised and meet the unique need of the individual
- To improve the outcomes for children of service users by reducing the impact of drug and alcohol related harm on family life
- To reduce the harms associated with substance misuse to the community (including social exclusion, stigma, those related to offending, anti-social behaviour, drug and alcohol related illnesses and accidents, unemployment, domestic violence, family breakdown and reduced ambition for children).
- To ensure that principles of harm minimisation underpin the delivery of all interventions in, including contributing to a reduction in drug and alcohol related deaths and the transmission of blood borne viruses.
- To reduce the burden of drug and alcohol misuse on the wider public sector economy by promoting effective treatment and harm reduction responses in a range of settings including primary and community health care.
- To improve the mental and physical health and wellbeing of service users and their friends and family.
- To safeguard adults, children and young people by developing effective practices and integrated approaches to safeguarding, in accordance with related national guidance, Southampton Safeguarding Children’s Board (SSCB) and the Southampton Safeguarding Adults Board guidelines.
- To support people back into employment and stable accommodation as part of their recovery.

14 **Outcomes – Young People:**

For Young People the ESAP service will also contribute to improve outcomes that impact on several local strategic objectives :

- Reduce harm overall, linked to associated risks being negated (sexual behaviour e.g. teenage pregnancy, mental health) and factors addressed (school exclusion/non attendances, worklessness, debt, housing, NEET).
- Reduce number of young people affected by domestic violence or at risk of sexual exploitation
- Improve the emotional well-being of young people and early identification of emotional and mental health needs.
- Improve mental health and well-being of young people
- Reduce health inequalities through early intervention.
- Improve educational opportunity and ensure personal development needs of all, particularly vulnerable, young people are met,
- Increase opportunities for young people and younger adults to make a positive contribution to the community
- Increase opportunities to achieve economic well-being, overcome disadvantage and make an effective transition to adult life.

15. **Community Safety:**

Tackling drug and alcohol related issues is one of the priorities in the Community Safety Strategy and underpins the intention to reduce crime and anti-social behaviour and improve quality of life and the city environment.

RESOURCE IMPLICATIONS

Capital/Revenue

16. The value of the current services provided and therefore annual funding available for this tender in 2014/15 is £3,290,200. The budget available for the three year period of the contract, excluding inflation, is £9,870,600.
17. This funding is comprised from revenue of which a significant proportion is received through the Public Health, (PH) grant as outlined below.
- PH funded services within the Integrated Commissioning Unit: £2,281,000
 - PH funded services within Children’s Substance Misuse Young People & Skills service: £178,000
 - PH funded Alcohol Contracts: £776,600
 - The remaining £54,600 is held within general revenue budgets across Health and Adult Social Care and Children Services Portfolios
18. The new tender will cover the contracted substance misuse services currently commissioned by the Integrated Commissioning Unit and Alcohol contracts except for The Alcohol Specialist Nurse and the Tier 1 & 2 Brief Intervention and Counselling Alcohol contracts. These are not part of this tender and will form separate arrangements.

19. As much of this service will be funded from the PH grant the total available budget in future years will be subject to the level of inflationary uplift awarded within the grant.

Property/Other

20. N/A

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

21. The Council has the power to offer substance misuse services in accordance with s.1 Localism Act 2011 (the General Power of Competence) subject to complying with the Council's Contract and Financial Procedure Rules as set out in the Council's Constitution.

Other Legal Implications:

22. The services provided on behalf of the Council will be required to be delivered in accordance with the Equalities Act 2010, the Human Rights Act 1998 and the Council's duties under s.17 Crime & Disorder Act 1998 (the duty to exercise functions having regard to the need to reduce or eliminate crime & disorder)

POLICY FRAMEWORK IMPLICATIONS

23. Local policy drivers broadly mirror the national drivers e.g. the 2010 Drug Strategy, personalisation, better outcomes, effective prevention, value for money and increasing demand. Local priorities for health and social care have been identified through a process of service user consultation, review of current service provision, trend analysis (of demographics, social, health, economic and environmental issues) and data analysis of spend and budget. Full information on all the issues is available in the Joint Strategic Needs Assessment "Gaining Healthier Lives in a Healthier City", the Health and Wellbeing Strategic Plan 2009-12, the NHS Southampton City Commissioning Strategy, the City Plan and the Southampton Connect Plan 2011-14.
24. The four main local issues driving our Joint Commissioning Strategy are:
(i) Prevention and maximising independence
(ii) Personalisation
(iii) Quality
(iv) Best value
- These issues will underpin all of our commissioning work irrespective of the specialist needs of some individuals.

KEY DECISION? Yes/No

WARDS/COMMUNITIES AFFECTED:	All
-----------------------------	-----

SUPPORTING DOCUMENTATION

Appendices

1.	Appendix 1 – Award of Substance Misuse Tender – CONFIDENTIAL
----	--

Documents In Members’ Rooms

1.	<p>Service Specifications</p> <ul style="list-style-type: none"> • Early Support and Planning Service (ESAP) Young Peoples Service • Assessment, Review and Monitoring Service (ARM) • Delivery of drug and Alcohol Treatment and Recovery Service (DDATRS)
2.	Strategic Review/Option Appraisal October 2012.
3.	Equality Impact Assessment
4.	Southampton City Council Terms and Conditions

Equality Impact Assessment

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

Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at: Marlands House, Floor 2 ICU Office.

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.	EIA Integrated Drug Treatment System Update May 2014.	
----	---	--

This page is intentionally left blank

Document is Confidential

This page is intentionally left blank