

CABINET

**Tuesday, 19th February, 2013
at 5.00 pm**

Council Chamber - Civic Centre

This meeting is open to the public

Members

Councillor Dr R Williams, Leader of the Council
Councillor Stevens, Cabinet Member for Adult Services
Councillor Bogle, Cabinet Member for Children's Services
Councillor Rayment, Cabinet Member for Communities
Councillor Noon, Cabinet Member for Efficiency and Improvement
Councillor Thorpe, Cabinet Member for Environment and Transport
Councillor Payne, Cabinet Member for Housing and Leisure Services
Councillor Letts, Cabinet Member for Resources

(QUORUM – 3)

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BACKGROUND AND RELEVANT INFORMATION

The Role of the Executive

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

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

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

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

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.

Southampton City Council's Seven Priorities

- More jobs for local people
- More local people who are well educated and skilled
- A better and safer place in which to live and invest
- Better protection for children and young people
- Support for the most vulnerable people and families
- Reducing health inequalities
- Reshaping the Council for the future

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.

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

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

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

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

Municipal Year Dates (Tuesdays)

2012	2013
19 June	29 January
17 July	19 February
21 August	19 March
18 September	16 April
16 October	
13 November	
18 December	

CONDUCT OF MEETING

TERMS OF REFERENCE

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

RULES OF PROCEDURE

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

DISCLOSURE OF INTERESTS

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

DISCLOSABLE PERSONAL INTERESTS

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

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

(ii) Sponsorship:

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

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

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

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

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

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

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

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

Other Interests

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

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

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

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

Principles of Decision Making

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

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

In exercising discretion, the decision maker must:

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

AGENDA

Agendas and papers are now available 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 29th January and 5th February 2013 attached.

5 REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (IF ANY)

There are no items for consideration

6 EXECUTIVE APPOINTMENTS

To deal with any executive appointments, as required.

MONITORING REPORTS

7 THIRD QUARTER PERFORMANCE MONITORING FOR 2012/13

Report of the Cabinet Member for Efficiency and Improvement outlining progress made at the end of December 2012 against the targets contained within the Council Plan, attached.

8 CORPORATE REVENUE FINANCIAL MONITORING FOR THE PERIOD TO THE END OF DECEMBER 2012

Report of the Cabinet Member Resources detailing financial monitoring for the period to the end of December 2012, attached

ITEMS FOR DECISION BY CABINET

9 GRANTS TO VOLUNTARY ORGANISATIONS 2012/14 TO 2015/16

Report of the Cabinet Member for Efficiency and Improvement seeking approval on recommendations for the allocation of the grants to voluntary organisations budget (subject to Budget setting), attached.

10 TRANSFER OF PUBLIC HEALTH FUNCTIONS TO SOUTHAMPTON CITY COUNCIL

Report of the Cabinet Member for Communities, outlining the operational arrangements for the transfer of the Public Health function, including the approval of the relevant delegations and associated matters, attached.

11 CREATION OF A LOCAL TRANSPORT BODY

Report of the Cabinet Member for Environment and Transport seeking agreement to the creation of a Local Transport Body, attached.

12 PLAY SITE DEVELOPMENT

Report of the Cabinet Member for Housing and Leisure, seeking approval to spend Section 106 funding on the development of play sites across the City. During 2013 the City Council intends to refurbish and develop Play sites across the City, attached.

13 LICENSING SCHEME FOR HOUSES IN MULTIPLE OCCUPATION - CONSULTATION RESULTS AND FINAL APPROVAL

Report of the Cabinet Member for Housing and Leisure, seeking final approval for an additional licensing scheme for Houses in Multiple Occupation (HMOs) following results of the public consultation, attached.

14 MOBILITY SCOOTER STORAGE POLICY

Report of the Cabinet Member for Housing and Leisure, seeking agreement for the introduction of a new Mobility Scooter storage and usage policy for the City Council's housing stock, attached.

15 CITY CENTRE FORUM

Report of the Leader of the Council, seeking authority to participate and support a City Centre Forum proposed by key business organisations to facilitate City Centre development proposals, attached.

16 SCOUTS PREMISES - FREEHOLD SALES TO SCOUT GROUPS

Report of Cabinet Member for Resources, seeking approval to the disposal of up to fifteen Scout site freeholds, attached.

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

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

Confidential Appendices contain information deemed to be exempt from general publication by virtue of Category 3 of paragraph 10.4 of the Council's Access to Information Procedure Rules. It is not in the public interest to disclose this because doing so would prejudice the commercial confidentiality of the bidders and selection process.

18 * ESTATE REGENERATION - WESTON LANE SHOPPING PARADE REDEVELOPMENT

Report of the Leader of the Council, detailing the progress made in developing proposals to regenerate Weston Lane shopping parade and recommending approval for proceeding to the next stages required for redeveloping the site.

ITEMS FOR DECISION BY CABINET MEMBER

19 PROPOSALS TO EXPAND THREE PRIMARY SCHOOLS IN THE CITY

Report of the Head of Infrastructure, seeking a decision on the implementation or withdrawal of proposals to expand Bassett Green Primary, Bevois Town Primary and St Johns Primary and Nursery, attached.

20 PRIMARY SCHOOL DEVELOPMENT - ST MONICA INFANT AND JUNIOR SCHOOLS

Report of the Senior Manager Children and Young People Strategic Commissioning, Education and Inclusion seeking consultation on the possibility of developing an new all through primary School, attached.

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

21 CONCESSIONARY FARES SCHEME 2013/14

Report of the Senior Manager Planning, Transport and Sustainability, seeking approval to the local elements to the Council's concessionary travel scheme 2013 and the reimbursement rate to bus operators that are proposed to apply from 1st April 2013, attached.

EXECUTIVE BUSINESS
THIS ITEM WILL NOT BE HEARD UNTIL THE CONCLUSION OF OVERVIEW AND
SCRUTINY MANAGEMENT COMMITTEE

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

Report of Chair of Overview and Scrutiny Management Committee, seeking a response to any recommendations made by the Committee at the meeting on the 19th February 2013, attached.

MONDAY, 11 FEBRUARY 2013 HEAD OF LEGAL, HR AND DEMOCRATIC SERVICES

Agenda Item 4

To approve the record of the decision making held on 29th January and 5th February 2013 and to deal with any matters arising, attached.

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SOUTHAMPTON CITY COUNCIL
EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 29 JANUARY 2013

Present:

Councillor Noon	-	Cabinet Member for Efficiency and Improvement
Councillor Thorpe	-	Cabinet Member for Environment and Transport
Councillor Payne	-	Cabinet Member for Housing and Leisure Services
Councillor Letts	-	Cabinet Member for Resources

Apologies: Councillors Dr R Williams, Stevens, Bogle and Rayment

93. PROPOSED CUTS TO YOUTH AND PLAY SERVICES

A presentation was received from representatives of the City's Youth Services and clients of the service detailing their objections to proposals set out in the Councils Budget.

94. REVISIONS TO THE ADULT SOCIAL CARE NON-RESIDENTIAL SERVICES POLICY
DECISION MADE: (Ref: CAB 12/13 9136)

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

- (i) To approve changes to the non residential care contributions policy for adult social care as set out in Appendix 1.
- (ii) To delegate authority to the Senior Manager: Safeguarding Adults, following consultation with the Cabinet Member for Adult Care and the Head of Legal, HR and Democratic Services to review the format and content of the current non-residential care contributions policy for adult social care, to make any textual, formatting or administrative or other minor changes required to update the policy, give effect to recommendation 1 above and ensure it is fit for purpose for 2013 and beyond.
- (iii) To delegate authority to the Executive Director for Adult Social Care to determine which 'one off' services should be included within the Policy as chargeable services and to determine the scale of fees and charges to be applied for these services (Proposal 10 in Appendix 1 – changes to Policy).
- (iv) To note that recommendation 2 above does not extend to making any major or substantive changes to either the services to be provided under the policy or the charges to be applied to any such service, Such matters would require reference to Cabinet for determination following appropriate public consultation.

95. POOLED BUDGETS FOR STRATEGIC INVESTMENT IN COMMUNITIES

DECISION MADE: (Ref: CAB 12/13 9600)

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

- (i) To endorse the multi-agency strategic investment model.
- (ii) To accept, in accordance with Financial Procedure Rules, funding from external agencies, and act as Lead Accountable Body for the administration of the funds.
- (iii) To delegate authority to the Director of Environment and Economy, following consultation with the Leader, Head of Legal, HR and Democratic Services, to undertake such actions necessary to enable the successful delivery of the project.
- (iv) To approve, in accordance with Financial Procedure Rules and Procurement regulations, revenue expenditure on behalf of partner agencies of up to £2 million per annum for the project.
- (v) To approve that Southampton City Council will undertake all management, administration and reporting of the pooled fund, at a rate of 5% of the total budget. This will safeguard a post to administer the scheme.

96. THE CITY OF SOUTHAMPTON (ITCHEN BRIDGE TOLLS) ORDER 2012

DECISION MADE: (Ref: CAB 12/13 9753)

On consideration of the report of the Cabinet Member for Environment and Transport, and having considered the objections to 'The City of Southampton (Itchen Bridge Tolls) Order 2012' set out in the presentation by a Member of Public at the meeting, Cabinet approved the Order as set out in Appendix 2.

97. LOW CARBON CITY STRATEGY ANNUAL PROGRESS REPORT

DECISION MADE: (Ref: CAB 12/13 9606)

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

- (i) To re-confirm the Council's commitment to the Low Carbon City Strategy as set out in Appendix 1, to provide a framework from which to base future decisions and policies.
- (ii) To note the outcomes and achievements outlined in Low Carbon City Strategy annual progress report, as set out in Appendix 2, and re-confirm the Council's commitment to years 2 and 3 of the Delivery Plan.

98. PROGRESSING THE NEW ARTS COMPLEX PROJECT

DECISION MADE: (Ref: CAB 12/13 9608)

On consideration of the report of the Leader of the Council and having received representations from a Member of Council, Cabinet agreed to delegate authority to the Director of Environment and Economy, subject to consultation with the Leader of the Council and the Director of Corporate Services, the Head of Finance and Head of Legal, HR and Democratic Services:

- a. to establish the Holding Company and Operating Company as detailed in this report,
- b. to appoint Council Representatives to the Company Boards; and
- c. to take any other action necessary to progress the project.

99. *ACQUISITION OF LAND- PAN HANDLE CAR PARK, EASTERN DOCK

DECISION MADE: (Ref: CAB 12/13 9419)

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

- (i) To approve the purchase of the freehold interest of the Pan Handle Car Park and part of the Triangle Car Park Platform Road and to delegate authority to the Senior Manager Property, Procurement and Contract Management, to agree the final terms and conditions of purchase.
- (ii) To delegate authority to the Senior Manager Property, Procurement and Contract Management in consultation with the Director of Environment and Economic Development to do anything necessary to give effect to the recommendations in this report.
- (iii) To note the level of expenditure of the purchase and associated costs of purchase. The total expenditure will be funded from the Regional Growth Fund (RGF) grant funding from Department of Business Innovation and Skills (BIS), which has been subject to previous approvals

100. *PROPOSED DISPOSAL OF MARLAND HOUSE

DECISION MADE: (Ref: CAB 12/13 9751)

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

- (i) to approve the disposal of the Council's freehold at Marland House subject to a leaseback to the Council of the offices at a peppercorn rent until September 2014, and to include the simultaneous disposal of the Council's freeholds at 5 to 13 Civic Centre Road and 36 Windsor Terrace, all to the recommended bidder on the basis set out in Bid C in Confidential Appendix 1 and to subsequently negotiate and carry out all ancillary matters to enable disposal of the site.
- (ii) that the Senior Manager for City Development, in consultation with the Head of Legal, HR and Democratic Services be authorised to enter into any legal documentation necessary in respect of the sales.

- (iii) to note that the estimated value of the capital receipt from the disposal has already been built into the funding of the capital programme. Any receipt that differs from the estimate will need to be considered corporately as part of any future prioritisation of resources

101. EARLY YEARS PROVISION IMPROVEMENT STRATEGY

DECISION MADE: (Ref: CAB 12/13 9645)

On consideration of the report of the Cabinet Member for Children's Services, Cabinet agreed the following:

- (i) To approve the Early Years Provision Improvement Strategy, as detailed in Appendix 1 of the report.
- (ii) To delegate authority to the Director of Children's Services to remove providers from the Early Years Provider Register following the procedure set out in the Early Years Provision Improvement Strategy.

102. PRIMARY SCHOOL DEVELOPMENT

DECISION MADE: (Ref: CAB 12/13 9646)

On consideration of the modified report of the Cabinet Member for Children's Services, Cabinet agreed the following:

- (i) To approve the commencement of four separate, six weeks, pre-statutory consultations. The four separate, but similar, proposals for consultation are:
- Discontinuance of Bitterne Park Infant and expansion of Bitterne Park Junior to accommodate 4-11 year olds.
 - Discontinuance of Oakwood Infant and expansion of Oakwood Junior to accommodate 4-11 year olds.
 - Discontinuance of Tanners Brook Junior and expansion of Tanners Brook Infant to accommodate 4-11 year olds.
 - Discontinuance of Heathfield Junior and expansion of Valentine Infant to accommodate 4-11 year olds.
- (ii) To approve the establishment of four steering groups for each pairing of co-located schools to oversee the consultation on the possibility of a transitioning to a primary.
- (iii) To delegate authority to the Director of Children's Services and Learning, following consultation with the Head of Legal, HR and Democratic Services, to determine the final format and content of consultation in accordance with statutory and other legal requirements.
- (iv) Subject to complying with Financial and Contractual Procedure Rules, to delegate authority to the Director of Children's Services and Learning, following consultation with the Cabinet Member for Children's Services, to do anything necessary to give effect to the recommendations in this report.

SOUTHAMPTON CITY COUNCIL
EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 5 FEBRUARY 2013

Present:

Councillor Dr R Williams	-	Leader of the Council
Councillor Stevens	-	Cabinet Member for Adult Services
Councillor Bogle	-	Cabinet Member for Children's Services
Councillor Noon	-	Cabinet Member for Efficiency and Improvement
Councillor Payne	-	Cabinet Member for Housing and Leisure Services
Councillor Letts	-	Cabinet Member for Resources

Apologies: Councillor Rayment and Thorpe

103. HOUSING REVENUE ACCOUNT BUDGET REPORT AND BUSINESS PLAN

DECISION MADE: (Ref: CAB 12/13 9603)

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

- (i) To consider the report and agree that the recommendations, as set out below, be made to Council at the meeting on 13 February 2013.
- (ii) To approve, in accordance with Financial Procedure Rules, capital spending of £1,000,000 in 2012/13 on a contribution to major investment works at Rotterdam Towers, subject to Council agreement to add a scheme of this value to the Safe, Wind and Weather Tight section of the HRA Capital Programme.
- (iii) To approve, in accordance with Financial Procedure Rules, a transfer, within the Estate Regeneration section of the HRA Capital Programme, of £1,325,000 from the Estate Wide scheme to create a Weston Enabling Works scheme, phased £700,000 in 2013/14, £375,000 in 2014/15 and £250,000 in 2015/16

104. GENERAL FUND REVENUE BUDGET 2013/14 TO 2015/16

DECISION MADE: (Ref: CAB 12/13 9619)

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

- (a) Note the position on the estimated outturn and revised budget for 2012/13 as set out in paragraphs 21 to 32.
- (b) Note the position on the forecast roll forward budget for 2013/14 as set out in paragraphs 40 to 68.

- (c) Note and approve the arrangements made by the Leader, in accordance with the Local Government Act 2000, for the Cabinet Member for Resources to have responsibility for financial management and budgetary policies and strategies, and that the Cabinet Member for Resources, will in, accordance with the Budget & Policy Framework Rules as set out in the Council's Constitution, be authorised accordingly to finalise the Executive's proposals in respect of the Budget for 2013/14, in consultation with the Leader, for submission to Full Council on 13 February 2013
- (d) Recommends that Full Council:
- i. Notes the Consultation process that was followed as outlined in Appendix 1.
 - ii. Notes the Equality Impact Assessment process that was followed as set out in paragraphs 17 to 20 and that the additional detail in Appendix 2 which will be available prior to the Full Council meeting on 13 February 2012
 - iii. Approves the revised estimate for 2012/13 as set out in Appendix 3.
 - iv. Approve £200,000 in 2012/13 for highway maintenance, to be met from balances which will be replenished by a contribution of £200,000 from regeneration funding from previous years which is no longer required and can now be released to revenue.
 - v. Notes the transfer of funds to the Council under S256 agreements with the NHS Commissioning Board in 2013/14 for £4.0M from the Health transfer funding and for a minimum of £0.6M with NHS Southampton City from the re-ablement / post discharge services as set out in paragraphs 33 to 36.
 - vi. Notes that a new ring-fenced grant will be received in 2013/14 to support the Council's Public Health responsibilities being transferred from the Southampton PCT and that at this stage it has been assumed that this funding will meet the cost of providing the transferred service and therefore will not have any impact on the Council's total net revenue budget requirement as set out in paragraphs 37 to 39.
 - vii. Notes the position on the forecast roll forward budget for 2013/14 as set out in paragraphs 40 to 68.
 - viii. Notes that the Executive's proposed budget as set out in this report has taken into account the recommendations of Overview and Scrutiny Management Committee and of Scrutiny Panel A: Welfare Reforms and the amount transferred to the Council for the transition of the Social Fund for 2013/14 and 2014/15 is to be allocated solely for the use of developing local welfare provision.
 - ix. Approves an additional draw from General Fund Balances of up to £0.5M in 2013/14 if required during the year.
 - x. Approves the revenue pressures set out in Appendix 5.
 - xi. Approves the addition to the Leader's Portfolio of £500,000 in 2013/14 to fund initiatives with the aim of "Getting Our Economy Moving" as set out in paragraph 75.
 - xii. Approves the efficiencies, income and service reductions as set out in Appendix 6.
 - xiii. Approves the General Fund Revenue Budget as set out in Appendix 7, which assumes a council tax increase of 1.9%.
 - xiv. Delegates authority to the Chief Financial Officer to action all budget changes arising from the approved pressures, bids, efficiencies, income

- and service reductions and incorporate any other approved amendments into the General Fund estimates.
- xv. Approves a revised minimum balance of £5.5M as recommended by the Chief Financial Officer in line with the policy guidance outlined in paragraphs 99 to 104.
 - xvi. Notes that after taking these items into account, there is an estimated General Fund balance of £5.5M at the end of 2015/16 as detailed in paragraph 102.
 - xvii. Delegates authority to the Chief Financial Officer, in consultation with the Director of Corporate Services, to do anything necessary to give effect to the recommendations in this report.
 - xviii. Sets the Council Tax Requirement for 2013/14 at £70,049,100.
 - xix. Notes the estimates of precepts on the Council Tax collection fund for 2013/14 as set out in Appendix 9
 - xx. Notes the Medium Term Forecast as set out in Appendix 10.
 - xxi. Authorises the Chief Executive and Chief Officers to pursue the development of the options for efficiencies, income and service reductions as set out in Appendix 5 for the financial years 2014/15 and 2015/16 and continue to develop options to close the remaining projected gaps in those years.

105. THE GENERAL FUND CAPITAL PROGRAMME 2012/13 TO 2015/16

DECISION MADE: (Ref: CAB 12/13 9618)

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

- (i) Approve the revised General Fund Capital Programme, which totals £140.3M (as detailed in paragraph 4) and the associated use of resources.
- (ii) Note the changes to the programme as summarised in Appendix 2 and described in detail in Appendix 3.
- (iii) Note the slippage and re-phasing as described in detail in Appendix 3.
- (iv) Note the transfer of the Southampton New Arts Complex (SNAC) scheme from Housing & Leisure Services Capital Programme to the Leader's Capital Programme.
- (v) Add £400,000 to the Children's Services Capital Programme in 2013/2014, to be funded by Council Resources, to ensure that the expansion of Bassett Green Primary school achieves the BREEAM (Building Research Establishment's Environmental Assessment Method) rating of excellent, in accordance with the Council's planning policy.
- (vi) Add £480,000 to the Resources Capital Programme in 2013/14 for the demolition of Oaklands school to be funded by direct revenue financing.
- (vii) Delegate authority to the Chief Financial Officer, following consultation with the Cabinet Member for Resources to add a further £100,000 to the Resources Capital Programme for the demolition of Oaklands school if required to be funded by direct revenue financing, bringing the total scheme up to a maximum of £580,000.

- (viii) Add £2,821,000 to the Environment & Transport Capital Programme in 2013/2014 for the Roads Programme to be funded by direct revenue financing.
- (ix) Add £1,616,000 to the Environment & Transport Capital Programme in 2013/2014 for Integrated Transport schemes to be funded by government grants.
- (x) Add £1,701,000 to the Environment & Transport Capital Programme in 2013/2014 for Highways Maintenance schemes to be funded by government grants.
- (xi) Note that additional temporary borrowing taken out in 2010/11 and 2011/12 due to cash flow issues, totalling £11.9M, is expected to be repaid by the end of 2013/14 when anticipated capital receipts are finally forecast to be received.
- (xii) Note that the revised General Fund Capital Programme takes into account the Comprehensive Spending Review (CSR) for 2011/12 and future years as updated by the provisional Local Government Finance Settlement announced in December 2012.
- (xiii) Note that in addition to the forecast capital receipts that are assumed as a key element of funding the capital programme presented for approval, there will be additional receipts which will flow from the enhanced sale of assets programme as this comes to fruition. Towards the end of 2013/14 it should be possible to better estimate the amount and timing of these forecast additional receipts.
- (xiv) Note the financial and project issues which are set out in paragraphs 31 to 36 and detailed in Appendix 3 for each Portfolio.

DECISION-MAKER:	CABINET
SUBJECT:	THIRD QUARTER PERFORMANCE MONITORING FOR 2012/13
DATE OF DECISION:	19 FEBRUARY 2013
REPORT OF:	CABINET MEMBER FOR EFFICIENCY AND IMPROVEMENT

STATEMENT OF CONFIDENTIALITY
NONE

BRIEF SUMMARY

This report outlines the progress made at the end of December 2012 against the targets contained within the Council Plan (2011-2014). The analysis contained in this report has been compiled on an exceptions basis. It only highlights variances for the targets set out in the Council Plan.

RECOMMENDATIONS:

- (i) Note that 65% of the Council's Key Critical Performance Indicators set out in the Council Plan are reported to be on target.

REASONS FOR REPORT RECOMMENDATIONS

1. To provide an opportunity for Cabinet to collectively review 3rd quarter performance results for 2013/14 against the targets contained within the Council Plan (2011-2014).

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. To not submit this report. This option was rejected as it is inconsistent with good management practice.

DETAIL (Including consultation carried out)

3. The Council Plan (2011-2014) is a cross cutting document covering all areas of the Council's activities. The Plan reflects the leadership role of the Executive in delivering the Council's policy objectives, value for money and service improvement for the benefit of residents and businesses in the City.
4. The Council Plan (2011 – 14) contained details on the Critical Key Performance Indicators (CKPIs) for the Council as a whole, for the 3 year period as well as Service Improvement Action (commitments). The Council Plan will be revised to reflect council priorities, following the final decision on 2013/14 budget proposals. Following the policies, Performance and Systems Review in 2011/12, work is being undertaken on performance management within the Council. Therefore, although directorates are continuing to focus on key service priorities, this report does not contain any information on the Service Improvement Actions (commitments) for the third quarter of 2012/13. The Leader has requested that the Council Plan (2013-2016) is presented to Cabinet and Council for consideration in May 2013.

5. This quarterly report outlines the progress made against the targets set out in the Council Plan, on an exceptions basis. Any variations which are of concern will be escalated to the relevant Cabinet Member by Directors so that agreed appropriate action can be taken.
6. The Council Plan contains the agreed targets for 14 Council Critical Key Performance Indicators (CKPIs). A top-level summary of the CKPIs at the end of the 3rd quarter indicates that **65%** are on target, this compares to 72% reported to be on target at the end of the first and second quarters of 2012/13.
7. It should be noted that, to ensure a consistent means of determining good and poor performance, the same assessment criteria have been applied as in previous monitoring reports. An indicator is therefore deemed to be:
 - On Target (Green) if performance is within 5% of the agreed target
 - Have a slight variance (Amber) if the variance is between 5% and 15%
 - Have a significant variance (Red) if the reported variance is more than 15% from the agreed target
 - Data Unavailable (Grey).
8. At the end of the 3rd quarter in 2012/13, the following measures have been highlighted as having significant or slight variances, explanations for these can be found in Appendix 1:
 - Achievement of at least 78 points across the Early Years Foundation Stage (Significant Variance)
 - The rate of first time entrants to the Youth Justice System aged 10-17 per 100,000 (Significant Variance)
 - Number of collections missed per 100,000 collections of household waste per quarter (Significant Variance)
 - Increase the timeliness of Initial Child Protection work for vulnerable children (Slight Variance)
 - Social Care clients receiving Self Directed Support (Slight Variance).

9. The overview of the 14 CKPIs for the Council is as follows:

Portfolio	Total	Monitored 3 rd Qtr	Progress at the end of quarter 3			
			Green	Amber	Red	Grey
Adult Services	1	1	0	1	0	0
Children's Services	7	7	4	1	2	0
Environment & Transport	4	4	3	0	1	0
Housing & Leisure	2	2	2	0	0	0
3rd Qtr Total 2012/13	14	14	9	2	3	0
%		100%	65%	14%	21%	0%
2 nd Qtr Total 2012/13	14	14	10	1	2	1
%		100%	72%	7%	14%	7%
1 st Qtr Total 2012/13	14	14	10	1	1	2
%		100%	72%	7%	7%	14%
4 th Qtr Total 2011/12	14	14	12	0	2	0
%		100%	86%	0%	14%	0%
3 rd Qtr Total 2011/12	14	14	10	1	2	1
%		100%	71%	7%	14%	7%
2 nd Qtr Total 2011/12	14	14	8	3	2	1
%		100%	57%	21%	14%	7%
1 st Qtr Total 2011/12	14	13	10	2	0	1
%		93%	77%	15%	0%	8%

RESOURCE IMPLICATIONS

Capital/Revenue

10. None

Property/Other

11. None

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

12. Monitoring of the Council's performance against statutory and local performance indicators is in line with the Council's statutory duties under the Local Government Acts 1999, 2000 and 2003.

Other Legal Implications:

13. None

POLICY FRAMEWORK IMPLICATIONS

14. The Council Plan forms part of the Council's approved Policy Framework.

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KEY DECISION? No

WARDS/COMMUNITIES AFFECTED:	None
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SUPPORTING DOCUMENTATION

Non-confidential appendices are in the Members' Rooms and can be accessed on-line

Appendices

1.	Council Plan Indicators: variances
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Documents In Members' Rooms

	None
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Integrated Impact Assessment

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out.	No
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Other Background Documents

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

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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Agenda Item 7

Appendix One

Council Plan Indicators: Variances for Quarter 3

Appendix 1

Measure Description	Comments	Current Quarter Status	Year End Target	1st Qtr Actual	2nd Qtr Actual	3rd Qtr Actual	4th Qtr Actual
Adult Services							
Safeguarding - Adults							
Social Care clients receiving Self Directed Support (Former NI130 Local Defn)	Performance is variance. An action plan has been put in place to ensure that all eligible service users have been put through the self-directed support process prior to April.	Slight Variance	100	73.74	81.07	84.74	
Children's Services							
Children and Young People Commissioning							
The rate of First Time Entrants to the Criminal Justice System aged 10 – 17 per 100,000 (Former NI111)	Rolling year Jul 11 – Jun 12. The target for the year of 776 would have been based on the previous First Time Entrant (FTE) data that was taken from the council's Youth Offending Information System. There has been a change in the way that the data is reported (it now comes from the Police National Computer) that has resulted in a change in reported performance that has shown an increase in the number of FTEs to the youth justice systems across all of Hampshire, Southampton, Portsmouth and the Isle of Wight as a result of this change. Southampton is working with the Police and neighbouring Youth Offending Teams to understand the implications of this change for performance reporting. Alongside this the Youth Offending Service is working with police and neighbouring Youth Offending Teams to evaluate the impact of the introduction of Youth Restorative Disposals (YRD) by police when working with young people. These YRDs divert young people from formal police disposals and impact upon the FTE figures, but their use has levelled off. Discussion of FTE figures at the YOS Management Board suggests that there remains further scope for frontline police to increase their use of YRDs, but this will need to be progressed alongside changes in provisions within the Legal Aid, Sentencing and Punishment Offenders Act (2012), which change the landscape in respect of pre-court disposals. Southampton Youth Offending Service is engaged in work with the other YOTS in Hampshire and the police in order to prepare for these changes – which should have a positive impact upon FTE figures and bring them closer to target.	Significant Variance	776	915	958	1011	
Education, Prevention and Inclusion							
Achievement of at least 78 points across the Early Years Foundation Stage (Former NI72)	There has been increase in performance in each of the last six years. The average yearly increase has been 2.8%. The increase in academic year 2011/12 stood at 0.7%. A drop in the rate of improvement. During 2012/13 a new approach will be implemented to impact on the Early Years outcome within two years. The DfE are changing the performance measure criteria in 2012/13. This will result in a new baseline by quarter 2 of 2013/14.	Significant Variance	67		56.3	56.3	
Safeguarding - Children							
Increase the timeliness of Initial Child Protection work for vulnerable children	Timeliness of Initial Child Protection Conferences (76%) is up on the last quarter, though still below the target of 85%. 27 children were outside of the 15 day timescale (12 sibling groups), with 4 sibling groups delayed due to transfer in conferences from other local authorities. There was management oversight in relation to each case where an initial conference was outside of timescale as part of risk management. We continue to focus on this area with a view to continued improvement.	Slight Variance	85	70	70	76	
Environment & Transport							
City Services							
WFT2 Number of collections missed per 100,000 collections of household waste per quarter.	The biggest impact on missed bins this quarter was sickness and vehicle downtime due to breakdown and defects. The vehicle fleet is aging. We have now put in place additional hire vehicle cover for some of our older more unreliable vehicles which are due to be replaced by August 2013, but vehicle reliability will remain a concern until then.	Significant Variance	37	26	37	46	

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Agenda Item 8

DECISION-MAKER:	CABINET		
SUBJECT:	CORPORATE REVENUE FINANCIAL MONITORING FOR THE PERIOD TO THE END OF DECEMBER 2012		
DATE OF DECISION:	19 FEBRUARY 2013		
REPORT OF:	CABINET MEMBER FOR RESOURCES		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Alison Chard	Tel: 023 8083 4897
	E-mail:	Alison.Chard@southampton.gov.uk	
Director	Name:	Mark Heath	Tel: 023 8083 2371
	E-mail:	Mark.Heath@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY
N/A

BRIEF SUMMARY

This report summarises the General Fund and Housing Revenue Account (HRA) revenue financial position for the Authority for the nine months to the end of December 2012, and highlights any key issues by Portfolio which need to be brought to the attention of Cabinet.

RECOMMENDATIONS:

General Fund

It is recommended that Cabinet:

- i) Note the current General Fund revenue position for 2012/13 as at Month 9 (December), which is a forecast under spend at year end of **£1.9M** against the budget approved by Council on 15 February 2012, as outlined in paragraph 4. This can be compared against the reported under spend at Month 6 of £0.3M; an improvement of almost £1.6M.
- ii) Note that the baseline forecast over spend for portfolios is almost £3.6M.
- iii) Note that portfolios have taken remedial action to manage a number of the corporate and key issues highlighted in this report and that the financial impact is reflected in the forecast position.
- iv) Note that further remedial action has been maintained to rigorously control staff resource costs and to continue the moratorium on all non essential expenditure for the remainder of the financial year.

- v) Note that the Risk Fund includes £3.9M to cover service related risks, and that the estimated draw at Month 9 is £2.8M to cover expenditure which is included within the baseline forecast portfolio over spend of £3.6M. The Risk Fund has been reviewed and it has been assumed that £550,200 of the Fund will not be required in 2012/13.
- vi) Note that it has been assumed that the remainder of the contingency, which stands at £344,300, will be fully utilised by the end of 2012/13.
- vii) Note the forecast includes an approved carry forward of £308,000 for Central Repairs & Maintenance as agreed by Full Council.
- viii) Note the forecast does not include the impact of potential carry forwards which at Month 9 total £35,000 and which, if approved by Full Council as part of the Outturn report to be presented in July, would be a draw on balances.
- ix) Note the revised minimum balance of £5.5M, subject to approval by Council on 13 February 2013, as recommended by the Chief Financial Officer in line with good practice guidance.
- x) Note the forecast level of balances which will not fall below the revised minimum level of £5.5M in the medium term based on the current forecast.
- xi) Note the performance to date with regard to the delivery of the agreed savings proposals approved for 2012/13 as detailed in Appendix 9.
- xii) Note the performance against the financial health indicators detailed in Appendix 10.
- xiii) Note the performance outlined in the Quarterly Treasury Management Report attached as Appendix 11.

Housing Revenue Account

It is recommended that Cabinet:

- xiv) Note the current HRA budget monitoring position for 2012/13, as at Month 9 (December), which includes a carry forward from 2011/12 of £282,000 as approved by Council on the 11 July 2012. There is a forecast under spend at year end of **£180,000** and a potential carry forward request has been identified

REASONS FOR REPORT RECOMMENDATIONS

1. To ensure that Cabinet fulfils its responsibilities for the overall financial management of the Council's resources.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. Not applicable

DETAIL (Including consultation carried out)

3. Heads of Service, Budget Holders and Directors have been consulted in preparing the reasons for variations contained in the appendices.

Financial Summary

4. Appendix 1 sets out a high level financial summary for the General Fund, and shows that the overall forecast outturn position for the Council is an under spend of **£1.9M**, as shown below:

	Forecast Outturn Variance £000's	Forecast Outturn Variance %
Baseline Portfolio Total	3,561.9 A	1.8
Draw From Risk Fund	2,825.0 F	
Portfolio Total	736.9 A	0.4
Capital Asset Management	2,000.0 F	
Non-specific Government Grants	350.0 F	
Risk Fund	550.2 F	
Approved Carry Forwards	308.0 A	
Net Total General Fund	1,855.3 F	2.1

The above forecast takes account of the implications of the Capital Programme Update including additions to the Programme and slippage to future years for which Council approval will be sought in February 2013.

5. As shown in the above table, the forecast portfolio revenue outturn on net controllable spend for the end of the year compared to the working budget is an over spend of £0.7M and this is analysed below:

Portfolio	Baseline Forecast Outturn Variance £000's	Risk Fund Items £000's	Forecast Outturn Variance		See Appendix
			£000's	%	
Adult Services	753.7 A	700.0 F	53.7 A	0.1	2
Children's Services	4,432.2 A	1,210.0 F	3,222.2 A	8.8	3
Communities	247.7 F		247.7 F	4.5	4
Environment & Transport	47.9 A	655.0 F	607.1 F	2.7	5
Housing & Leisure Services	500.3 A	260.0 F	240.3 A	1.8	6
Leader's Resources	334.4 F		334.4 F	7.8	7
	1,590.1 F		1,590.1 F	3.6	8
Portfolio Total	3,561.9 A	2,825.0 F	736.9 A	0.4	

6. The corporate and key issues affecting each portfolio are set out in Appendices 2 to 8, as per the previous table.

Remedial Action

7. Portfolios have taken remedial action to manage a number of the corporate and key issues highlighted in this report. Specific actions are included within Appendices 2 to 8 where applicable and the financial impact is reflected in the forecast position.
8. Following Month 3 it was apparent that further remedial action was required in year and plans were developed and implemented, the financial impact of which is reflected in the latest position.
9. There was already in place a rigorous process whereby all requests to fill vacant posts are referred to the Management Board of Directors (MBD) for a decision as to whether the post should be recruited to. This rigorous assessment of vacant posts prior to external recruitment remains in place was strengthened to encompass a review by the Chief Executive of any request to utilise temporary staff or to make changes to the use of staff resources, including all recruitment requests.
10. In addition, it was agreed by the MBD to put in place a spend moratorium on non essential expenditure for the remainder of 2012/13. This was agreed in order to ensure that the support which can be given to the challenging financial position the Council faces in both 2012/13 and future years can be maximised.
11. The action taken has resulted in an improvement in the financial position since Month 3 of more than £3.3M.

Capital Asset Management

12. The favourable variance of £2.0M is in part due to an accounting adjustment to reverse a provision for Equal Pay which was created in 2009/10 to meet liabilities arising from a number of equal pay claims received by the Council. This provision was funded through capital expenditure which the Council was able to undertake following receipt of a Capitalisation Direction. The impact of reversing the provision is to reduce the capitalisation requirement which in turn reduces the level of Minimum Revenue Provision (MRP) which the Council is required to make.
13. In addition, net interest payable is forecast to be below that originally estimated as a result of lower than anticipated borrowing costs. This is as a consequence of lower forecast borrowing levels and also the fact that when we do borrow it will in all likelihood be at lower rates than originally estimated.
14. Lower rates have been achieved through a conscious decision to continue to utilise short term variable rate debt which remains available at lower rates than long term fixed rate debt due to the depressed market. The prediction based on all of the economic data available is that interest rates will remain lower for a sustained period of time and that this situation will therefore continue into 2013/14 and beyond.
15. In achieving interest rate savings, the Council has exposed itself to short term variable interest rate risk and whilst in the current climate of low interest rates this is obviously a sound strategy, at some point when the market starts to move the Council will need to act quickly to lock into fixed long term rates which may be at similar levels to the debt it has restructured.

Non Specific Government Grants

16. Additional non specific Government grant income has been received resulting in a forecast favourable variance of £350,000. The main variance is due to an amendment to previously announced formula funding.
17. The Government has reviewed the deductions made from local authority formula grant allocations for 2011/12 and 2012/13 in respect of the funding top sliced for Academies, in order to attempt to better reflect the pattern of Academy provision across the country.
18. As a consequence of this review, a “refund” has been paid to the Council as the amount top sliced from formula grant has been assessed as being bigger than it would have been had the deduction been based on the number of Academies during 2011/12. This “refund” has been calculated by the Department for Education as £328,200 and was received in Quarter 3.
19. In addition to this there have been a small number of grant notifications which have differed slightly from the initial assumed level of funding.

Risk Fund

20. Potential pressures that may arise during 2012/13 relating to volatile areas of both expenditure and income are being managed through the Risk Fund. A sum of £3.9M is included in the budget to cover these pressures and is taken into account during the year as evidence is provided to substantiate the additional expenditure against the specific items identified.
21. At Month 9, it is estimated that pressures within Portfolios will require the allocation of £2.8M from the Risk Fund, as shown in the table below, leaving a balance of £1.1M:

Portfolio	Service Activity	£000's
Adult Services	Learning Disability	700.0
Children's Services	Tier 4 Safeguarding Specialist Services	1,000.0
Children's Services	Funding for 2 year olds	210.0
Environment & Transport	Fuel Inflation – Waste Collection	87.0
Environment & Transport	Fuel Inflation – Crematorium	36.0
Environment & Transport	Carbon Reduction Certificates	48.0
Environment & Transport	Income – Bereavement Services	50.0
Environment & Transport	Income – Off Street Car Parking	265.0
Environment & Transport	Income – Itchen Bridge Toll	100.0
Environment & Transport	Income – Bus Shelter Contract	69.0
Housing & Leisure Services	Income – Leisure & Culture	260.0
Portfolio Draw From Risk Fund		2,825.0

22. At this stage of the year, it has been assumed that a further draw of £0.5M may be required in 2012/13 which results in an overall forecast favourable variance on the Risk Fund of £550,200. The provision made within the Risk Fund has been reviewed as part of the development of the budget for 2013/14 to ensure that a sufficient allocation is included for such pressures in the future.

Contingency

23. A sum of £344,300 remains in the Contingency and it has been assumed that the remainder of the contingency will be fully utilised by the end of 2012/13.

Approved Carry Forward Requests

24. Full Council has agreed to automatically carry forward any surplus/deficit on Central Repairs and Maintenance at year-end subject to the overall financial position of the Authority. Furthermore, Cabinet has approved the delegation of authority to the Chief Financial Officer (CFO), following consultation with the Cabinet Member for Resources, to allocate premises related resources (revenue and capital) in order to maximise the efficient use of resources in respect of general repairs and maintenance, major works to civic buildings and the implementation of the accommodation strategy.
25. Currently there is a forecast under spend of £800,000 and whilst much of this is due to decisions not to progress schemes following a review of the programme; undertaken in the light of the Council's financial position, a small number of planned schemes to the value of £308,000 will need to be deferred to the next financial year due to the seasonal nature of the works. The carry forward at year-end will enable the works to be carried out during the summer months.

Potential Carry Forward Requests

26. Portfolios have highlighted only one potential carry forward requests that may be submitted for approval as part of the outturn process. The carry forward totals £35,000 and is shown below:

Portfolio	Service Activity	£000's
Communities	Skills, Economy and Housing Renewal (16-19 Student Bus Ticket Scheme)	35.0
Total Potential Carry Forward Requests		35.0

This request is not reflected in the current forecast outturn.

Key Portfolio Issues

27. The corporate and other key issues for each portfolio are detailed in Appendices 2 to 8.
28. It is good practice to recognise that any forecast is based on assumptions about key variables and to undertake an assessment of the risk surrounding these assumptions. Having done this a forecast range has been produced for each corporate and key issue, where applicable, which represents the pessimistic and optimistic forecast outturn position. This range is included within the detail contained in Appendices 2 to 8.
29. There are, however, certain corporate issues which are highlighted in the tables below as being the most significant for Cabinet to note. The adverse variances are noted in the first table, with any significant favourable variances detailed in the second table:

Corporate Adverse Variances

Portfolio	Corporate Issue	Adverse Forecast £000's	See Appendix & Reference
Adult Services	Learning Disability	1,392.2	2 – AS 2
Children's Services	Tier 4 Safeguarding	2,772.5	3 – CS 2
Children's Services	Safeguarding Mgt & Legal Services	263.7	3 – CS 3
Children's Services	Child Protection Tier 3 Social Work Teams	1,907.4	3 – CS 4
Environment & Transport	Off Street Car Parking	391.4	4 – E&T 1
Environment & Transport	Itchen Bridge	190.8	4 – E&T 2
Environment & Transport	Waste Collection	317.3	4 – E&T 3
Housing & Leisure Services	Arts & Heritage	398.0	5 – HLS 1

Corporate Favourable Variances

Portfolio	Corporate Issue	Favourable Forecast £000's	See Appendix & Reference
Adult Services	Adult Disability Care Services	168.8	2 – AS 1
Children's Services	Commissioning, Education & Inclusion	435.0	3 – CS 1
Environment & Transport	Highways Contract Management	301.2	4 – E&T 4
Resources	Central Repairs & Maintenance	800.0	8 – RES1

Revised Budget 2012/13

30. The published budget proposals for 2013/14 to 2015/16 which are to be approved by Council on 13 February whilst being mainly concerned with the revenue estimates for 2013/14 also set out the revised budget for 2012/13. This takes into account the overall financial position highlighted in this Corporate Monitoring report for the nine months ending December 2012 as far as it is prudent to do so.

31. The original revenue estimates for 2012/13 assumed a general draw would be made from balances of almost £2.8M. After reflecting elements of the revised forecast position from Month 9 and assuming additional funding for children's safeguarding and additional expenditure on highways maintenance, the revised budget for 2012/13 which will be approved by Council on 13 February assumes that this draw increases by £200,000 to almost £3.0M. The table below summarises the main changes:

	£M
Net Decrease in Capital Financing Charges	2.00
Additional Non-Specific Government Grants	0.35
Reduction in Risk Fund Provision	0.55
Increased funding for Children's Safeguarding	(2.90)
Increased funding for Highways Maintenance	(0.20)
Increase in Draw From Balances	0.20

32. Once approved these changes will be reflected in future monitoring information.

General Fund Balances

33. It is important for Cabinet to consider the position on balances. The table below shows the latest predicted position after taking into account the outturn for 2011/12, the update of the capital programme and the published budget proposals to be approved by Council on 13 February and the forecast position for 2012/13 as outlined in this monitoring report.

	2012/13	2013/14	2014/15	2015/16
	£000's	£000's	£000's	£000's
Opening Balance	23,529.6	9,217.9	8,416.4	7,429.3
Draw to Support Capital	(312.6)	(210.0)		
(Draw to Support) / Contribution from Revenue	(1,126.9)	4,620.4	3,056.6	4,160.0
Contributions (to) / from Other Reserves	(1,300.0)			
Draw for Strategic Schemes	(11,572.2)	(5,211.9)	(4,043.7)	(4,234.0)
Closing Balance	9,217.9	8,416.4	7,429.3	7,355.3

34. The minimum level of balances is currently set at £5.0M but this is reviewed annually and in recognition of the risks facing the Council it has been recommended that the minimum level of balances is increased from £5.0M to £5.5M in line with good practice guidance. Subject to approval of this increase, by Council on 13 February 2013, the above prediction indicates that the new level of minimum balances will be maintained in the medium term. Presently, approaching £1.9M is forecast to be available within balances as a consequence of the position set out in this report. Given the fact that this is a forecast position it would not be prudent to utilise this amount at this stage of the year. However, any ultimate amount at outturn which is available within balances may be used to fund future initiatives or contribute to the revenue budget in future years.

Implementation of Savings Proposals

35. Savings proposals of £12.7M were approved by Council in February 2012 as part of the overall budget package for 2012/13. The delivery of the savings is crucial to the financial position of the authority. Below is a summary of the progress as at the end of the first quarter to highlight the level of risk associated with delivery and Appendix 9 contains further details:

	%
Implemented and Saving Achieved	95.2
Not Yet Fully Implemented and Achieved But Broadly on Track	3.8
Saving Not on Track to be Achieved	1.0
	100.0

36. Where savings are not on track to be achieved and a high level of risk is associated with delivery then this is due to non implementation in some cases but also due to the impact of factors such as rising demand for services which have meant that despite being implemented the estimated level of financial savings have not materialised.
37. The overall financial shortfall in the delivery of the savings proposals is currently forecast as £330,000 or 3% of the total to be delivered. The breakdown of the financial consequences is shown by Portfolio in Appendix 9.
38. The financial implications of the delivery of these proposals are reflected in the current forecast position and areas of ongoing concern have been fully reviewed and appropriate action plans put into place. In addition, any implications for the budget for 2013/14 and future years have been addressed as part of the development of the budget.

Financial Health Indicators

39. In order to make an overall assessment of the financial performance of the authority it is necessary to look beyond pure financial monitoring and take account of the progress against defined indicators of financial health. Appendix 10 outlines the performance to date, and in some cases the forecast, against a range of financial indicators which will help to highlight any potential areas of concern where further action may be required.

Quarterly Treasury Management Report

40. The Council approved a number of indicators at its meeting of the 15 February 2012 and Appendix 11 outlines current performance against these indicators in more detail, along with an economic update and key information about the Council's borrowing and investments.

Housing Revenue Account

41. The expenditure budget for the HRA was set at £68.6M and the income budget at £68.3M, resulting in a net draw from balances of £339,700. The forecast position for the year end on income and expenditure items shows a favourable variance of £180,000 compared to this budget. The favourable variance is due to the decision to delay the implementation of Mobile Working to enable the output from the Lean project to inform the selection of the most suitable solution. A carry forward request for £180,000 will be made at year end.
42. There are no corporate variances to report but the detail is set out in Appendix 12.

RESOURCE IMPLICATIONS

Capital/Revenue

43. The revenue implications are contained in the report. There are no capital implications.

Property/Other

44. None.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

45. Financial reporting is consistent with the Chief Financial Officer's duty to ensure good financial administration within the Council.

Other Legal Implications:

46. None.

POLICY FRAMEWORK IMPLICATIONS

47. None.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

Appendices

1.	General Fund Summary
2.	Adult Services Portfolio
3.	Children's Services Portfolio
4.	Communities Portfolio
5.	Environment & Transport Portfolio
6.	Housing & Leisure Services Portfolio
7.	Leader's Portfolio
8.	Resources Portfolio
9.	Implementation of Savings Proposals
10.	Financial Health Indicators
11.	Quarterly Treasury Management Report
12.	Housing Revenue Account

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

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

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

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	General Fund Revenue Budget Report 2012/13 to 2014/15 (Approved by Council on 15 February 2012)	
2.	General Fund Revenue Budget Report 2013/14 to 2015/16 (Approved by Council on 13 February 2013)	

Agenda Item 8

GENERAL FUND 2012/13 - OVERALL SUMMARY Appendix 1

December 2012

	Working Budget	Forecast Outturn	Forecast Variance
	£000's	£000's	£000's
Portfolios (Net Controllable Spend)			
Adult Services	67,523	68,276	(754)
Children's Services	36,788	41,220	(4,432)
Communities	5,538	5,290	248
Environment & Transport	22,198	22,246	(48)
Housing & Leisure Services	13,156	13,656	(500)
Leader's Portfolio	4,274	3,940	334
Resources	43,829	42,238	1,590
Baseline for Portfolios	193,304	196,866	(3,562)
Net Draw From Risk Fund	2,825	0	2,825
Sub-total (Net Controllable Spend) for Portfolios	196,129	196,866	(737)
Non-Controllable Portfolio Costs	23,434	23,434	0
Portfolio Total	219,563	220,300	(737)
Approved Carry Forwards	0	308	(308)
Levies & Contributions			
Southern Seas Fisheries Levy	46	31	15
Flood Defence Levy	43	42	1
Coroners Service	560	575	(15)
	649	649	0
Capital Asset Management			
Capital Financing Charges	14,265	12,265	2,000
Capital Asset Management Account	(25,565)	(25,565)	0
	(11,301)	(13,301)	2,000
Other Expenditure & Income			
Direct Revenue Financing of Capital	313	313	0
Net Housing Benefit Payments	(882)	(882)	0
Non-Specific Govt. Grants	(120,941)	(121,291)	350
Contribution to Pay Reserve	127	127	0
Collection Fund Surplus	(373)	(373)	0
Council Tax Freeze Grant	(2,071)	(2,071)	0
Open Space and HRA	436	436	0
Risk Fund	1,086	536	550
Contingencies	344	344	0
Surplus/Deficit on Trading Areas	(168)	(168)	0
	(122,129)	(123,029)	900
NET GF SPENDING	86,783	84,927	1,855
(Draw from) / Addition to Balances:			
To fund the Capital Programme	(313)	(313)	0
Draw from Balances (General)	(2,782)	(927)	1,855
Draw from Strategic Reserve (Pensions & Redundancies)	(482)	(482)	0
	(3,577)	(1,722)	1,855
COUNCIL TAX REQUIREMENT	83,206	83,206	0

ADULT SERVICES PORTFOLIO**KEY ISSUES – MONTH 9**

The Portfolio is currently forecast to over spend by **£53,700** at year-end, which represents a percentage over spend against budget of **0.1%**. This forecast is constructed from the bottom up through discussions with individual budget holders and is then adjusted to take into account the wider Portfolio view and corporate items as shown below:

	£000's	%
Baseline Portfolio Forecast	753.7 A	1.1
Risk Fund Items	700.0 F	
Portfolio Forecast	53.7 A	0.1
Potential Carry Forward Requests	0.0	

The **CORPORATE** issues for the Portfolio are:

AS 1 – Adult Disability Care Services (forecast favourable variance £168,800)

There is a projected over spend of **£748,300** on Nursing and **£225,500** on Direct Payments, offset by **£500,000** of secured Health funding for care packages that support people to stay a home and **£700,000** of savings from the moratorium on non essential spend across the Portfolio.

Forecast Range not applicable.

There is a forecast over spend on Nursing of **£748,300** which is predominantly due to an increase in numbers of clients and changes to existing packages but also reflects the difficulties being experienced in procuring services at a price historically charged to meet these client needs. In addition this reflects the increased activity noted at outturn 2011/12. This increase can be supported by evidence of a rise in the number of referrals to the Hospital Discharge Team (an increase of 22.8 % in 2011/12 compared to 2010/11). The forecast reflects that specific budgeted income of **£80,000** will not be achieved due to the contract having ended. In addition the forecast reflects that the maximum reimbursement achievable from a nursing block contract is **£67,000** less than previously anticipated.

Direct Payments are forecast to over spend by **£225,500** which is predominantly due an increase in the number of clients receiving a direct payment and in relation to clients who were previously funded as continuing health care clients.

Health funding received in 2012/13 of **£500,000**, has been used to fund the increase in demand on care packages required to support people staying at home which has reduced the headline overspend position for this service activity correspondingly.

In addition, a full review of all expenditure budgets across the Adult Services Portfolio has been carried out in line with the moratorium on non-essential spend. The resultant £700,000 reduction in the Portfolio forecast is being reported within Adult Disability Care Services to offset the over spend in this area. The following table demonstrates the effect of these forecast changes on the equivalent number of units:

	Net Budget £000's	Unit Prices	Budgeted Units	Forecast £000's	Forecast Units	Difference (Units)	Variance to Budget £000's
Day Care	86.6	£58.43	1,482	56.5	967	(515)	(30.1)
Direct Payments	2,538.3	£11.39	222,853	2,763.8	242,651	19,798	225.5
Domiciliary	4,958.5	£13.69	362,199	5,035.7	367,838	5,639	77.2
Nursing	2,341.2	£66.12	35,408	3,089.5	46,726	11,317	748.3
Residential	4,632.5	£50.13	92,410	4,642.8	92,615	205	10.3
Health Monies	N/A	N/A	N/A	(500.0)	N/A	N/A	(500.0)
Moratorium	N/A	N/A	N/A	(700.0)	N/A	N/A	(700.0)
Total	14,557.1			14,388.3			(168.8)

AS 2 – Learning Disability (forecast adverse variance £1,392,200)

There has been an increase in new clients/changes in client costs.

Forecast Range £1.6M adverse to £1.4M adverse.

A budget pressure arising from the impact of an aging population and new transitional clients was identified as part of setting the 2012/13 budgets. A sum of £700,000 was allowed for within the Risk Fund to meet this pressure which can now be evidenced by an increase in residential activity of £934,300 and an increase in the forecast spend for Supported Living clients of £435,300. It has been assumed that there will be a draw on the Risk Fund for the full £700,000.

It should be noted that this position previously assumed that an additional local savings target of £538,000 would be fully achieved. To date £421,000 has been achieved. The residual £117,000 will not be achieved in 2012/13 and the forecast has been updated to reflect this.

The OTHER KEY issues for the Portfolio are:

AS 3 – Provider Services City Care (forecast favourable variance £271,400)

There are staff savings within City Care First Support (£414,700) offset by additional costs within the internal units (£143,300).

Forecast Range £270,000 favourable to £300,000 favourable.

Some staff resources within the City Care First Support Team (CCFS) are currently providing support to the Care Closer to Home project. The forecast has been amended to reflect the anticipated reduced cost to CCFS.

This is offset by a forecast overspend of £143,300 predominantly on homes staffing arising from higher expected levels of agency usage.

Summary of Risk Fund Items

Service Activity	£000's
Learning Disability	700.0
Risk Fund Items	700.0

CHILDREN'S SERVICES PORTFOLIO**KEY ISSUES – MONTH 9**

The Portfolio is currently forecast to over spend by **£3,222,200** at year-end, which represents a percentage over spend against budget of **8.8%**. This forecast is constructed from the bottom up through discussions with individual budget holders and is then adjusted to take into account the wider Portfolio view and corporate items as shown below:

	£000's	%
Baseline Portfolio Forecast	4,432.2 A	12.1
Risk Fund Items	1,210.0 F	
Portfolio Forecast	3,222.2 A	8.8
Potential Carry Forward Requests	0.0	

The **CORPORATE** issues for the Portfolio are:

CS 1 – Commissioning, Education and Inclusion (forecast favourable variance £435,000)

Moratorium on all non essential spend to offset over spends in the portfolio

Forecast Range £400,000 favourable to £500,000 favourable.

A full review of all expenditure budgets within the Commissioning, Education and Inclusion Division has been carried out with forecasts being adjusted in line with the moratorium on non-essential expenditure this has highlighted changes in the following areas:

- Commissioning, Performance and Contracts (£56,800 favourable) – There have been general savings on contracts of £141,000 and additional income of £90,000 for teenage pregnancy and the schools Data Team which have been offset by an overspend on two year old childcare provision of £210,000, accounted for in the Risk Fund.
- Operations and Services – Transport (£92,900 adverse) – There has been an increased cost to pupil transport as a result of the relocation of the Pupil Referral Unit; a shortage of primary school places in some areas and an increase of young people post 16 qualifying for transport support. All expenditure is in line with the existing policy. A review has been instigated to bring budget back in line for 2013/14.
- Operations and Services (£236,300 favourable) – An under spend is forecast as a result of the equivalent of 10 FTE posts being held vacant within Business Support.
- Workforce Development (£212,700 favourable) – In line with the savings proposals for 2013/14 the council has reduced the level of financial investment into Early Years Practitioner qualification, based on reducing demand. In addition a reduction

in general workforce development has been secured through integrating all workforce development activity into one place.

However, this has been partly offset by £210,000 for the provision of additional two year old Nursery places for which a draw on the Risk Fund is being requested

CS 2 – Tier 4 Safeguarding Specialist Services (forecast adverse variance £2,772,500)

The number of children currently in care is 1% of the city's child population. This budget funds the cost of children that have to be taken into care. The number of children in care has increased by 82, (23.9%) over the budgeted position, and by 58, (15.8%) over the position accounted for within the Risk Fund.

Forecast Range £3M adverse to £2M adverse

The increasing number of children having to be taken into care has led to a forecast over spend on fostering placements of £1,758,900, and on residential placements of £694,600. In addition there are other various over spends, such as special guardianship allowances and care leavers and unaccompanied asylum seekers, totalling £319,000. The Director has initiated a Member / Officer review of all placements and the costs for children entering the care system to ensure that they remain appropriate. This review group has also been tasked with ensuring that permanency arrangements are appropriate for children, and that they are not remaining in care longer than is necessary.

The over spend on fostering of £1,758,900 includes a forecast over spend of £1,235,900 on Independent Fostering Agency (IFA) placements, (50 budgeted versus 80 actual), £249,300 on placements with local authority foster carers, (270 budget versus 318 actual), and £115,000 on supportive lodgings placements (9 budget versus 14 actual).

There is also an over spend of £150,700 on special guardianship allowances (26 budgeted versus 59 actual). The increasing numbers of lower cost special guardianship allowances has resulted from the conversion of higher cost foster care. This results in a corresponding cost saving of between £3,000 and £13,000 per placement per annum. Despite this action, the overall number of children requiring a foster placement has continued to rise.

A draw of £1M has been made from the Risk Fund reducing the over spend on Tier 4 Safeguarding Specialist Services to £1,772,500.

The table outlines the changes in activity levels for 2012/13:

Service	Daily Rate Range	Client Numbers				
		Budget	Budget Plus Risk Fund Provision	November 2012	December 2012	Latest Forecast
Fostering up to 18	£20 - £95	270	280	317	318	319
IFA Placements	£96 - £212	50	60	83	80	84*
Supported Placements or Rent	£16 - £43	9	9	15	14	14
Residential - Our House		5	5	2	2	1
Residential - Independent Sector	£100 - £570	8	12	10	10	10*
Civil Secure Accommodation	£717 - £806	1	1	1	1	1*
Sub-total: Children in Care		343	367	428	425	429
Over 18's	£18 - £78	14	14	15	15	14
Adoption Allowances	£1 - £32	95	95	92	91	92
Special Guardianship Allowances	£4 - £44	26	26	49	59	59
Residence Order Allowances	£6 - £16	18	18	18	18	18
Total		496	520	602	608	612

* These numbers are based on the anticipated position at the end of March 2013

CS 3 – Safeguarding Management and Legal Services (forecast adverse variance £263,700)

Additional legal costs (£415,400 directly attributable to the increasing number of children in care).

Forecast Range £500,000 adverse to £250,000 adverse

This adverse variance is due to unavoidable SCC and external legal costs associated with children having to be taken into care. The costs relate to court fees, legal expenses and external counsel.

CS 4 – Child Protection Tier 3 Social Work Teams (forecast adverse variance £1,907,400)

The adverse variance reflects the additional child protection agency social work staff above establishment and the additional cost of agency social work staff in respect of vacancy and absence cover. It also incorporates a forecast over spend arising from the additional costs of court ordered supervised parental contact with their children who have been taken into care.

Forecast Range £2.2M adverse to £1.5M adverse

There is a forecast over spend of £1,679,400 on child protection 'Tier 3' social work teams. Current market conditions, combined with changes to terms and conditions have meant that the supply of social workers remains insufficient and inexperienced to meet rising demand. This means a continuing need for temporary staff, acquired from independent agencies at, on average, twice the cost of a permanently employed member of staff. A recruitment and retention strategy was agreed in December 2012 and is currently being implemented. This provides a retention bonus for experienced social workers and remuneration incentives for newly qualified workers. The introduction of this strategy is likely to impact on agency social work numbers from 2013/14.

The forecast over spend on the Contact Scheme of £306,600 is a direct consequence of younger children having to be taken into care earlier, leading to an increase in court-ordered supervised parental contact.

The over spend on staffing is being offset by an under spend of £78,600 on expenditure incurred to prevent children entering care including specialist childminding placements.

There are no OTHER KEY issues for the Portfolio at this stage:

Summary of Risk Fund Items

Service Activity	£000's
Tier 4 Services	1,000.0
2 Year Old Funding	210.0
Risk Fund Items	1,210.0

COMMUNITIES PORTFOLIO**KEY ISSUES – MONTH 9**

The Portfolio is currently forecast to under spend by **£247,700** at year-end, which represents a percentage under spend against budget of **4.5%**. This forecast is constructed from the bottom up through discussions with individual budget holders and is then adjusted to take into account the wider Portfolio view and corporate items as shown below:

	£000's	%
Baseline Portfolio Forecast	247.7F	4.5
Remedial Portfolio Action	0.0	
Risk Fund Items	0.0	
Portfolio Forecast	247.7F	4.5
Potential Carry Forward Requests	35.0	

There are no CORPORATE issues for the Portfolio at this stage.

The OTHER KEY issues for the Portfolio are:

COMM 1 – Portfolio General (forecast favourable variance £206,300)

Under spends on salaries and general supplies & services budgets

Forecast Range not applicable

A detailed review of all budgets has been undertaken across the Portfolio resulting in the identification of salary under spends from vacant posts together with general under spends on supplies and services. The favourable forecast under spend also reflects the recent moratorium on spend for the remainder of the year across these budgets.

The under spend within Customer and Business Improvement (£237,600 favourable) has been partly offset by vacancy management targets not being met within Emergency Planning and Safer Communities (£31,300 adverse).

COMM 2 – Skills, Economy and Housing Renewal (forecast favourable variance £41,400)

Under spend on 16-19 Student Bus Ticket Scheme

Forecast Range not applicable

There is currently a favourable forecast variance of £41,400 within the Division which relates primarily to the 16-19 Student Bus Ticket Scheme which was launched in September 2012 to subsidise termly tickets for two academic years. A request will therefore be submitted to carry forward £35,000 so that funds are available for the scheme for the 2013/14 academic year.

ENVIRONMENT & TRANSPORT PORTFOLIO

KEY ISSUES – MONTH 9

The Portfolio is currently forecast to under spend by **£607,100** at year-end, which represents a percentage under spend against budget of **2.7%**. The forecast is constructed from the bottom up through discussions with individual budget holders and is then adjusted to take into account the wider Portfolio view and corporate items as shown below:

	£000's	%
Baseline Portfolio Forecast	47.9 A	0.2
Remedial Portfolio Action	0.0	
Risk Fund Items	655.0 F	
Portfolio Forecast	607.1 F	2.7
Potential Carry Forward Requests	0.0	

The CORPORATE issues for the Portfolio are:

E&T 1 – Off Street Car Parking (forecast adverse variance £391,400)

Parking pressures have been identified relating to reduced income of £320,000 and increased rates costs of £71,400.

Forecast Range £450,000 adverse to £350,000 adverse

There is an adverse forecast variance for off street car parking, due to a number of factors. The most significant factor being that income is forecast to fall short of the level anticipated during the budget setting process by £265,000. This variance, which may be attributed to the continuing economic downturn and the impact on commuters of a rise in fuel prices, is a forecast draw on the Risk Fund. A savings proposal for enhanced income of £70,000 for the use of West Park car park was delayed due to extended consultation. It is now anticipated that a saving of £15,000 will be made this financial year (£55,000 adverse). However, there is a further variation due to the rates demands for off street car parks having increased significantly and being £71,400 adverse compared to the estimate.

E&T 2 – Itchen Bridge (forecast adverse variance £190,800)

There is a forecast lower level of income from tolls, mainly due to a decrease in traffic flows as a consequence of the downturn in the economy.

Forecast Range £250,000 adverse to £150,000 adverse

The downturn in the economy has led to a decrease in traffic flows in the City and a forecast decrease in toll income of around £100,000 and this will result in an anticipated draw on the Risk Fund. Proposals to save £95,000 from the automation of toll collection arrangements will not be met in this financial year due to implementation delays and a period of dual running of toll payment methods.

E&T 3 – Waste Collection (forecast adverse variance £317,300)

There are forecast additional operational refuse collection costs.

Forecast Range £350,000 adverse to £250,000 adverse

There are forecast additional costs for sickness cover for frontline staff of £269,000. A new taskforce team to tackle poor attendance issues has been established and will be effective from the 2 January 2013. In addition, there are forecast additional costs on fuel for vehicles of £87,000, which will be met through a draw on the Risk Fund. There is forecast additional recycling income of £100,000 and current year savings of £44,000 on the Project Integra budget.

The Service was due to have 18 refuse freighters replaced this year, but this has been delayed and the budgeted cost of approximately £203,000 is now forecast not to be incurred by Fleet Transport resulting in a forecast saving for the Waste Collection service. However, there are unbudgeted vehicle damage and repairs costs of £71,000 and the Commercial Waste Service is forecast to be £267,000 adverse, due to adverse trading conditions.

E&T 4 – Highways Contract Management (forecast favourable variance £301,200)

There are forecast savings on the street lighting PFI contract and there is a large receipt in respect of third party income from the highways partnership.

Forecast Range £250,000 favourable to £350,000 favourable

A level of savings on the PFI Street Lighting contract sum was planned and factored in corporately. There are forecast to be significant savings over and above the originally planned profile and whilst these are not certain at present they are forecast to be £211,000.

The final position on the highways partnership third party income in respect of the period October 2010 to March 2012 (i.e. the first 18 months of the contract) is now settled. The settlement is a receipt to the Council of £154,400, which will be treated as revenue income for the Portfolio in 2012/13.

There is a £16,600 adverse variance on the contract sum with the highways partner, as the appropriate index for amending the sum was slightly higher than originally estimated. In addition, there are some unbudgeted non-PFI street lighting costs totalling £60,000.

The OTHER KEY issues for the Portfolio are:

E&T 5 - Bereavement Services (forecast adverse variance £93,600)

There is a potential income shortfall on adult and non adult cremation fees of £39,000 and other adverse variances.

Forecast Range £150,000 adverse to £50,000 adverse

The 2012/13 cremations income estimate is based on achieving a total of 2,465 cremations, including discounted adult cremations, by the end of the year. However, a reduction in numbers is reported by all neighbouring crematorium facilities and is part of a national downturn in the death rate. The current year forecast is to achieve 2,392 adult cremations in total, a forecast adverse variance of £25,000 based on the proportions of full price and reduced price cremations. Also, the fees from non-adult cremations are forecast to be £25,000 adverse compared to the original estimate. There is, therefore, a forecast draw of £50,000 on the Risk Fund.

Employee costs are forecast to be £28,000 favourable, building works are £11,000 favourable and the Cemeteries' burial fees and other income is £30,000 favourable.

The unit price for the high pressure gas supplied to the crematorium by British Gas has increased by over 50% and there is a forecast adverse variance of £36,000, which is a forecast draw on the Risk Fund.

The service development to raise additional income from increasing the sale of memorials is slow and it is expected that the saving will only be partially achieved by the year end and there is a forecast adverse variance of £51,000. In addition, there has been an increase in the business rates payable of £24,000 over and above the amount budgeted for.

E&T 6 – Travel & Transport (forecast adverse variance £135,000)

Forecast Range £150,000 adverse to £100,000 adverse

There is a shortfall in income on the new bus shelter advertisement contract and an adverse forecast for previous year concessionary bus fare marginal capacity cost claims.

A concessionary bus fare marginal capacity cost claim from 2011/12 is being forecast to cost £139,100, resulting in an overall adverse forecast position of £80,000 for Concessionary Fares. This is partially offset by savings from vacant School Crossing Patrol posts and from the Safer Road Partnership.

Advertising on the City's bus shelters generates an annual income to the Council, which this year is forecast to be £283,000. This is £69,000 less than budgeted but is provided for in the Risk Fund.

E&T 7 – Planning & Sustainability (forecast favourable variance £69,100)

Forecast Range £50,000 favourable to £100,000 favourable

There are higher than expected planning application fees

Development Control is forecast to over achieve by £100,000 on planning application income partially offset by shortfalls in Community Infrastructure Levy fees and pre-application income. In addition, it is estimated that the cost of purchasing Carbon Reduction Certificates (CRC) for 2012/13 is £102,500, which has been partially offset by an under spend from last year worth £55,000. The net position of £47,500 is covered by provision in the Risk Fund in 2012/13.

E&T 8 – Other Variances (forecast favourable variance £709,900)

There are a number of forecast favourable variances, which improve the baseline portfolio forecast.

- Directorate & Portfolio Management – There are forecast savings in the cost of senior management of around £121,000 and further savings on directorate business support expenditure of £61,000.
- Highways Management – There are forecast savings of £89,000 in the cost of employees due to staff turnover, and further savings of £100,000 in the cost of revenue funded highways works.
- ROMANSE – There are forecast savings of £79,000 in relation to the set-up and transfer costs associated with the commencement of the new contracted out service.
- Regulatory Services (Commercial) – Forecast additional income and reduced costs, totalling £130,000.
- Waste Disposal – There is a likelihood that two years of incinerator profit share will be accounted for in the current financial year. This may generate a favourable variance of around £150,000, which has been included in the forecast.

Summary of Risk Fund Items

Service Activity	£000's
Crematorium Fee Income	50.0
Waste Collection Fuel Inflation	87.0
Crematorium Fuel Inflation	36.0
Car Parking Income	265.0
Itchen Bridge Toll Income	100.0
Carbon Reduction Certificates (CRC)	48.0
Bus Shelter Contract	69.0
Risk Fund Items	655.0

HOUSING & LEISURE SERVICES PORTFOLIO**KEY ISSUES – MONTH 9**

The Portfolio is currently forecast to over spend by **£240,300** at year end, which represents a percentage over spend against budget of **1.8%**. This forecast is constructed from the bottom up through discussions with individual budget holders and is then adjusted to take into account the wider Portfolio view and corporate items as shown below:

	£000's	%
Baseline Portfolio Forecast	500.3 A	3.8
Remedial Portfolio Action	0.0	
Risk Fund Items	260.0 F	
Portfolio Forecast	240.3 A	1.8
Potential Carry Forward Requests	0.0	

The **CORPORATE** issues for the Portfolio are:

HLS 1 – Arts & Heritage (forecast adverse variance £398,000)

There is an over spend on Geothermal Heating in SeaCity Museum plus shortfalls in income in Tudor House Museum, the Art Gallery and Visitor Information Centre.

Forecast Range £500,000 adverse to £350,000 adverse

There are a number of forecast over spends relating to the Museum Service including:

- **Energy** – Geothermal Heating is forecast to over spend by £97,100, in addition to £76,100 on electricity and £10,000 on rates in SeaCity Museum. The energy usage is being examined to determine underlying causes of these significant variances.
- **Income Shortfall** – There has been a significant reduction in visitor numbers at Tudor House resulting in a shortfall of entry income of £84,000, hire income of £11,000, shop profit of £22,600 and cafe profit of £38,100.

This is offset by a forecast under spend of £106,600 on the museums repairs and maintenance fund and payments for monuments repairs.

There are shortfalls in profits in the Art Gallery shop of £89,100 and the Archaeology Unit of £125,900, partially offset by forecast under spends on rent being paid for the collections storage unit at City Industrial Park and a rates rebate for both of the closed venues; Maritime Museum and Gods House Tower. Provision for the shortfalls in income in the Art Gallery has been made in the Risk Fund.

The OTHER KEY issues for the Portfolio are:

HLS 2 – Libraries (forecast adverse variance £56,100)

Shortfalls in income in the Library Service offset by a reduction in the purchase of new books.

Forecast Range not applicable

The Library Service is forecast to have an income shortfall of £93,700 from DVD and CD hire due to reduced use of these services which has also resulted in additional shortfalls of £36,400 in fines income. This has been partially offset by a reduction of £56,400 in the fund for purchasing new books, staff savings due to vacant posts being held and other savings against supplies & services budgets.

Provision for the shortfalls in income in the Libraries has been made in the Risk Fund.

Summary of Risk Fund Items

Service Activity	£000's
Leisure & Culture	260.0
Risk Fund Items	260.0

LEADER'S PORTFOLIO**KEY ISSUES – MONTH 9**

The Portfolio is currently forecast to under spend by **£334,400** at year-end, which represents a percentage under spend against budget of **7.7%**. This forecast is constructed from the bottom up through discussions with individual budget holders and is then adjusted to take into account the wider Portfolio view and corporate items as shown below:

	£000's	%
Baseline Portfolio Forecast	334.4 F	7.7
Remedial Portfolio Action	0.0	
Risk Fund Items	0.0	
Portfolio Forecast	334.4 F	7.7
Potential Carry Forward Requests	0.0	

There are no CORPORATE issues for the Portfolio at this stage.

The OTHER KEY issues for the Portfolio at this stage are:

LEAD 1 – Customer and Business Improvement (forecast favourable variance £57,800)

Under spends on salaries and general supplies & services budgets in the Communications team

Forecast Range not applicable

A detailed review of all budgets has been undertaken within the Communications Division resulting in the identification of salary under spends from vacant posts.

LEAD 2 – Skills, Economy & Housing Renewal (forecast favourable variance £103,000)

Under spend on salaries in the Economic Development team and additional income from Markets.

Forecast Range £60,000 favourable to £85,000 favourable

Four posts are currently vacant in the Economic Development team resulting in a forecast saving of £56,700. In addition market income is exceeding targets by £44,700.

LEAD 3 – Legal & Democratic (forecast favourable variance £158,300)

General under spends

Forecast Range not applicable

The favourable forecast variance is due to a combination of factors including under spends from vacant posts, general under spends on supplies and services, an anticipated increase in Land Charges income and reduced spend on Elections. This favourable position has been partly offset by reduced income / increased costs within Licensing which are subject to further review.

RESOURCES PORTFOLIO**KEY ISSUES – MONTH 9**

The Portfolio is currently forecast to under spend by **£1,590,100** at year-end, which represents a percentage under spend against budget of **3.6%**. This forecast is constructed from the bottom up through discussions with individual budget holders and is then adjusted to take into account the wider Portfolio view and corporate items as shown below:

	£000's	%
Baseline Portfolio Forecast	1,590.1F	3.6
Remedial Portfolio Action	0.0	
Risk Fund Items	0.0	
Portfolio Forecast	1,590.1F	3.6
Potential Carry Forward Requests	308.0	

The CORPORATE issues for the Portfolio are:

RES 1 – Central Repairs & Maintenance (forecast favourable variance £800,000)**Forecast Range not applicable**

A detailed review of the current planned repair and maintenance programme has recently been undertaken in the light of the recent financial controls introduced with immediate effect; including a moratorium on non essential spend. As a result it has been agreed that a number of schemes within the programme will no longer be undertaken during the current financial year. This list takes into account the potential risks and future impact associated with the deferral of these works and will be kept under close review for the remainder of this financial year. The estimated value of these schemes total £492,000

In addition a small number of planned schemes to the value of £308,000 will need to be deferred to the next financial year due to the seasonal nature of the works. These will form part of a carry forward request at year-end to enable the works to be carried out during the summer months.

There is the potential for a further under spend of £100,000 but this is subject to spend on reactive works during the winter months and has not been included in the forecast at this stage.

The OTHER KEY issues for the Portfolio are:

RES 2 – Portfolio General (forecast favourable variance £463,100)

Under spends on salaries and general supplies & services budgets

Forecast Range not applicable

A detailed review of all budgets has been undertaken across the Portfolio resulting in the identification of salary under spends from vacant posts together with general under spends on supplies and services. The favourable forecast under spend also reflects the recent moratorium on spend for the remainder of the year across these budgets.

RES 3 – IT Services (forecast favourable variance £100,000)

Saving from rationalisation of IT equipment

Forecast Range not applicable

The favourable forecast variance has arisen from the managed rationalisation of Desktop PC's across the authority.

RES 4 – Property Services (forecast favourable variance £227,000)

Rate and Utilities Under spends within Civic Buildings

Forecast Range not applicable

The Admin Buildings account is showing a favourable forecast variance due to the receipt of one-off rate refunds during the current financial year, together with an anticipated under spends on utilities costs. These have arisen as a result of the planned vacation of the Civic Centre to enable essential building works to be undertaken as part of the Accommodation Strategy.

SUMMARY OF EFFICIENCIES, ADDITIONAL INCOME AND SERVICE REDUCTIONS

Portfolio	Efficiencies	2012/13			RISK TO DELIVERY		
		Income	Service Reductions	Total	Implemented and Saving Achieved	Not Yet Fully Implemented and Achieved But Broadly on Track	Saving Not on Track to be Achieved
		£000's	£000's	£000's	£000's	%	%
Adult Services	(2,030)	(200)	(920)	(3,150)	100.0%	0.0%	0.0%
Childrens Services	(3,115)	0	0	(3,115)	100.0%	0.0%	0.0%
Communities	(305)	(25)	(352)	(682)	96.3%	3.7%	0.0%
Environment & Transport	(1,594)	(295)	(95)	(1,984)	70.3%	23.4%	6.3%
Housing & Leisure Services	(645)	(110)	(652)	(1,407)	100.0%	0.0%	0.0%
Leader's Portfolio	(553)	(30)	(266)	(849)	100.0%	0.0%	0.0%
Resources	(978)	0	(577)	(1,555)	100.0%	0.0%	0.0%
Total	(9,220)	(660)	(2,862)	(12,742)	95.2%	3.8%	1.0%

Portfolio	Efficiencies	2012/13			FINANCIAL ACHIEVEMENT			Total
		Income	Service Reductions	Total	Implemented and Saving Achieved	Not Yet Fully Implemented and Achieved But Broadly on Track	Saving Not on Track to be Achieved	
		£000's	£000's	£000's	£000's	£	£	
Adult Services	(2,030)	(200)	(920)	(3,150)	(3,150)	0	0	(3,150)
Childrens Services	(3,115)	0	0	(3,115)	(3,115)	0	0	(3,115)
Communities	(305)	(25)	(352)	(682)	(657)	(25)	0	(682)
Environment & Transport	(1,594)	(295)	(95)	(1,984)	(1,374)	(280)	0	(1,654)
Housing & Leisure Services	(645)	(110)	(652)	(1,407)	(1,407)	0	0	(1,407)
Leader's Portfolio	(553)	(30)	(266)	(849)	(849)	0	0	(849)
Resources	(978)	0	(577)	(1,555)	(1,555)	0	0	(1,555)
Total	(9,220)	(660)	(2,862)	(12,742)	(12,107)	(305)	0	(12,412)

Shortfall

330

3%

FINANCIAL HEALTH INDICATORS – MONTH 9

Prudential Indicators Relating to Borrowing

	<u>Maximum</u>	<u>Forecast</u>	<u>Status</u>
Maximum Level of External Debt £M	£911M	£410M	Green
As % of Authorised Limit	100%	45.5%	Green
	<u>Target</u>	<u>Actual YTD</u>	<u>Status</u>
Average % Rate New Borrowing	5.00%	0.32%	Green
Average % Rate Existing Long Term Borrowing	5.00%	3.34%	Green
Average Short Term Investment Rate	0.41%	0.88%	Green

Minimum Level of General Fund Balances

		<u>Status</u>
Minimum General Fund Balance	£5.5M	
Forecast Year End General Fund balance	£9.2M	Green

Income Collection

	<u>2011/12</u>	<u>Actual YTD</u>	<u>Status</u>
Outstanding Debt:			
More Than 12 Months Old	31%	32%	Amber
Less Than 12 Months But More Than 6 Months Old	8%	10%	Amber
Less Than 6 Months But More Than 60 Days Old	9%	12%	Amber
Less Than 60 Days Old	52%	46%	Amber

Creditor Payments

		<u>Status</u>
Target Payment Days	30	
Actual Current Average Payment Days	25	Green
Target % of undisputed invoices paid within 30 days	95.0%	
Actual % of undisputed invoices paid within 30 days	81.22%	Amber

Tax Collection rate

	<u>Target Collection Rate</u>	<u>Month 9 Collection Rate</u>		<u>Status</u>
		<u>Last Year</u>	<u>This Year</u>	
Council Tax	96.20%	82.70%	82.91%	Green
National Non Domestic Rates	98.70%	89.16%	88.62%	Amber

QUARTERLY TREASURY MANAGEMENT REPORT – MONTH 9

1. Background

Treasury Management (TM) is a complex subject but in summary the core elements of the strategy for 2012/13 are:

- To make use of short term variable rate debt to take advantage of the continuing current market conditions of low interest rates.
- To constantly review longer term forecasts and to lock in to longer term rates through a variety of instruments as appropriate during the year, in order to provide a balanced portfolio against interest rate risk.
- To secure the best short term rates for borrowing and investments consistent with maintaining flexibility and liquidity within the portfolio.
- To invest surplus funds prudently, the Council's priorities being:
 - Security of invested capital
 - Liquidity of invested capital
 - An optimum yield which is commensurate with security and liquidity.
- To approve borrowing limits that provide for debt restructuring opportunities and to pursue debt restructuring where appropriate and within the Council's risk boundaries.

In essence TM can always be seen in the context of the classic 'risk and reward' scenario and following this strategy will contribute to the Council's wider TM objective which is to minimise net borrowing cost short term without exposing the Council to undue risk either now or in the longer in the term.

The main activities undertaken during 2012/13 to date are summarised below:

- Investment returns during 2012/13 will continue to remain low as a result of low interest rates, with interest received estimated to be £0.8M. However, the average rate achieved to date for fixed term deals (0.88%) exceeds the performance indicator of the average 7 day LIBID rate (0.41%) mainly due to the rolling programme of yearly investments.
- In order to continue to balance the impact of ongoing lower interest rates on investment income we have continued to use short term debt which is currently available at lower rates than long term debt due to the depressed market. As a result the average rate for repayment of debt, (the Consolidated Loans & Investment Account Rate – CLIA), at 3.33% is lower than that budgeted for but slightly higher than last year which is in line with reported strategy. The predictions based on all of the economic data are that this will continue for an extended period. However, it should be noted that the forecast for longer term debt is a steady increase in the longer term and so new long term borrowing is likely to be taken out above this rate, leading to an anticipated increase in the CLIA. A PWLB 25 year fixed rate is currently around 4%).

2. Economic Background

- **Growth:** The UK economy showed resilience in the third calendar quarter of 2012 with Gross Domestic Product (GDP) at 1%, but this primarily reflected temporary factors such as the boost from the Olympics and an unwinding of the extra bank holiday in June for the Queen's Jubilee. However, surveys seemed to indicate that economic activity in Quarter 3 was more subdued.
- **Inflation:** Annual CPI fell to 2.2% in September before ticking back up again to 2.7% by calendar year end (the last reading was for November 2012) due in large part to a bigger-than-expected contribution from university tuition fees. Inflation is expected to remain above the Monetary Policy Committee's (MPC) 2% target for the next year or so, as the planned utility price hikes take effect and as the rise in global food prices earlier this year feed through supermarkets and shops.
- The latest market statistics released by the Office for National Statistics show the UK labour market continuing to grow but the pace of expansion slowing, suggesting recent resilience may be starting to fade. Wage growth remains weak, rising at an annual rate of 1.8%. With inflation still running at 2.7%, real wage growth remains negative.
- **Monetary Policy:** The Bank of England held the Bank Rate at 0.5% and paused the asset purchase programme (Quantitative Easing - QE) at £375 billion. However, monetary conditions were still being loosened via the transfer of the £35 billion cash from the QE fund to the Treasury, with the MPC treating the transfer as equivalent to more QE of the same amount.
- **Fiscal Outlook:** In the Autumn Statement the Chancellor stuck to his fiscal plans with the austerity drive now extending into 2018. The Office for Budget Responsibility (OBR) revised its March macroeconomic and growth forecasts. Growth was revised from +0.8% to -0.1% in 2012. Growth in subsequent years was also trimmed with the trend level of UK growth of 2.7% only being achieved by 2016. The OBR views the government to be "on course" (i.e. a greater than 50% chance) to meet its fiscal mandate of balancing the budget over a five year period. The target to have debt falling as a share of GDP has been pushed back one year to 2016/17.
- In Europe, Greece has managed to obtain some respite from its lenders as European Finance Ministers eased the terms on its emergency aid financing. Yields on Spanish, Italian and even Portuguese government debt eased despite the Eurozone sliding back into economic recession.
- In the US, the Federal Reserve opted to increase Quantitative Easing (QE) by purchasing \$85 billion (£53 billion) per month of government bonds and mortgage backed securities when its current Operation Twist concludes at the end of this year. (Twist involves the sale of short-dated government debt to fund the purchase of long dated paper thus suppressing yields and encouraging investment and growth). Of greater interest was the decision to signal that US official interest rates would remain low until the unemployment rate fell below 6.5%. Nevertheless, markets remained cautious as the resolution of the 'Fiscal Cliff' remained extremely fluid; it was vital that this was concluded by the end of the year to avoid automatic tax rises and spending cuts likely to send the US economy into recession. As expected, the resolution went down to the wire; however the White House and Senate Republicans forged an agreement solely on the issue of taxes, delaying a tougher decision on spending cuts into 2013.

3. Outlook for Quarter 4

The economic interest rate outlook provided by the Council's treasury advisor, Arlingclose Ltd, as at January 2013 is detailed below. Economic growth remains elusive with UK growth unlikely to return to above trend for the foreseeable future. Quarter 3 GDP was strong at 1% but this momentum is unlikely to be sustained in Quarter 4 or in 2013. The rebalancing from public-sector driven consumption to private sector demand and investment is yet to manifest, and there is little sign of productivity growth. An uncertain outlook for Europe and a slowdown in the global economy have exacerbated the weakness.

	Mar-13	Jun-13	Sep-13	Dec-13	Mar-14	Jun-14	Sep-14	Dec-14	Mar-15	Jun-15	Sep-15	Dec-15	Mar-16
Official Bank Rate													
Upside risk			0.25	0.25	0.25	0.25	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Central case	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Downside risk		-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25

4. Debt Management

Activity within the debt portfolio up to Quarter 3 is summarised below:

	Balance on 01/04/2012	Debt Maturing or Repaid	New Borrowing	Balance as at 31/12/2012	Increase/ (Decrease) in Borrowing for Year
	£M	£M	£M	£M	£M
Short Term Borrowing	0	0	14	14	14
Long Term Borrowing	300	(15)	0	285	(15)
Total Borrowing	300	(15)	14	299	(1)

Public Works Loan Board (PWLB) Certainty Rate and Project Rate Update: The Council successfully qualified for borrowing at the 'Certainty Rate', following the submission of the Certainty Rate form to Central Government, which included details of the capital expenditure and borrowing plans for the authority over the next three years. PWLB borrowing from 1 November 2012 will be undertaken at a 20bps reduction from the standard rate (certainty rate is approximately gilt plus 80bps). In the Autumn Statement of 5 December 2012, the anticipated 'Scrutiny Rate' for PWLB borrowing was rebadged as the 'Project Rate'. It has been set at 40bps below standard PWLB rates, and therefore 20bps below the Certainty Rate, and will be introduced in November 2013. The amount offered at this discounted rate will be capped at £1.5 billion (outside London) and is linked to single projects identified by Local Enterprise Partnerships (LEPs). At the current time, the announcement referred only to English authorities as being eligible.

PWLB Borrowing: The PWLB remained an attractive source of borrowing for the Council as it offers flexibility and control. The relatively low gilt yields during the quarter have resulted in PWLB rates remaining at low rates but there has been a slight upward movement since the last quarter. 5, 20 and 50 year PWLB standard rates rose by 22bp, 11bp and 7bp respectively. Despite rates remaining attractive, affordability and the "cost of carry" remained important influences on the Council's borrowing strategy alongside the consideration that for any borrowing undertaken ahead of need, the proceeds would have to be invested into a distressed financial market (credit risk) at rates of interest significantly lower than the cost of borrowing.

As at the 31 March 2012 the Council used £70M of internal resources in lieu of borrowing which has been the most cost effective means of funding past capital expenditure to date. This has lowered overall treasury risk by reducing both external

debt and temporary investments. However, this position will not be sustainable over the medium term and the Council will need to borrow to cover this amount as balances fall. Following the September capital update the Council is expected to borrow an additional £66M for capital purposes by 2014/15 of which £22.5M relates to new capital spend and the remainder to the refinancing of existing debt and externalising internal debt to cover the expected fall in balances and also to lock back into longer term debt prior to interest rises. However due to the continued and increased uncertainty in the markets and the expectations of interest rates staying lower for longer it may be appropriate to maintain the council use of internal resources for part or all of this amount; providing that balances can support it.

No long term borrowing has been taken to date and is none is expected to be taken until the end of the year.

The Council has £35M variable rate loans which were borrowed prior to 20 October 2010 (the date of change to the lending arrangements of the PWLB post CSR) and are maintained on their initial terms and are not subject to the additional increased margin, they are currently averaging between 0.50% and 0.60% and are helping to keep overall borrowing costs down.

Variable rate borrowing (currently around 1.26% for new borrowing using the certainty rate) is expected to remain attractive for some time with the Bank of England maintaining the base rate at historically low levels. The Council is currently expected to borrow an additional £20M at variable rates at an estimated 1.5% by the end of the year. Variable rate borrowing from the markets also remains attractive, with borrowing for up to one year available at rates close to the Bank of England Base Rate.

Whilst in the current climate of low interest rates this remains a sound strategy, at some point when the market starts to move, the Council will need to act quickly to lock into fixed long term rates which may be at similar levels to the debt it restructured. Furthermore, the volatility in the financial markets means that interest costs and investment income will continue to fluctuate for some time.

In order to mitigate these risks the Council approved the creation of an Interest Equalisation Reserve in 2009. At that point a major debt restructuring exercise was undertaken in order to take advantage of market conditions and produce net revenue savings. The Interest Equalisation Reserve was created to help to manage volatility in the future and ensure that there was minimal impact on annual budget decisions or council tax in any single year. However, it should be noted that the sum set aside in the Interest Equalisation Reserve is a one off sum of money to help manage the initial transitional period during which the Council will convert its variable rate loan portfolio to longer term fixed rate debt. The actual ongoing recurring revenue impact of switching to fixed rate long term debt will still need to be factored in to the budget forecasts for future years. Based on the current predictions of lower for longer interest rate forecasts, it is unlikely that this pressure will emerge in the short term, but it is likely to become a reality towards the back end of the Council's current medium term forecast horizon.

Debt rescheduling: The fall in PWLB repayment rates enlarged the premium / diminished the residual discounts on the premature repayment of debt, reducing the attractiveness of debt rescheduling during the quarter. No rescheduling activity was undertaken or is expected to take place during this financial year.

5. Investment Activity

The Guidance on Local Government Investments in England gives priority to security and liquidity and the Council's aim is to achieve a yield commensurate with these principles. The table below summarises activity during the year to date:

	Balance on 01/04/2012	Investments Repaid	New Investments	Balance as at 31/12/2012	Increase/ (Decrease) in Investment for Year
	£M	£M	£M	£M	£M
Short Term Investments	10	(90)	104	24	14
Money Market Funds & Call Accounts	52	(329)	317	40	(12)
EIB Bonds	6	0	0	6	0
Long Term Investments	0	0	0	0	0
Total Investments	68	(419)	421	70	2

Security of capital has remained the Council's main investment objective. This has been maintained by following the Council's counterparty policy as set out in its TM Strategy Statement for 2012/13. This has restricted new investments to the following institutions:

- Other Local Authorities;
- AAA-rated Stable Net Asset Value Money Market Funds;
- Call Accounts, Certificate of Deposits (CDs) and term deposits with UK Banks and Building Societies systemically important to the UK banking system.
- Debt Management Office.

Counterparty credit quality is assessed and monitored with reference to: Credit Ratings. The Council's minimum long-term counterparty rating is A- (or equivalent) across rating agencies Fitch, S&P and Moody's); credit default swaps; GDP of the country in which the institution operates; the country's net debt as a percentage of GDP; sovereign support mechanisms /potential support from a well-resourced parent institution; share price.

A break down of investments as at 31 December 2012 by credit rating and maturity profile can be seen in following table.

Current Rating	Initial Rating	Less than 1 Month £000's	1 - 3 Months £000's	3 - 6 Months £000's	6 - 9 Months £000's	9 - 12 Months £000's	Over 12 Months £000's	Total £000's
BBB	A+							0
A-	A-							0
A	A	15,903	5,000		3,000			23,903
A	A+	10,000						10,000
A	AA-							0
A+	A+							0
AA-	AA-	6,000			1,000			7,000
AA+	AA+							0
AAA	AAA	25,993					3,036	29,029
		57,896	5,000	0	4,000	0	3,036	69,932

Counterparty Update

It was a busy quarter, with a number of rating actions on global institutions. S&P downgraded the Kingdom of Spain and as a result, a number of Spanish banks were also downgraded, although Santander UK was not. S&P also took rating action on Dutch, French and Canadian banks during Quarter 3, and revised the outlook on a number of Swedish banks.

France's sovereign rating was also downgraded to Aa1 by Moody's, following the agency's view of the country's economic growth and fiscal outlook.

A number of supranational institutions were downgraded in the quarter, including the European Financial Stability Facility (EFSF), European Stability Mechanism (ESM) and the Council of Europe Development Bank (CEB). The outlook for the European Investment Bank (EIB) was also revised to negative. Reasons cited for these ratings actions were largely due to the downgrade of the sovereign rating of Member States (principally France) and the revision of the EU's outlook to negative in September 2012.

Moody's placed four of the Council's approved Canadian banks on review for possible downgrade, although current long-term ratings for these banks are rated either 'Aaa' or in the 'Aa' category.

S&P revised the Lloyds Banking Group outlook to negative in November, as a result of the announcement that Lloyds made a further £1 billion provision in relation to payment protection insurance, bringing the cumulative amount over the past two years to £5.3 billion. S&P also placed the UK on negative outlook in December, reflecting the one-in-three chance that they could lower the ratings of the UK within the next two years. As a result of the UK's outlook changing to negative, S&P also revised the outlook on Standard Chartered and Nationwide Building Society.

Fitch downgraded HSBC from AA to AA-, reflecting the agency's consideration of the risks attached to the group's expansion to higher risk markets, including mainland China, and the intensifying competition in Hong Kong.

None of the long-term ratings of the banks on the Council's lending list were downgraded to below the Council's minimum A-/A3 credit rating threshold in the quarter, so there was no suspension or temporary removal of any financial institution on the Council's lending list. In fact, as a result of considerable stabilisation and in some cases improvement in credit metrics, the Council extended duration limits in October for a number of UK, European and US banks. Six further European institutions were added to the lending list, for periods of up to 100 days.

Maturities for new investments with financial institutions on the Council's list are currently as follows:

UK Institutions

- Santander UK for a maximum period of 100 days;
- Royal Bank of Scotland, National Westminster, Lloyds TSB and Bank of Scotland for a maximum period of 6 months;
- HSBC Bank, Standard Chartered, Nationwide BS and Barclays for a maximum period of 12 months.

Non-UK Institutions

- ING Bank NV, Credit Suisse, BNP Paribas, Credit Agricole CIB, Credit Agricole SA and Societe Generale for a maximum period of 100 days;

- Bank Nederlandse Gemeenten N.V., Deutsche Bank AG, Nordea Bank, Rabobank and Svenska Handelsbanken for a maximum period of 12 months;
- National Australia Bank, Westpac, ANZ, Commonwealth Bank of Australia, Canadian Imperial Bank of Commerce, Royal Bank of Canada, Toronto-Dominion Bank, Bank of Montreal, Bank of Nova Scotia and JP Morgan for a maximum period of 12 months.

Authority Banking Arrangements: Along with many other authorities the Council uses the Co-op as its banker, which at the current time does not meet the minimum credit criteria of A- (or equivalent) long term. However, there are not many banks actively in the tendering process for local authority banking, which would meet our criteria and it is a costly and complicated process. With this in mind, despite the credit rating being below the Authority's minimum criteria, it will continue to be used for short term liquidity requirements (overnight and weekend investments) and business continuity arrangements.

Budgeted Income and Outturn: The authority does not expect any losses from non-performance by any of its counterparties in relation to its investments. The UK Bank Rate has been maintained at 0.5% since March 2009 and is not expected to rise until 2015/16. Short-term money market rates have remained at very low levels. Fixed term deposits to date have achieved an average return of 0.88%. The Council's investment income for the year is currently estimated to be £0.8M.

6. Compliance with Prudential Indicators

The Council can confirm that it has complied with its approved Prudential Indicators for 2012/13. Details of the performance against key indicators are detailed in the following paragraphs:

6.1. Capital Financing Requirement

The Capital Financing Requirement (CFR) measures the Council's underlying need to borrow for a capital purpose. In order to ensure that over the medium term net borrowing will only be for a capital purpose, the Council ensures that net external borrowing does not, except in the short term, exceed the CFR in the preceding year, plus the estimates of any additional capital financing requirement for the current and next two financial years. It differs from actual borrowing due to decisions taken to use internal balances and cash rather than borrow. The following table shows the actual position as at 31 March 2012 and the estimated position for the current and next two years based on the capital programme submitted to council:

Capital Financing Requirement	2011/12 Actual £M	2012/13 Approved £M	2012/13 Forecast £M	2013/14 Estimate £M	2014/15 Estimate £M
Balance B/F	360	444	445	437	437
Capital expenditure financed from borrowing	21	15	13	14	12
Temporary Funding (Repayment)	0	0	(6)	(6)	0
HRA Debt	74	(8)	5	7	3
Revenue provision for debt Redemption.	(7)	(8)	(18)	(13)	(12)
Movement in Other Long Term Liabilities	(2)	(2)	(2)	(2)	(2)
Cumulative Maximum External Borrowing	445	441	437	437	438

Capital Financing Requirement	2011/12 Actual £M	2012/13 Approved £M	2012/13 Forecast £M	2013/14 Estimate £M	2014/15 Estimate £M
General Fund	271	265	268	261	259
HRA	174	176	169	176	179
Total CFR	445	441	437	437	438

6.2. Balances and Reserves

Estimates of the Council's level of overall Balances and Reserves for 2012/13 to 2014/15 are as follows:

	2011/12 Actual £M	2012/13 Estimate £M	2013/14 Estimate £M	2014/15 Estimate £M
Balances and Reserves	70	34	28	24

6.3. Authorised Limit and Operational Boundary for External Debt

The Local Government Act 2003 requires the Council to set an Affordable Borrowing Limit, irrespective of their indebted status. This is a statutory limit which should not be breached. The Council's **Affordable/Authorised Borrowing Limit** was set at £911M for 2012/13 (£832M for borrowing and £79M for other long term liabilities).

The **Operational Boundary** is based on the same estimates as the Authorised Limit but reflects the most likely, prudent but not worst case scenario without the additional headroom included within the Authorised Limit. The Operational Boundary for 2012/13 was set at £869M (£794M for borrowing and £75M for other long term liabilities).

The Chief Financial Officer (CFO) confirms that there were no breaches to the Authorised Limit and the Operational Boundary during the quarter, borrowing at its peak was £300M.

The above limits are set to allow maximum flexibility within TM, for example, a full debt restructure, actual borrowing is significantly below this as detailed below:

	Balance on 01/04/2012	Balance as at 31/12/2012	2012/13 Forecast	2013/14 Estimate	2014/15 Estimate
	£M	£M	£M	£M	£M
Borrowing	300	299	336	365	363
Other Long Term Liabilities	72	72	74	79	82
Total Borrowing	372	371	410	444	445

6.4. Upper Limits for Fixed Interest Rate Exposure and Variable Interest Rate Exposure

These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates. The upper limit for variable rate exposure allows for the use of variable rate debt to offset exposure to changes in short-term rates on our portfolio of investments.

	Limits for 2012/13
Upper Limit for Fixed Rate Exposure	100%
Compliance with Limits:	Yes
Upper Limit for Variable Rate Exposure	50%
Compliance with Limits:	Yes

The Upper limit represents the maximum proportion of borrowing which is subject to variable rate interest and was set at 50%, although in practice it would be unusual for the exposure to exceed 25% based on past performance, the highest to date is 15%. The limit was set at a higher level to allow for a possible adverse cash flow position, leading to a need for increased borrowing on the temporary market and to take advantage of the low rates available through the PWLB for variable debt. There has been no adverse cash flow to date but it is proposed that the limit remain at 50%, to allow for flexibility in case of any slippage in expected capital receipts.

6.5. Total principal sums invested for periods longer than 364 days

This indicator allows the Council to manage the risk inherent in longer term investments; the limit for 2012/13 was set at £50M. With the maximum maturity period for a number of banks being extended to 12 months, we reintroduced the rolling programme of yearly investments from November and currently have £4M invested at an average rate of 0.93%, although it should be noted that rates are falling and new deals are expected to be around 0.80%.

6.6. Maturity Structure of Fixed Rate Borrowing

This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

	Lower Limit	Upper Limit	Actual Fixed Debt as at 31/12/2012	Average Fixed Rate as at 31/12/2012	% of Fixed Rate as at 31/12/2012	Compliance with set Limits?
	%	%	£M	%		
Under 12 months	0	45	12	1.84	5.03	Yes
12 months and within 24 months	0	45	0	0.00	0.00	Yes
24 months and within 5 years	0	50	0	0.00	0.00	Yes
5 years and within 10 years	0	75	95	3.23	38.70	Yes
10 years and within 15 years	0	75	0	0.00	0.00	Yes
15 years and within 20 years	0	75	0	0.00	0.00	Yes
20 years and within 25 years	0	75	0	0.00	0.00	Yes
25 years and within 30 years	0	75	10	4.68	4.05	Yes
30 years and within 35 years	0	75	5	4.60	2.03	Yes
35 years and within 40 years	0	75	25	4.62	10.13	Yes
40 years and within 45 years	0	75	53	3.61	21.44	Yes
45 years and within 50 years	0	75	46	3.54	18.62	Yes
50 years and above	0	100	0	0.00	0.00	Yes
			247	3.54	100.00	

Please note: the TM Code Guidance Notes (page 15) states: "The maturity of borrowing should be determined by reference to the earliest date on which the lender can require payment. If the lender has the right to increase the interest rate payable without limit, such as in a LOBO loan, this should be treated as a right to require payment".

For this indicator, the next option dates on the Council LOBO loans will therefore determine the maturity date of the loans.

6.7. Ratio of Financing Costs to Net Revenue Stream

This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet borrowing costs. The definition of financing costs is set out at paragraph 87 of the Prudential Code. The ratio is based on costs net of investment income. The increase in the HRA financing costs is due to the reform of HRA of council housing finance which took effect from 28 March 2012.

The upper limit for this ratio is currently set at 10% for the General Fund to allow for known borrowing decision in the next two years and to allow for additional borrowing affecting major schemes. The table below shows the likely position based on the approved capital programme adjusted for actual borrowing made to 31 December 2012.

Ratio of Financing Costs to Net Revenue Stream	2011/12 Actual %	2012/13 Approved %	2012/13 Forecast %	2013/14 Approved %	2014/15 Approved %
General Fund	6.30	6.84	6.26	7.42	7.17
HRA	4.65	10.92	24.96	11.05	10.84
Total	7.12	8.84	12.15	9.36	8.93

6.8. Gross and Net Debt

The purpose of this treasury indicator is to highlight a situation where the Authority is planning to borrow in advance of need. The Authority reports that it has not borrowed in advance of need and that at the 31 March 2012 it had used £70M of internal resources in lieu of borrowing, as this has been the most cost effective means of funding past capital expenditure to date.

6.9. Gross Debt and the Capital Financing Requirement

This is a key indicator of prudence. In order to ensure that over the medium term net borrowing will only be for a capital purpose, the Authority should ensure that the net external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year plus the estimates of any additional increases to the capital financing requirement for the current and next two financial years. This indicator has been amended since the publication of the Quarter 2 report to reflect changes set out in CIPFA Guidance.

The Authority has had no difficulty in meeting this requirement so far in 2012/13, nor is there any difficulties envisaged for future years. This view takes into account current commitments, existing plans and the proposals in the approved budget.

	31/03/2012 Actual £M	31/03/2013 Approved £M	31/03/2013 Estimate £M	31/03/2014 Estimate £M	31/03/2015 Estimate £M	31/03/2016 Estimate £M
General Fund CFR	271	265	268	261	259	251
Housing CFR	174	176	169	176	179	179
Total CFR	445	441	437	437	438	430
Less:						
Existing Profile of Long Term Borrowing and Other Long Term Liabilities	357	416	385	394	395	384
Cumulative Maximum External Borrowing Requirement	88	25	52	43	43	46

6.10. Credit Risk

The Council confirms it considers security, liquidity and yield, in that order, when making investment decisions. Credit ratings remain an important element of assessing credit risk, but they are not the sole feature in the Authority's assessment of counterparty credit risk.

The authority also considers alternative assessments of credit strength, and information on corporate developments of and market sentiment towards counterparties. The following key tools are used to assess credit risk:

- Published credit ratings of the financial institution (minimum A- or equivalent) and its sovereign (minimum AA+ or equivalent for non-UK sovereigns);
- Sovereign support mechanisms;
- Credit default swaps (where quoted);
- Share prices (where available);

- Economic fundamentals, such as a country's net debt as a percentage of its GDP);
- Corporate developments, news, articles, markets sentiment and momentum;
- Corporate developments, news, articles, markets sentiment and momentum.

The Council can confirm that all investments were made in line with minimum credit rating criteria set in the 2012/13 TMSS.

6.11. HRA Limit on Indebtedness

This purpose of this indicator is for the Council to report on the level of the limit imposed at the time of implementation of self-financing by the Department for Communities and Local Government. The following tables show this plus the actual level of debt and expected movement in year.

HRA Limit on Indebtedness	2011/12 Actual £m	2012/13 Estimate £m	2012/13 Revised £m	2013/14 Revised £m	2014/15 Revised £m
HRA Debt Cap (as prescribed by CLG)	199.6	201.3	199.6	199.6	199.6
HRA CFR	174.2	175.5	168.8	175.7	178.8
Difference	25.4	25.8	30.8	23.9	20.8

HRA Summary of Borrowing	2012/13 Estimate £m	2012/13 Revised £m	2013/14 Estimate £m	2014/15 Estimate £m
Brought Forward	174.2	174.2	168.8	175.7
Maturing Debt	(8.6)	(10.4)	(5.6)	(5.1)
New borrowing	4.8	5.0	12.5	8.2
Carried forward	170.4	168.8	175.7	178.8
HRA Debt Cap (as prescribed by CLG)	201.3	199.6	199.6	199.6
Headroom	30.9	30.8	23.9	20.8

7. Summary

In compliance with the requirements of the CIPFA Code of Practice this report provides members with a summary report of the TM activity up to the 31 December 2012. As indicated in this report none of the Prudential Indicators have been breached and a prudent approach has been taking in relation to investment activity with priority being given to security and liquidity over yield.

HOUSING REVENUE ACCOUNT

KEY ISSUES – MONTH 9

The Housing Revenue Account (HRA) is currently forecast to under spend by **£180,000** on income and expenditure items at year-end. A potential carry forward request for this amount has been identified.

There are no CORPORATE issues for the HRA at this stage.

The OTHER KEY issues for the HRA are:

HRA 1 – Housing Transformation Project (forecast favourable variance £180,000)

There is slippage on the Mobile Working project.

The implementation of Mobile Working has been delayed to enable the output from the Lean project to inform the decision on the most suitable solution. The devices required for Mobile Working will not be required until 2013/14, so a carry forward request for £180,000 will be made at year end.

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Agenda Item 9

DECISION-MAKER:	CABINET		
SUBJECT:	GRANTS TO VOLUNTARY ORGANISATIONS 2013/14 TO 2015/16		
DATE OF DECISION:	19 FEBRUARY 2013		
REPORT OF:	CABINET MEMBER FOR EFFICIENCY AND IMPROVEMENT		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Joanne Hughes	Tel: 023 8083 4067
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STATEMENT OF CONFIDENTIALITY			
Not applicable			

BRIEF SUMMARY

Southampton City Council has a long history of supporting the contribution of the voluntary and community sector in the City with grants, contracts and other help in kind. In August 2012, a new outcomes-based Commissioned Grants Programme was agreed, including a Three Year Funding Scheme. This report details recommendations for the first round of grants to be awarded from that scheme.

RECOMMENDATIONS:

- (i) To approve the grant recommendations set out in the attached Appendix 1.
- (ii) To delegate authority to the Communities and Improvement Manager, following consultation with the Cabinet Member for Efficiency and Improvement, to allocate Community Chest grants during the year until the new Small Grants Programme takes effect.
- (iii) To delegate authority to the Senior Manager, Communities, Change and Partnerships, following consultation with the Cabinet Member for Efficiency and Improvement, to agree a process for a One-Off Grant Scheme, should sufficient funding become available.
- (iv) To delegate authority to the Senior Manager, Communities Change and Partnerships, following consultation with the Cabinet Member for Efficiency and Improvement, to:
 - determine transitional relief, where appropriate, where grants have been reduced or discontinued
 - do anything necessary to give effect to allocation of grants for 2013/14 to 2015/16.

REASONS FOR REPORT RECOMMENDATIONS

1. Southampton City Council has a long history of supporting the contribution of the voluntary and community sector in the City with grants, contracts, spot purchases (such as room hire or training) and other support in kind.
2. The grant awards process was reviewed in consultation with voluntary and community groups in the City between July 2011 and August 2012. On 21 August 2012, Cabinet agreed the new outcomes-based Commissioned Grants Programme. This is the first round of applications to be considered under the new programme.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. The grant applications requested more than double the proposed grants budget. Therefore, the option of awarding all applicants the full amount they requested was considered and rejected as this would have meant that the Council would have had to find an additional sum of money in the region of £1.8 million in 2013/14 (£5.35 million over 3 years).
4. Awarding no grants was considered and rejected as the City's residents would lose access to a wide range of important services and it could put many voluntary organisations in the City at risk of closure.

DETAIL (Including consultation carried out)

5. The three year funding scheme from the outcomes-based Commissioned Grants Programme provides one, two or three years of funding, where appropriate and subject to budget setting and availability. It is aimed at voluntary organisations working in the City that meet at least one of the Council's outcomes. The new scheme was agreed by Cabinet in August 2012 after several phases of consultation with the voluntary and community sector beginning in July 2011. Following consultation between November 2011 and February 2012, which included meetings and online feedback, several outcomes-based commissioned models were discussed and a scored model was developed. Voluntary organisations were given details of the proposed, scored model for the outcomes-based Commissioned Grants Programme in June 2012 and invited to give feedback before the Programme was finalised and approved by Cabinet on 21 August 2012.
6. On 3 September 2012, all currently funded organisations were given written notice that their current funding relationship will end on 31 March 2013 and any future grant applications will be considered on their own merits. Notwithstanding any requirement for transitional relief for certain previously funded groups, this meant that all applications could be considered as new applications without reference to previous funding. A summary of the consultation is attached at Appendix 2 and full details are contained in the report to Cabinet on the Process for Awarding Grants to Voluntary Organisations 2013/14 and Beyond, 21 August 2012.
7. The three year funding scheme was open for applications between 31 August 2012 and 26 October 2012. Throughout this period application support was available via phone, email and face to face meetings. In addition, a drop-in advice session was held on 1 October 2012 which was attended by 26 organisations. Sixty six applications were received, of which 35 were from

currently funded organisations and 31 from organisations not currently funded by the Council. The total amount requested was more than double the proposed budget for each year and this is in line with the trend in previous years.

8. The agreed appraisal process undertaken for each applicant was as follows:
 - Preliminary Assessment – ensuring all supporting documents had been submitted and applications had been fully completed.
 - Technical appraisal – by specialist appraisers covering all aspects of the application, including finance, governance, contribution to outcomes, suitability for funding, consideration of wider strategic impact (including consulting with Cabinet Members, other officers and senior managers).
 - Assessment Panel meetings – all applications discussed by panels of specialist officers.
 - Moderation and recommendations – to ensure scoring was consistent for all applications before the recommendations were agreed by Assessment Panel members.
9. In order to fully assess and discuss all 66 applications in detail it was necessary to split them across a number of panel meetings. It was not possible to base the Assessment Panels on the outcome themes as the majority of applications stated they contributed to outcomes across two or more themes. Therefore, the applications were allocated to panels according to the subject area of the application and the most appropriate specialist officer to act as lead appraiser. This approach also made the most efficient use of resources, with individual officers needing to attend just one or two meetings rather than all of them. The Grants Officer from the Communities and Improvement team attended every panel meeting to aid consistency. Depending on the number of applications for each work area, some panels covered just one work area while others covered several. There were also two meetings for all appraisers to agree all the recommendations. The final meeting, at which recommendations were agreed, comprised of officers from all panels to ensure consistency. Details of the panel meetings are available in Appendix 3.
10. Following appraisal 35 applications are recommended for funding. Of these, 25 are currently funded organisations and 10 are not currently funded. The full list of recommendations is detailed in Appendix 1.
11. In order to ensure that the total recommended amounts came within the proposed budget, the recommendations were grouped into bands according to score. The band determined the amount of grant funding recommended for 2013/14, with lower scores receiving less of their requested amount.
 - Band A (100-90) - 20% lower than requested amount
 - Band B (89-85) - 25% lower than requested amount
 - Band C (84-80) - 30% lower than requested amount
 - Band D (79-75) - 35% lower than requested amount
 - Band E (74-70) - 40% lower than requested amount
 - Band F (69 and lower) - no grant recommended

The amounts recommended for 2014/15 and 2015/16 are a further 7% less year on year in line with the proposed overall budget reduction of 7% each year.

12. Applicants were notified of their grant recommendation on 08 January 2013 - six weeks before the decision date. This is an improvement on previous years when recommendations were announced just 2-3 weeks before the decision date. Applicants were invited to provide information on the impact of the recommendation. Applicants were also provided with information on how to make representations to Cabinet.
13. The impact assessment process for funding recommendations (including both Equality and Safety Impact Assessments and general impact assessments) has been built into the new grant application process. The application form asked two questions about impact to ensure officers considered both equality and safety issues and also the general impact on an organisation and its members of not receiving the full amount they requested.
 - If Southampton City Council is unable to fund part or all of your requested grant, what would be the impact? Please tell us about the wider impact on your organisation, not just on this work. (question 2.8)
 - If the Council is unable to fund part or all of your requested grant would there be a disproportionately negative affect to the protected characteristics listed in the Equality Act 2010? (question 2.9)
14. As no organisation has been recommended the full amount they requested, all applicants have been asked if they would like to update their answers to questions 2.8 and 2.9 of the application form. This updated information (which organisations have provided following consideration of the officer recommendations) has been used to update the Equality and Safety Impact Assessments (ESIA) completed for each applicant as part of the appraisal process. Meetings to discuss the impact of the recommendations were also held with some organisations at their request. Individual impact assessments for each applicant are detailed in the document held in Members' Rooms. A Cumulative Impact Assessment (CIA) has also been completed and is attached at Appendix 4. This appendix also includes feedback from individual organisations which they specifically requested to be presented to Cabinet. Applicants are still considering the impact of the recommendations for their organisation and further updates may be submitted to Cabinet at the meeting on 19 February 2013.
15. On 21 August 2012, Cabinet agreed to set aside a small amount from the grants to voluntary organisations budget each year for a One-Off Grant scheme, subject to budget availability, using the outcomes-based model. A nominal amount of £28,000 is available in 2013/14 but the final position will be dependent on the final grant awards. It is proposed to develop the process for the One-Off Grant scheme under delegated authority later in the year when the budget position and priorities will be clearer.
16. Work has begun on developing a new Small Grants Programme to provide small grants for community groups, replacing the current Community Chest scheme. Consultation on this with local community and voluntary organisations will begin shortly. The consultation topics will include involving

communities in making grant recommendations and a scheme being run by a voluntary organisation.

17. While the consultation is undertaken the existing Community Chest scheme will continue, with the first round closing on 15 May 2013. Cabinet is requested to delegate authority to the Communities and Improvement Manager following consultation with the Cabinet Member for Efficiency and Improvement, to allocate Community Chest grants during the year until the new Small Grants Programme takes effect.
18. In 2012/13, the Council awarded 56 Community Chest grants, with an average grant of £902. Grants were awarded to a wide range of community groups across the City, including groups representing residents and communities of interest, sports groups, arts and crafts groups, groups supporting disabled people, older people's groups, younger people's groups, early years groups, environmental groups and groups supporting employment and training. The grants were awarded for general running costs (such as room hire for meetings and basic stationery to publicise groups), events and activities (such as fun days, exercise classes, arts and craft workshops and youth clubs) and equipment (for activities and also to support the running of the groups). A list of the Community Chest grants awarded in 2012/13 is attached at Appendix 5.
19. In March 2012, the Council made a commitment to publish the 'support in kind' given to voluntary and community groups in the City. The total value of support in kind as of January 2013 is £879,660. This includes 'less than market value' rents and rate relief. This support is in addition to the grants to voluntary organisations budget and Council contracts with voluntary and community organisations. Details of the support given are available in Appendix 6.

RESOURCE IMPLICATIONS

Capital/Revenue

20. On 21 August 2012, Cabinet provisionally agreed the following budgets, subject to budget setting in February each year:

	2013/14	2014/15	2015/16	Total
Main grants budget	1,758,568	1,638,968	1,527,740	4,925,276
HRA	18,777	17,463	16,240	52,480
Total	£1,777,345	£1,656,431	£1,543,980	£4,977,756

21. The Council may be liable in some cases, to give transitional relief where the Council has either ceased or reduced funding to organisations the Council has had a prior funding relationship with. As this needs to be calculated on a case by case basis linked to the impact the funding reduction has on an organisation, it is difficult to estimate the Council's liability. The level of transitional relief can only be determined once impact assessments have been completed for affected groups and the grants are finalised. This could lead to an additional one-off amount being needed in 2013/14, the budgetary impact of which will need to be managed in year, and discussions about this are ongoing with Legal and Finance officers.

Property/Other

22. The property implications in this report in respect of support in kind detailed in paragraph 19 will not require any increased resources. If through the development of a grant supported initiative a property issue is generated, it will be subject to detailed consultation in the usual way.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

23. Section 1 of the Localism Act 2011 permits a council to do anything that an individual may do whether or not normally undertaken by a local authority (the General Power of Competence). The power is subject to any pre or post commencement restrictions on the use of the power (none of which apply in this case).

Other Legal Implications:

24. Formal notice was given to all voluntary organisations in receipt of either a Running Costs Fund or New Projects Fund grant on 3 September 2012 that their current funding relationship with the Council will end on 31 March 2013. However, the Council still has a duty to consider the impact on an organisation receiving less funding than before and therefore post-decision transitional relief is also being considered on a case by case basis. If necessary, this will be awarded under delegated authority.
25. The Council recognises its equalities duties and in making decisions will pay due regard to the need to eliminate discrimination and promote equality and to undertake Equality and Safety Impact Assessments (ESIAs).

POLICY FRAMEWORK IMPLICATIONS

26. Grant recommendations relate to the relevant Policy Framework plans and the services provided by the grant-aided organisations will assist the Council in meeting the overall aims of its policy framework including the objectives set out in the Southampton City Council Plan 2011-14.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

Appendices

1.	List of recommended grants
2.	Summary of consultation on changes to grants process
3.	Grant Assessment Panels
4.	ESIA (cumulative assessment) and feedback to Cabinet
5.	Community Chest allocation in 2012/13
6.	Support in Kind

Documents In Members' Rooms

1.	ESIA – individual assessments for each organisation
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Equality Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	Yes (see Appendix 4 and document in Members' Rooms)
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Other Background Documents

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

Title of Background Paper(s)

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

1.	Process for Awarding Grants to Voluntary Organisations 2013/14 and Beyond – 21 August 2012	
2.	Process For Awarding Grants To Voluntary Organisations From 2013/14 – 12 March 2012	
3.	2012/13 Grants to Voluntary Organisations Report to Cabinet – 13 February 2012	

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WORK IN PROGRESS - Cabinet decision 19 February 2013
Grants to Voluntary Organisations 2013/14 to 2015/16

Notes:

- Applicants have been grouped into bands according to score - the higher the band the lower the reduction from the requested amount.
- Band A (100-90)** - 20% lower than requested amount
- Band B (89-85)** - 25% lower than requested amount
- Band C (84-80)** - 30% lower than requested amount
- Band D (79-75)** - 35% lower than requested amount
- Band E (74-70)** - 40% lower than requested amount
- Band F (69 and lower)** - no grant recommended

- Organisations highlighted in **pink** are exceptions to the above banding. See 'Towards' column for reason.

- 2014/15 and 2015/16 amounts based on 7% reduction from previous year, in line with overall budget reduction.

Organisation	Score	Band	Recommended Grant			Requested Amount			New Grant this year	Towards
			2013/14	2014/15	2015/16	2013/14	2014/15	2015/16		
SCRATCH (part HRA)	93.00	A	£33,200	£30,876	£28,715	£41,500	£38,950	£37,000	N	Contribution towards the cost of the Dorcas Project Basic Furniture Package for residents of Southampton.
Southampton Action for Employment (SAFE)	92.00	A	£40,000	£37,200	£34,596	£50,000	£50,000	£50,000	Y	Contribution towards the running costs of "Choices" courses to enable people to become 'work ready'.
Communicare in Southampton	91.00	A	£16,000	£14,880	£13,838	£20,000	£20,000	£20,000	N	Contribution towards salaries and general running costs of the home visiting service.
Southampton Advice and Representation Centre	90.00	A	£188,000	£174,840	£162,601	£235,000	£235,000	£235,000	N	Contribution towards salaries and general running costs for specialist advice and representation service in the fields of Welfare Benefits and Employment Law.
Southampton Women's Aid (part HRA)	90.00	A	£45,054	£41,901	£38,968	£56,318	£56,881	£57,450	N	Contributes towards salaries and general running costs of outreach services for women experiencing domestic violence/abuse.
No Limits	88.00	B	£75,000	£69,750	£64,868	£100,000	£100,000	£100,000	N	Contribution towards salaries and running costs for 3 drop-in advice centres for children and young people.
Southampton Street Pastors	88.00	B	£45,750	£42,548	£39,569	£61,000	£64,000	£66,000	Y	Contribution towards salaries and general running costs supporting night-time economy work and develop daytime work.
TWICS	88.00	B	£30,750	£28,598	£26,596	£41,000	£41,000	£41,000	N	Contribution towards salaries supporting a community training courses.
Southampton Children's Play Association	88.00	B	£72,211	£67,156	£62,455	£96,281	£99,169	£102,144	N	Contribution towards salaries and general running costs supporting summer holiday play schemes.
Be Your Best Foundation	87.00	B	£0	£0	£0	£7,500	£7,500	£7,500	N	Support towards the delivery of the Rock Challenge programme in Southampton.
Southampton Voluntary Services	87.00	B	£147,317	£137,004	£127,414	£196,422	£196,422	£196,422	N	Contribution towards salaries and running costs for Voluntary Sector Support Team (VSST) services, associated administration and the Voluntary Action Centre.

**WORK IN PROGRESS - Cabinet decision 19 February 2013
Grants to Voluntary Organisations 2013/14 to 2015/16**

Organisation	Score	Band	Recommended Grant			Requested Amount			New Grant this year	Towards
			2013/14	2014/15	2015/16	2013/14	2014/15	2015/16		
Southampton Rape Crisis & Sexual Abuse Counselling Service	86.00	B	£72,680	£67,592	£62,860	£96,906	£96,906	£96,906	N	Contribution towards salaries and general running costs for counselling, Independent Sexual Violence Advisors (ISVA) and the Star Project.
Art Asia Trust Ltd	86.00	B	£39,000	£36,270	£33,731	£52,000	£52,000	£52,000	N	Contribution towards salaries and general running costs supporting South Asian arts, including the Mela Festival.
Weston Church Youth Project	85.00	B	£32,681	£30,393	£28,265	£43,574	£45,752	£48,040	Y	Contribution towards salaries and general running costs for the 'Fun' and 'Engage' Programmes for young people.
CLEAR	84.00	C	£33,250	£30,923	£28,758	£47,500	£49,500	£50,000	Y	Contribution towards staff and general running costs for ESOL and ICT courses.
Wheatsheaf Trust	84.00	C	£53,749	£49,986	£46,487	£76,784	£79,088	£81,461	N	Contribution towards salaries and general running costs supporting employment and training services.
a space arts	83.00	C	£21,000	£19,530	£18,163	£30,000	£30,000	£30,000	Y	Contribution towards salaries and general running costs to support creative businesses.
Southampton Citizens Advice Bureau	81.00	C	£222,088	£206,542	£192,084	£317,269	£317,269	£317,269	N	Contribution towards salaries and general running costs for general help and advice service.
Southampton Voluntary Services Shopmobility	81.00	C	£34,997	£32,547	£30,268	£49,995	£49,995	£44,995	N	Contribution towards salaries and general running costs of the Shopmobility service.
Community Playlink	80.00	C	£28,441	£26,450	£24,599	£40,630	£42,662	£44,795	N	Contribution towards salaries and general running costs supporting a Toy Library Service for 0 - 14 year olds and Toddler Group Support Scheme.
QE2 Activity Centre	79.00	D	£6,500	£6,045	£5,622	£10,000	£10,000	£10,000	N	Contribution towards salaries costs for day service providing activity opportunities for adults with learning disabilities who have complex or high support needs.
The Society of St James	79.00	D	£26,325	£24,482	£22,768	£40,500	£41,000	£41,500	Y	Contribution towards salaries and volunteer expenses for the Bridge2Volunteering (B2V) programme.
Solent Credit Union	78.00	D	£25,000	£25,000	£16,000	£47,500	£46,000	£47,000	Y	Contribution towards staff, training and apprentice costs. Note: Recommended grant is part-funding only.
Rainbow Project	78.00	D	£16,250	£15,113	£14,055	£25,000	£25,750	£26,523	Y	Contribution towards salary costs for supporting volunteer mentors for employment project.
Saints Foundation	78.00	D	£21,580	£20,069	£18,665	£33,200	£33,200	£33,200	Y	Contribution towards salaries costs and projects costs for Friday night activities for 10-19 year olds - 3 football sessions and one non-football session.
Southampton Nuffield Theatre Trust	78.00	D	£138,930	£129,205	£120,161	£213,739	£199,204	£185,658	N	Contribution towards salaries and general running costs for the theatre (support productions, education and training).
Southampton Trampoline Club	78.00	D	£3,250	£3,023	£2,811	£5,000	£6,000	£7,000	N	Contribution towards sports hall hire, maintenance of equipment and coach and judge development

**WORK IN PROGRESS - Cabinet decision 19 February 2013
Grants to Voluntary Organisations 2013/14 to 2015/16**

Appendix 1

Organisation	Score	Band	Recommended Grant			Requested Amount			New Grant this year	Towards
			2013/14	2014/15	2015/16	2013/14	2014/15	2015/16		
Spectrum Centre for Independent Living (formerly Southampton Centre for Independent Living)	77.00	D	£5,850	£5,441	£5,060	£9,000	£8,000	£7,000	N	Contribution towards salaries for service supporting disabled people.
Breakout Youth	75.00	D	£6,443	£5,992	£5,573	£9,913	£9,913	£9,913	Y	Towards salaries and general running costs to support young LGBT people.
City Eye	75.00	D	£23,821	£22,153	£20,602	£36,647	£37,983	£42,250	N	Contribution towards salaries and general running costs supporting filmmaking and creative media projects.
Family Lives	73.00	E	£0	£0	£0	£49,690	£51,183	£52,720	Y	Contribution towards salaries and general running costs for parenting support project for vulnerable families experiencing multiple challenges. Note: Signpost to Families Matter as a more suitable source of funding.
Relate Solent	73.00	E	£12,300	£11,439	£10,638	£20,500	£18,500	£16,500	N	Contribution towards the Bursary Scheme for clients in Southampton
City Reach Youth Project	73.00	E	£29,300	£27,249	£25,341	£48,833	£46,833	£47,533	N	Contribution towards salaries and general running costs for 3 youth centres in Holyrood, Northam and St
The Prince's Trust	72.00	E	£44,184	£41,091	£38,215	£73,640	£73,640	£73,640	N	Contribution towards salaries and general running costs for the Fairbridge Programme.
Weston Adventure Playground	70.00	E	£49,200	£40,000	£20,000	£82,000	£84,050	£86,151	N	Contribution towards salaries and general running costs for adventure playground for children 5-14 years. Steeper reduction in years 2 & 3 recommended as organisation is 100% reliant on SCC funding.
Workers Educational Association (Southern Region)	70.00	E	£9,145	£8,504	£7,909	£15,241	£15,599	£15,968	N	Contribution towards course costs and childcare (for course attendees).
Age Concern Southampton	69.00	F	£0	£0	£0	£20,993	£21,444	£21,906	Y	Contribution towards salaries and project costs for a Black and Minority Ethnic (BME) Health and Wellbeing project.
SoCo Music Project	69.00	F	£0	£0	£0	£45,000	£45,000	£45,000	Y	Contribution towards salaries for adult learning, youth projects and volunteer engagement projects.
Southampton Diving Academy	68.00	F	£0	£0	£0	£5,000	£5,000	£5,000	N	Contribution towards the costs of running a national competition and training for coaches and volunteers.
EU Welcome	66.50	F	£0	£0	£0	£45,000	£45,000	£45,000	Y	Contribution towards salaries and general running costs for advice services for EU arrivals.
Youth Options	66.00	F	£0	£0	£0	£48,586	£50,044	£51,545	Y	Contribution towards salaries and general running costs for the Family Project in Thornhill.

**WORK IN PROGRESS - Cabinet decision 19 February 2013
Grants to Voluntary Organisations 2013/14 to 2015/16**

Appendix 1

Organisation	Score	Band	Recommended Grant			Requested Amount			New Grant this year	Towards
			2013/14	2014/15	2015/16	2013/14	2014/15	2015/16		
The Environment Centre	66.00	F	£50,000	£46,500	£43,245	£106,694	£109,361	£112,095	Y	Contribution towards salaries and general running costs supporting energy efficiency projects. Note: Low score, but very little environmental work being funded and this would assist residents to make energy savings.
Unity 101 Community Radio (Cultural Media Enterprise Ltd)	66.00	F	£0	£0	£0	£11,000	£11,000	£11,000	Y	Contribution towards rent for community radio station.
Southampton Schools Sports Association	65.00	F	£0	£0	£0	£9,000	£9,000	£9,000	N	Contribution towards the general running costs of the organisation.
Turner Sims	63.00	F	£0	£0	£0	£10,000	£10,000	£10,000	N	Contribution towards their annual programme of concerts and their outreach work with the local community.
Southampton Amateur Gymnastics Club	62.00	F	£0	£0	£0	£40,000	£40,000	£40,000	N	Contribution towards the general running costs of the club, plus funding towards a new Community Participation Officer and new outreach centres.
Mount Pleasant Media Workshop	62.00	F	£0	£0	£0	£30,117	£30,117	£30,117	N	Contribution towards salaries and general running costs supporting community arts.
Pre-School Learning Alliance	61.00	F	£0	£0	£0	£49,777	£48,777	£49,977	Y	Contribution towards salary costs for a volunteer co-ordinator
Groundwork Solent	60.50	F	£0	£0	£0	£65,000	£65,000	£65,000	N	Contribution towards salaries and general running costs supporting employment and training.
YMCA Fairthorne Group	58.00	F	£0	£0	£0	£10,000	£0	£0	Y	Contribution towards salary and room hire for Parent - Infant Therapeutic Programme
Oasis Academy	57.00	F	£0	£0	£0	£6,000	£6,000	£6,000	Y	Contribution towards project costs community activity sessions.
The Conservation Volunteers	57.00	F	£0	£0	£0	£20,166	£0	£0	Y	Towards the costs of the Southampton Green Gym project for 9 months.
Hampshire & Wight Trust for Maritime Archaeology	56.00	F	£0	£0	£0	£9,900	£9,900	£9,900	N	Contribution towards salaries supporting the maritime heritage Education & Outreach Programme and Volunteer & Work Placement Programme.
Community Languages Trust	52.00	F	£0	£0	£0	£46,705	£47,098	£47,674	Y	Contribution towards tutor training and teaching resources to promote and extend the Community Language Service
Co-operatives Southampton	51.00	F	£0	£0	£0	£16,000	£16,000	£16,000	Y	Contribution towards salaries and general running costs to support the development of co-operatives in the city.
Aeronautica at Southampton Ltd	50.00	F	£0	£0	£0	£50,000	£50,000	£50,000	N	Contribution towards salaries for management, education and conservation.
Southampton Sight	46.00	F	£0	£0	£0	£32,816	£32,946	£33,575	Y	Contribution towards salaries and project costs for a Family Support Project.

WORK IN PROGRESS - Cabinet decision 19 February 2013
Grants to Voluntary Organisations 2013/14 to 2015/16

Appendix 1

Organisation	Score	Band	Recommended Grant			Requested Amount			New Grant this year	Towards
			2013/14	2014/15	2015/16	2013/14	2014/15	2015/16		
The Millennium Third Age Centre	45.00	F	£0	£0	£0	£252,702	£181,771	£142,664	Y	Contribution towards a programme of projects to be delivered by the 3AC Co-production Hub partners, specifically around employability and health.
Women's Wisdom	45.00	F	£0	£0	£0	£52,250	£0	£0	Y	Contribution towards salaries and training for a business start-up project.
Voice FM Radio Ltd	44.00	F	£0	£0	£0	£16,000	£16,000	£16,000	Y	Contribution towards salaries for the management of a community radio station with a focus on employment & training.
Ansbury	0.00	F	£0	£0	£0	£16,805	£14,285	£14,285	Y	Towards salaries and delivery costs of a Raising the Participation Age Support Service (RPASS) for schools.
Hampshire School Sports Federation	0.00	F	£0	£0	£0	£2,000	£2,000	£2,000	N	Contribution towards supporting school sports associations in Hampshire
Rainbow Children's Trust	0.00	F	£0	£0	£0	£12,423	£15,923	£15,923	Y	Contribution towards salaries and project costs supporting families who have a child with a terminal or life threatening illness.
Salvation Army (H2O Project)	0.00	F	£0	£0	£0	£50,000	£0	£0	Y	Contribution towards salary and running costs of The Salvation Army's Homelessness To Opportunity (H2O) Project.
Solent Sea Rescue Organisation	0.00	F	£0	£0	£0	£10,576	£10,576	£10,576	N	Contribution towards general running costs for rescue units.
Supporters of the Warren Centre	0.00	F	£0	£0	£0	£48,500	£48,500	£48,500	Y	Contribution towards salaries and general running costs for a series of employability, welfare, family and education programmes.

	Recommended Grant			Requested Amount		
	2013/14	2014/15	2015/16	2013/14	2014/15	2015/16
Grants						
Band A 20% less than requested amount	£322,254	£299,697	£278,718	£402,818	£400,831	£399,450
Band B 25% less than requested amount	£515,387	£479,310	£445,758	£694,683	£702,749	£710,012
Band C 30% less than requested amount	£393,525	£365,978	£340,359	£562,178	£568,514	£568,520
Band D 35% less than requested amount	£273,949	£256,523	£231,316	£430,499	£417,050	£410,044
Band E 40% less than requested amount	£144,128	£128,283	£102,104	£289,904	£289,805	£292,512
Band F - no funding recommended	£50,000	£46,500	£43,245	£1,139,010	£940,742	£908,737
Grants sub-total	£1,699,244	£1,576,291	£1,441,501	£3,519,092	£3,319,691	£3,289,275
Reserves						
Community Chest	£50,000	£50,000	£50,000	£50,000	£50,000	£50,000
Unallocated	£28,101	£30,140	£52,479			
Reserves sub-total	£78,101	£80,140	£102,479	£50,000	£50,000	£50,000

WORK IN PROGRESS - Cabinet decision 19 February 2013
Grants to Voluntary Organisations 2013/14 to 2015/16

Organisation	Score	Band	Recommended Grant			Requested Amount			New Grant this year	Towards
			2013/14	2014/15	2015/16	2013/14	2014/15	2015/16		
Total			£1,777,345	£1,656,431	£1,543,980	£3,569,092	£3,369,691	£3,339,275		

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Appendix 2

Summary of consultation on changes to grant awards process from 2013/14

Date/s	What	Who
2011		
22 July	1 August 2011 Cabinet report published. Representations invited.	Grants mailing list SCC website Letter sent to existing recipients and 2011/12 unsuccessful applicants
27 July	Details of Overview and Scrutiny Management Committee meeting sent via email. Representations invited.	Grants mailing list
28 July	Overview and Scrutiny Management Committee meeting	Public meeting
1 August	Cabinet meeting	Public meeting
2 August	Update on Cabinet decision sent via email	Grants mailing list
11 August to 6 October	Feedback on proposal for a roll forward year for existing grant recipients in 2012/13 invited. Multiple reminders sent during this time encouraging organisations to take part. Also advertised Southampton Voluntary Services sector only meeting, 27 September.	Grants mailing list SCC website Social media
19 October	Report for Delegated Officer Decision published online. Representations invited.	Grants mailing list SCC website
27 October	Delegated Officer Decision made	n/a
4 November	Update on Delegated Officer Decision sent via email	Grants mailing list
8 November 2011 to 03 February 2012	Feedback on proposal to move to outcome-based commissioned grants from 2013/14	Grants mailing list SCC website Social media
22 November	Consultation meeting, 6:30 to 8:30pm at Southampton Voluntary Services offices	Invitation sent to Grants mailing list and published on SCC website
02 December	Consultation meeting, 9:30 to 11:30am at Southampton Voluntary Services offices	Invitation sent to Grants mailing list and published on SCC website
05 December	Notes of 22 November consultation meeting sent for comment	22 November meeting delegates

Date/s	What	Who
14 December	Notes of 02 December consultation meeting sent for comment	02 December meeting delegates
2012		
01 February	Overview and Scrutiny Management Committee report on 2012/13 roll forward published. Representations invited.	Grants mailing list
03 February	Cabinet report on 2012/13 roll forward published. Representations invited.	Grants mailing list
09 February	Overview and Scrutiny Management Committee meeting	Public meeting
13 February	Cabinet meeting	Public meeting
29 February	Overview and Scrutiny Management Committee report on moving to outcome-based commissioned grants from 2013/14 published. Representations invited.	Grants mailing list
02 March	Cabinet report on moving to outcome-based commissioned grants from 2013/14 published. Representations invited.	Grants mailing list
08 March	Overview and Scrutiny Management Committee meeting	Public meeting
12 March	Cabinet meeting	Public meeting
20 June	Letter providing information on the new grant awards process and likely recommendations to Cabinet in August report (hard copy and email)	All existing grant recipients
20-25 June	Details of new grant award process and likely recommendations to Cabinet in August report published	Grants mailing list SCC website Social media
09/10 July	Drop-in sessions to answer queries about draft documents and recommendations	Grants mailing list SCC website Social media
16 July	Reminder about how to give feedback on the proposals	Grants mailing list
02 August	Reminder that there is still an opportunity to give feedback, which will be tabled at the Overview and Scrutiny Management Committee meeting and the Cabinet meeting.	Grants mailing list
08 August	Overview and Scrutiny Management	Grants mailing list

Date/s	What	Who
	Committee report on grants process from 2013/14 published. Representations invited.	
13 August	Cabinet report on grants process from 2013/14 published. Representations invited.	Grants mailing list
16 August	Overview and Scrutiny Management Committee meeting	Public meeting
21 August	Cabinet meeting	Public meeting
31 August to 26 October	Commissioned Grants Programme 3 year funding open for applications. Support available via phone, email and face to face meetings.	Grants mailing list SCC website Social media
01 October	Drop-in advice session for Commissioned Grants Programme. Approx 26 groups attended.	Grants mailing list SCC website Social media
02 November	Applicants notified of preliminary assessment.	All 2013/14 grant applicants
2013		
08 January	Applicants notified of initial recommendations. Representations invited to both Cabinet and Overview and Scrutiny Management Committee.	All 2013/14 grant applicants
08 January to 18 February	Feedback received from applicants on impact of recommendations, via email or face to face meetings as requested.	All 2013/14 grant applicants
10 January	Full list of recommendations published on SCC website.	All 2013/14 grant applicants
08 February	Overview and Scrutiny Management Committee report on grants process from 2013/14 published. Reminder sent about how to make representations.	All 2013/14 grant applicants
11 February	Cabinet report on grants process from 2013/14 published. Reminder sent about how to make representations.	All 2013/14 grant applicants
13 February	Budget Setting meeting	Public meeting
18 February	Overview and Scrutiny Management Committee meeting	Public meeting
19 February	Cabinet meeting – final decision	Public meeting

Grants mailing list

The mailing list consists of:

- 2012/13 grant recipients
- Unsuccessful applicants to the 2011/12 Running Costs and New Projects Funds – unless they asked to be removed
- Anyone who took part in any stage of this consultation – unless they asked to be removed
- Anyone who has asked to be added to the mailing list
- 2013/14 grant applicants – if not already on list

Social media

Includes:

- @SouthamptonFund twitter account - <http://twitter.com/#!/SouthamptonFund>
- @Southamptonscom twitter account - <http://twitter.com/#!/southamptonscom>

Southampton Communities Facebook page -

<http://www.facebook.com/pages/Southamptons-Communities/353796474268?ref=nf>

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Appendix 3

Grant Assessment Panels

In order to fully assess and discuss all 66 applications they were divided into panels based on their work area and the most appropriate specialist officer acted the as lead appraiser. The panel members discussed and scored each application on its own merits.

The panel's initial appraisals were subject to moderation to ensure the scoring was consistent across all applications. Appraisers and moderators then met to agree the final list of recommendations.

Directors, relevant Senior Managers and other stakeholders within the council were consulted as necessary throughout the appraisal process.

Housing & Advice	
Panel members	Marguerite Rayner, Rachel Adams, Sara Crawford, Joanne Hughes, Sarah Lawrence
Panel date/time	Monday 26 November, 9am to 12:30pm
Organisation	
EU Welcome	
Salvation Army	
SCRATCH	
Solent Credit Union	
Southampton Advice and Representation Centre	
Southampton Citizens Advice Bureau	
Southampton Women's Aid	

Community, Infrastructure & Misc	
Panel members	Vanessa Shahani, Simon Fry, Linda Haitana, Joanne Hughes
Panel date/time	Monday 26 November, 1:30 - 5pm
Organisation	
Co-operatives Southampton	
Oasis Academy	
Solent Sea Rescue	
Southampton Street Pastors	
Southampton Voluntary Services	
Southampton Voluntary Services Shopmobility	
TWICS	
Unity 101	

Arts & Heritage	
Panel members	Christine Rawnsley, Steve Hill, Alison Boynton, Joanne Hughes, Vanessa Shahani
Panel date/time	Tuesday 27 November, 9am - 12:30pm
Organisation	
a space arts	
Aeronautica at Southampton	
Art Asia	
City Eye	
Hants & Wight Trust for Maritime Archaeology	
Mount Pleasant Media Workshop	
SoCo Music Project	
Southampton Nuffield Theatre Trust	
Turner Sims	

Disability, Sport & Environment	
Panel members	Lee Page, Simon Fry, Joanne Hughes
Panel date/time	Wednesday 28 November, 9am to 12:30pm
Organisation	
Conservation Volunteers	
Hants School Sports	
QEII Activity Centre	
Saints Foundation	
Southampton Amateur Gymnastics Club	
Southampton Centre for Independent Living	
Southampton Diving Academy	
Southampton School Sports Association	
Southampton Trampoline Club	
the Environment Centre (tEC)	

Health & Wellbeing	
Panel members	Sara Bailey, Alison Boynton, Karen Hilleard, Sarah Lawrence, Joanne Hughes
Panel date/time	Wednesday 28 November, 1:30 to 5pm
Organisation	
Age Concern	
Communicare	
Family Lives	
Rainbow Children's Trust Charity	
Relate Solent	
Southampton Rape Crisis	
Southampton Sight	
The Society of St. James	
Youth Options	

Employment, Training & Education	
Panel members	Liz Smith, Fiona McMurray, Kerrie Prowting, Andy Tickner, Alison Boynton, Joanne Hughes
Panel date/time	Thursday 29 November, 9am to 12:30pm
Organisation	
CLEAR	
Community Languages Trust	
Groundwork Solent	
Millennium 3 rd Age Centre	
Rainbow Project	
SAFE	
Supporters of the Warren Centre	
The Prince's Trust	
Voice FM	
WEA	
Wheatsheaf Trust	
Women's Wisdom	

Children & Young People	
Panel members	Kevin Allan, Sue Thompson, Marguerite Rayner, Tony Hill, Sue Boniface, Alison Boynton, Joanne Hughes
Panel date/time	Thursday 29 November, 1:30pm - 5pm
Organisation	
Ansbury	
Be Your Best Foundation	
Breakout Youth	
City Reach Youth Project	
Community Playlink	
No Limits	
Pre-School Learning Alliance	
Southampton Children's Play Association	
Weston Adventure Playground	
Weston Church Youth Project	
YMCA Fairthorne Group	

All appraiser meetings	
Panel members	All appraisers
Panel date/time	Friday 30 November 2012, 9am to 12:30pm Thursday 03 January 2013, 9:30 to 11:00 am
Applications	All

Moderation
Joanne Hughes, Vanessa Shahani, Karen Hilleard, Dottie Goble, Mark Pirnie, Caronwen Rees
03 December 2012 to 03 January 2013
All Applications

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Appendix 4

**Grants to Voluntary Organisations 2013/14 to 2015/16
Appendix 4**

**Equality and Safety Impact Assessment
&
Feedback to Cabinet – written representations received from applications**

Equality and Safety Impact Assessment

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.

This impact assessment is based on information given in the three year funding scheme application forms (particularly questions 2.8 and 2.9). Applicants have been invited to update this impact information having considered their recommendation. Applicants are continuing to provide feedback up to the Cabinet decision on 19 February 2013 and therefore this document is a work in progress.

Name or Brief Description of Proposal	Grants to Voluntary Organisations 2013/14 to 2015/16
Brief Service Profile (including number of customers)	<p>In August 2012, after a year of consultation, the council moved to a new outcome based Commissioned Grants Programme for awarding grants to voluntary organisations. The first grant scheme opened under this Programme was the Three Year Funding Scheme, which offers up to three year funding, where appropriate and subject to budget setting, for voluntary organisations working in the city.</p> <p>It is not possible to give numbers of customers. However, the grant applicants potentially work with a large number of residents across the all wards of the city.</p>
Summary of Impact and Issues	<p>The key concerns raised by applicants are:</p> <ul style="list-style-type: none"> • Reduced support services and access to support services • Reduced support for and access to education, employment and training • Reduced services for schools • Increase in anti-social behaviour, drug related crime and domestic violence and abuse • Reduced support for and access to leisure activities <p>The largest number of negative impacts identified related to Age, in particular children and young people, and Disability.</p> <p>Another significant impact of no funding or reduced funding is it could potentially lead to some organisations having to make redundancies.</p>

Potential Positive Impacts	<p>Awarding grants to voluntary organisations potentially creates a positive impact for residents where organisations not previously been supported by the council.</p> <p>All existing grant recipients were given notice that their previous funding relationship with the council will end on 31 March 2013 and that all future applications will be considered as new. This has effectively re-set all grants. Applications and therefore recommendations have been based on current need rather than previous funding.</p>
Responsible Service Manager	Vanessa Shahani
Date	31 January 2013

Approved by Senior Manager	Suki Sitaram
Signature	
Date	<p>31 January 2013</p> <p>This document will continue to be updated until the Cabinet decision on 19 February 2013.</p>

Age - Children & Young people

Details of negative impact

From the 31 organisations who have identified impacts on children and young people, 15 applicants who have been recommended for less than their requested funding:

- Reduced support services for young people - includes advice, preventing homelessness, making positive life choices, meeting social welfare needs, supporting parents to provide a stable home environment, debt advice. (5 organisations)
- Reduced activities for children and young people – includes youth provision, play opportunities, sport opportunities. (8 organisations)
- Reduced support for education, employment and training for young people – includes training/work placement opportunities for disadvantaged young people (2 organisations)

16 organisations that have not been recommended for funding have identified the following potential negative impacts:

- Reduced services for schools – includes extra curricular sport, other extra curricular activities, transition support for post 16 decisions, museum services. (5 organisations)
- Reduced support services for young people – includes parenting skills, support for families with illness or impairments, support for families facing multiple issues. (4 organisations)
- Reduced activities for young people – includes sport opportunities, music/arts activities (3 organisations)
- Reduced support for education, employment and training for young people – includes volunteering opportunities, music/arts opportunities, language classes, maritime heritage opportunities. (4 organisations)

Possible Solutions

- Exploration of opportunities to continue some universal provision through transfer of properties currently used for delivery of play and youth provision.
- Support delivery, through the third sector of the Youth Contract programme – replacing targeted work with unemployed young people and dedicated annual destination sweep programmes.
- Delivery of Key Stage 4 programme, through schools, to increase the number of young people securing correct level of qualification, at the end of secondary education, to support progression to post 16 education, training or employment and reduce number of unemployed.
- Target setting with school and colleges to target provision at work with young people in 'year 11' and 'year 12' to ensure successful transition into education, training or employment.
- Redesigned, holistic family based, services delivered from seven full core offer children centres targeted at families at risk of not sustaining themselves, reducing the demand on high cost specialist services.
- Consideration of use, by schools, of pupil premium to provide additional support, specific activities including breakfast clubs, afterschool clubs, additional tuition etc, for children and young people from most disadvantaged area.
- Develop of the specification for 'Parent Partnership' activity – to strengthen the work with families. Engaging a broader range of parents with the newly developed Children and Young People Development Service.
- Actively pursue opportunities for parents to take up the opportunities of personalised budget to purchase education, health, social care, transport and other areas.

Next step:

A joint discussion between the relevant Senior Managers or their nominated representatives on the potential impact and any mitigating action

Development of detail regarding the new model of service delivery for children and family centre based services.

Action: Alison Alexander, Felicity Budgen and Stephanie Ramsey

Age - Older people

Details of negative impact

From the 10 organisations who have identified impacts on older people, 6 applicants who have been recommended for less than their requested funding:

- Reduced support for employment and training for older people – includes support for learners aged 60-74. (1 organisation)
- Reduced support services for older people – includes maintaining independence, advice on benefits, debt, housing, finance and utilities. (3 organisations)
- Reduced support for leisure activities (reducing social isolation) – including music and arts. (2 organisations)

4 organisations which have not been recommended for funding have identified the following potential negative impacts on older people:

- Reduced support for employment and training for older people – includes work to improve the employability of older people. (2 organisations)
- Reduced support services for older people – includes maintaining independence, advice on benefits, debt, housing, finance and utilities. (1 organisation)
- Reduced support for leisure activities (reducing social isolation) – including museum services, arts activities, maritime heritage activities. (1 organisation)

Possible Solutions

- Encouraging eligible residents aged over 65 to claim benefits that they are entitled to including the Single Person Discount and benefits that entitle them to receive the local successor to Council Tax Benefit.

Next steps:

A joint discussion between the relevant Senior Managers or their nominated representatives on the potential impact and any mitigating action.

Action: Carol Valentine, Jane Brentor (Lead), Stephanie Ramsey and Andy Lowe.

Disability

Details of impact

From the 26 organisations who have identified impacts on disabled people, 16 applicants who have been recommended for less than their requested funding:

- Reduced support services for disabled people – includes support for people with learning disabilities, advice services, housing, maintaining independence, combating social isolation, accessibility, counselling. (12 organisations)
- Reduced support for employment and training – includes training courses and barriers to employment.(2 organisations)
- Reduced support for leisure activities (reducing social isolation) – including music/arts activities. (2 organisations)

10 organisations which have not been recommended for funding have identified the following potential negative impacts on disabled people:

- Reduced support services for disabled people – includes physical activities, support for carers and families. (4 organisations)
- Reduced support for employment, training and volunteering – includes opportunities to serve as trustees, barriers to employment, improving employability. (3 organisations)
- Reduced support for leisure activities (reducing social isolation) – including museums, music/arts activities, sport opportunities. (3 organisations)

Possible Solutions

- Encourage eligible residents aged over 65 to claim benefits that they are entitled to including the Single Person Discount and benefits that entitle them to receive the local successor to Council Tax Benefit.
- The move towards greater personalisation, providing opportunities for many social care services to be provided in other ways. This may require market development support to grow the market.
- Health and Adult Social Care services will continue to be provided to those who are assessed with a need for services in line with Fair Access to Care Services guidance. Support will be provided to those people receiving Self Directed Support to ensure they can access the services that they require. There is a need to undertake appropriate planning to ensure there are alternative services available.

Next step:

A joint discussion between relevant Senior Managers or their nominated representatives.

Action: Jane Brentor, Carol Valentine, Stephanie Ramsey and Denise Edghill

Race, Religion or Belief

Details of impact

From the 19 organisations who have identified impacts on race, religion or belief, 12 applicants who have been recommended for less than their requested funding:

- Reduced support services for people from BME backgrounds – includes advice/support and counselling. (5 organisations)
- Reduced support for education, employment and training – includes ESOL classes, employability courses, community training, barriers to employment. (5 organisations)
- Reduced support for leisure activities (reducing social isolation) – includes music/arts activities. (2 organisations)

7 organisations which have not been recommended for funding have identified the following potential negative impacts on race, religion or belief:

- Reduced support services for people from BME backgrounds – includes advice/support, routes for agencies to connect to communities. (3 organisations)
- Reduced support for education, employment and training – includes language/heritage classes, volunteering opportunities, employability activities. (3 organisations)
- Reduced support for leisure activities (reducing social isolation) – includes music/arts activities. (1 organisation)

Possible Solutions

Consider action to mitigate the potential effects of the proposals, including:

- Work with BME customers, communities and groups to assess the potential impact on individuals and explore mitigation in light of the council's financial challenges.
- Targeted and appropriate publicity to explain the rationale behind the proposals.

Next Steps:

A joint discussion between the relevant Senior Managers or their nominated representatives on the potential impact and any mitigating action.

Action: Vanessa Shahani and Denise Edghill

Gender

Details of impact

From the 9 organisations that have identified impacts that could affect one sex more than the other, 6 applicants who have been recommended for less than their requested funding:

- Reduced support services for women – includes services having flexible opening hours, advice/support, counselling. (4 organisations)
- Reduced support for education, employment and training – includes ESOL classes, volunteering opportunities. (2 organisations)

3 organisations which have not been recommended for funding have identified the following potential negative impacts that could affect one sex more than the other:

- Reduced support services for women within vulnerable families. (1 organisation)
- Reduced support for education, employment and training – includes language/cultural classes, volunteering opportunities. (2 organisations)

Possible Solutions

- Raise key issues for women, especially later years, at Children and Young People's Trust and Health and Well Being Board. The continued arrangement for an older people's champion will maintain the profile of Older People's needs.

Next step:

A joint discussion between the relevant Senior Managers or their nominated representatives on the potential cumulative impact and mitigating actions.

Action: Carol Valentine, Alison Alexander, Denise Edghill, Stephanie Ramsey and Suki Sitaram

Sexual orientation, gender reassignment, marriage & civil partnership and Pregnancy & maternity

Details of impact

From the 5 organisations that have identified impacts that could impact on sexual orientation, gender reassignment and pregnancy and maternity, 4 applicants who have been recommended for less than their requested funding:

- Reduced support for employment and training for people facing multiple barriers. (1 organisation)
- Reduced support services for pregnant woman and new parents – includes advice services and housing. (2 organisations)
- Reduced support services for young LGBT people on a range of issues that for them are potentially life threatening or life diminishing. (1 organisation)

1 organisation which has not been recommended for funding has identified the following potential negative impacts on pregnancy and maternity:

- Reduced support services for new mothers.

Next Steps:

Individual Senior Managers need to consider whether proposals in their service area may have an impact on people with these personal backgrounds

Action: Alison Alexander and Stephanie Ramsey.

Community Safety

Details of impact

From the 8 organisations that have identified impacts that could impact on community safety, 6 applicants who have been recommended for less than their requested funding:

- Increase in anti-social behaviour, particularly amongst young people. (4 organisations)
- Increase in drug related crime. (1 organisation)
- Increase in domestic violence and abuse and less supporting for people experiencing domestic violence and abuse. (1 organisation)

2 organisations which have not been recommended for funding have identified the following potential negative impacts that could affect community safety:

- Increase in anti-social behaviour, particularly amongst young people.

Possible Solutions

- Prioritising services to support people and locations at greatest risk of crime and harm.
- Targeting and signposting of services where most in need.
- Providing clear and early information and guidance especially around friends, events and groups to encourage the development of the Big Society.
- Continuing and increasing multi-agency and partnership working, particularly in prevention services.
- Policies that ensure the most vulnerable continue to receive the required level of support.

Next steps:

A joint discussion between relevant Senior Managers as well as key partners (Police, Probation and voluntary sector) on the potential impact and mitigating action of budget proposals across the City.

Action: Stephanie Ramsay, Alison Alexander, Suki Sitaram, Denise Edghill and later with key players in the Safe City Partnership

Poverty

Details of impact – 9 organisations

From the 13 organisations that have identified impacts that could impact on poverty, 9 applicants have been recommended for less than their requested funding:

- Reduced access to services for people on low incomes – includes advice/support for NEETS, older people on fixed incomes and unemployed people, housing support. (4 organisations)
- Reduced access to education, employment and training for people on low incomes – includes volunteering opportunities, access to ESOL classes and training courses. (3 organisations)
- Reduced access to leisure activities for people on low incomes – includes discounts for music/arts and sports. (2 organisations)

4 organisations which have not been recommended for funding have identified the following potential negative impacts that could affect poverty:

- Reduced access to services for people on low incomes – includes physical activities targeted in areas of deprivation, advice/support services. (2 organisations)
- Reduced access to education, employment and training for people on low incomes – includes training course opportunities. (2 organisations)

Possible Solutions

Action being considered to mitigate the potential effects of the proposals include:

- Encourage eligible residents aged over 65 to claim benefits that they are entitled to including; the Single Person Discount and benefits that entitle them to receive the local successor to Council Tax Benefit, such as the Pension Credit Guarantee.
- Offering reduced charges for benefit claimants.
- Clearer guidance and signposting to alternative funding, providers and service.
- Developing partnership, multi-agency working and targeted services in priority (IMD 2010) areas.
- Encouraging the development of the Big Society initiatives in communities.
- Developing strategies and plans that prioritise support for the needs of the most vulnerable children, people and families with the most complex needs.

Next step

A joint discussion between relevant Senior Managers and partners (Southampton Connect's priority project being led by Job Centre Plus and voluntary organisations) on the potential impact and mitigating action of budget proposals across the City.

Action: Stephanie Ramsey, Alison Alexander, Suki Sitaram, Denise Edghill, Vanessa Shahani and John Connelly and later with partners and voluntary organisations

Other significant impacts

Details of impact

32 organisations have identified other significant impacts, 20 applicants have been recommended for less than their requested funding:

- Possible staff reductions / reduced staff hours (6 organisations)
- Reduction in the services they provide (5 organisations)
- Decrease in growth / unable to expand to meet demand (4 organisations)
- Reduction in leisure activities (2 organisations)
- Decrease in the amount of funding brought into the city on behalf of clients (1 organisation)
- Possible closure of the organisation (2 organisations)

12 organisations which have not been recommended for funding have identified the following other significant potential negative impacts:

- Possible staff reductions / reduced staff hours (1 organisation)
- Reduction in the services they provide (8 organisations)
- Reduction in leisure activities (1 organisation)
- Possible closure of the organisation (1 organisation)
- Possible closure of the project (1 organisation)

Feedback to Cabinet

Written representations have been received from the following applicants:

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City Eye

Established in Southampton in 1987, City Eye is a charity which develops and promotes film and media through a broad range of activity which includes

- Engagement with groups and individuals in the community on issue based projects of social benefit
- Training and educating people of all ages in the art and technique of digital film production
- Supporting the local creative industries (particularly through the provision of advice and guidance, training and access to digital equipment)
- Working in partnership with SCC to deliver the new arts complex project. City Eye has been engaged for 10 years with this work and is focused on the development of media facilities for access by the community in the complex. Related to this activity is our ongoing work to develop City Eye and indeed wider cultural activity, particularly in and around the Cultural Quarter, to ensure that on opening the complex is able to deliver a vibrant and engaging programme for an audience eagerly anticipating its arrival
- Southampton Film Week – after 5 years, each of which has seen the festival grow in scale and in the range of events it offers, SFW is embedded in the City’s calendar of events and activities. In 2012 SFW is conservatively valued at around £70,000, and again drew together partners from across the City and across sector to deliver a programme of over 40 events in a 9 day period.

Funding to enable City Eye’s work has previously been provided by SCC, UK Film Council, project grants and income earned through projects which is principally derived from the public and voluntary sectors. In recent times income in all areas has been reduced and in the case of the now abolished UK Film Council, has been removed altogether. The organisation has responded to these changing circumstances by closely managing its finances and taking necessary steps to reduce overheads (including relocation and downsizing of accommodation and reducing core staffing levels) whilst protecting its key outputs as outlined above.

Whilst mindful of these most challenging economic times and grateful that our work with the Council and Southampton communities has been recognized through the current grant recommendation, City Eye now finds itself unable to make further cuts to the organisation

without compromising its viability to deliver the key outputs. In particular City Eye's engagement with the ongoing development of Southampton's new arts complex and delivery of Southampton Film Week will be compromised.

Southampton's new arts complex project

In 2002/3 City Eye was invited by SCC to join a partnership which then included John Hansard Gallery and Art Asia to develop a proposal for a new arts building on the site of the old Tyrrell and Green department store. 10 years has seen much water under the bridge and for a variety of reasons the project has changed quite considerably over this time. At the core, however, has always been the ambition to offer the best facilities and opportunities for cultural engagement by the people of Southampton, to put the City on the map regionally and nationally creating an exciting visitor destination as well as ensuring that the spaces it provides are accessible in every sense for all people in our communities. For City Eye this is essential and for the project it has been understood from the outset that City Eye brings the community focus and engagement which is so essential to its success.

As a small organisation, without the direct underpinning support of the Arts Council (which does not support traditional forms of film related activity), City Eye's sustained involvement has been costly requiring significant allocation of staff and management time. The company's commitment and investment has not diminished, however, and it has been grateful for SCC's ongoing support to enable continuation of this work on behalf of the City. Its business plan, modelled on that approved by the Arts Council last summer, reflects this ongoing support from SCC. This is also detailed within the wider project documentation and is shown in the Proposed Governance Structure and Revenue Funding Sources report for consideration by Cabinet on 29 January.

The business plan also reflects a need for growth over the years leading up to opening of the complex, in common with the plans for the arts complex operating company and John Hansard Gallery. It is critical that all participants are able to continue with development of their operation and programming to ensure the success of the project. For this reason our request for funding via the Commissioned Grants programme which was based on this business plan, shows an escalation in our need for funding over the next 3 years. In 2015/16 the sum sought is £42,250 – a considerable sum of money but I believe again demonstrating City Eye's close management of finances and focus on maximum delivery at minimum cost. Again, whilst mindful of the challenge which the Council is facing, the declining level of grant recommended over the coming years critically compromises City Eye's business plan.

The path to the arts complex has indeed been long and challenging and costly for all involved in its delivery. With the project now approaching an exciting milestone - with the commencement of construction anticipated in the coming months - there is a risk that City Eye will not be able to continue its involvement and that the project will face a further set-back.

Southampton Film Week

In parallel with the arts complex project City Eye has in recent years worked with other cultural sector partners on Southampton Film Week and the Art at the Heart programme to breathe life into the emerging cultural quarter and to develop audiences, increase visitor figures and contribute to the economic viability of the Cultural Quarter and wider City.

In October 2012 the company delivered the fifth annual Southampton Film Week, a festival which celebrates film across the City and seeks to engage the broadest audience possible encouraging people and organisations to participate by showing or attending a film screening, making a film or attending an event or workshop which might inspire them too. 2012 saw the launch of SFW: Shorts, the festival's own short film competition, and has achieved International profile following its winner, Anna Cady – who we have supported in the making of previous films – being selected for Sundance International Film Festival in Utah, where she is currently rubbing shoulders with the biggest and best in Independent filmmaking. SFW through its various activities and collaborations with organisations as diverse as Awaaz FM, The Phoenix Film Society, The City Gallery and Vintage Mobile Cinema (which was located in Guildhall Square in Film Week) this year presented over 40 events and, including those who have visited related exhibitions since the week itself, will have touched almost 20,000 people.

In 2012, the £8843 cash budget (funding from Creative England, HCC Film Hampshire, Southampton Solent University and the new arts complex project) was used to secure additional in-kind contributions from across the city and beyond to create a total project valued at almost £70,000.

The festival which is of course focused on film has equally proved a wonderful way of linking wider cultural activities and has brought together music events, venues and festivals, a range of performances including theatre and dance, art gallery exhibitions and community engagement initiatives.

City Eye has been immensely grateful for the support which SCC has provided 'in-kind', by making spaces and resources available to support the festival. In particular the collaboration with SCC arts and heritage and events staff has enabled the festival to punch so much above its actual weight. Southampton Film Week has not been separately funded through the City Council but has been enabled through the Running Costs grant received by City Eye in recent years. The current funding recommendation will not enable City Eye to sustain Southampton Film Week either through the allocation of existing resources or by ensuring that the organisation has sufficient resource to apply to development activities such as fundraising.

Conclusion

The staff and Board of City Eye continue to seek opportunities to reduce overheads and to explore opportunities for external funding. The latter is frequently only possible because of the leverage which SCC funding provides to us. Our commitment to the City and to our work in all key areas of our operation is not compromised, but our ability to deliver our work in the community, development of the arts complex and delivery of Southampton Film Week is challenged by the current grant recommendation and we ask Councillors to explore all options to protect this work.

Communicare

I am writing to thank you for your letter advising us of the outcome of our grant application and to provide feedback for consideration, as requested.

Communicare in Southampton has undergone a period of rapid growth (82% in the last 3 years to April 2012) due to increasing demand, and in order to continue to meet demand for our services our costs have also increased. We appreciate that the funding situation is particularly difficult at present due to national and

local cuts, and as such we are most grateful for the award made to Communicare.

We would however wish to make it known that the decision to automatically reduce the amount awarded to us by 20% will have a detrimental impact on the ability of Communicare to respond to increasing demand and referrals. We have already taken the decision to close our Cranbury Terrace office in order to reduce our costs in light of the funding situation, and the 20% slice taken off the amount requested, plus the further 7% reduction each year, will leave us with a significant shortfall in funds that we will have to find from an alternative source.

While we have been successful in increasing the amount of individual giving thus far and hope to further develop this, and we continue to seek out additional grants from alternative sources, the automatic "slicing" of 20% of the grant amount requested (and we believe that this was a conservative request) places us at risk of having insufficient funding to be able to further grow as a service in order to respond to demand. This ultimately is likely to place Adult Services budgets under additional pressure as the majority of referrals we receive come from Adult Services as a means of maintaining independence of vulnerable adults and consequently preventing the need for L.A. intervention and funded care packages.

We accept that the decision taken to cut grants from the top-scoring bracket of applications at 20% was taken as a blanket decision across all applications without prejudice, however we believe that our impact statement may not have been duly considered. We do not wish to change our impact statement but ask that this be revisited by the team and for it to be acknowledged that the decision made to slice 20% off the amount requested will mean, and indeed already has meant, that some of our concerns outlined in the impact assessment questions will become reality.

I trust that the points made above will be considered alongside our original application and included in the responses issued to Cabinet for consideration. I thank you once again for the award made and look forward to your response.

EU Welcome

We found the 'appraisal' of our bid confusing as it said:

- a our work is needed
- b we represent value for money
- c our work is highly respected by officers

It then seemed something of a non-sequitor that the proposal was that we received no funding. Having said that I certainly realise that you are making difficult and complex decisions.

Mount Pleasant Media Workshop

The recommendation not to make a grant award to the Media Workshop in the financial year starting April 2013 rests, according to the Grant Appraisal Note that we were sent, on the following points: that we have a heavy reliance on SCC funding; a perceived lack of access during school holidays; and that we have failed to make changes to mitigate the impact of the economic crisis.

As Chair of the voluntary board of directors (trustees) I would like to identify serious flaws in this assessment, which makes me question the basis of the recommendation that you

have made.

Taking the first and the final point together, yes we do have a reliance on SCC grant funding, like very many of the organisations that SCC award to, I am sure, but the staff and the directors have made significant efforts to diversify our activity and our income for the past two years. This is evidenced in the minutes of our regular directors' meetings and our AGMs. Our strategy has been to try to maximise our earned revenue from our resource base and from courses, but due to the economic downturn this has met with limited success. The promotion of our resource base, primarily to the local voluntary sector, heavily publicised through SVS, makes our ambition to become an increasingly valued part of the voluntary sector infrastructure clear, and we are helping charities promote their services to local communities, and offering other transferrable skills like project management. I therefore refute completely the accusation that we are not making changes to mitigate the impact of the economy.

The other point that I would like to make is that while our Open Access sessions only operate in term-time due to restrictions on access at the school we operate from, this only represents a small proportion of our activity between 8%-12% of our client contact, and 3-4% of our income. All other activity, including courses held off-site, continue during school holidays. The misunderstanding of the assessing officer is clear in the response to the question "Does this application represent good value for money?" – the fact that our adult only Open Access is closed during school holidays gives us a much greater opportunity to work off-site with families and young people, 10 hours a week of staff time. Examples of holiday activity that we have recently delivered include family workshops at Sholing Valleys Nature Centre, family photography workshops at various army campuses around Hampshire, workshops with Newtown Youth Centre and workshops with families on the Northam and Kingsland Estates in Southampton (to name but a few).

The fact that the Council's officers who assessed our application seem unaware of this makes me question how much they know about us as an organisation, and therefore the basis of the recommendation not to award a grant to us next year. I would also like to challenge the fact that we appear to have been 'marked down' twice for "heavy reliance on SCC funding" and three times for "lack of holiday access / aren't open during school holidays / closed during school holidays."

With regards to the updated Impact Statement, the Media Workshop will have to close its resource base at Mount Pleasant Junior School and make current staff redundant. Due to the time constraints there will be pressure both financially and physically in winding down the current resource base and office by 31/3/2013.

I therefore ask that this assessment be revisited, and request urgently a dialogue with the assessing officer to make sure that the basis for a decision on our funding is factual.

Solent Credit Union

Solent Credit Union is grateful for the grant recommendation that you have made as it will enable us to continue offering services to the people of Southampton. However as your letter sets out, the offer is a considerable reduction on the amount for which we applied.

We have considered whether to appeal or not and think we should, because receiving a reduced amount has significant implications for the adequate provision of ethical financial services for people in Southampton. This relates specifically to the capacity of Solent Credit Union to support the delivery of Universal Credit and Direct Care Payments with the

Council and other partners, as well as providing a fully functioning financial service to people who are financially excluded.

Impact:

These reductions will more than halve our capacity and work against the economies of scale that arise from growth.

Our business plan projections predict that we will be supporting 8,000 members within 3 years, all local people and a significant number of whom will be receiving Universal Credit and have high levels of financial literacy need and support.

We believe the impact would be to significantly reduce the number of people we would be able to offer a high level of service to. As stated, this could be over 50% of our capacity and so 50% of the potential membership.

Without wanting to be alarmist, we therefore predict 3,500 people would be significantly disadvantaged as a result of this proposed reduction. The specific level of disadvantage is hard to calculate, however, nationally, it is estimated that Credit Union loan interest charge is less than half the cost of other lenders. Therefore, with our estimated revised loan book of £600,000 we would expect local people to be able to spend an additional £100,000 in the local economy if we received the full grant.

This is a conservative estimate and as you may be aware, our average interest charge of 15% APR is hugely less than Provident 277% APR, Payday Loans 1734% APR or Wonga 3378.1% APR, which suggests much larger amounts are likely to accrue to the local economy. On top of that, the reduced cost of supporting people in dire financial trouble would further benefit future public service expenditure. One of our main concerns is that Southampton Residents might resort to using unauthorised money lenders in an emergency situation, something that we would hope to reduce with a full service credit union serving the people of Southampton.

We would also like highlight the fact that amongst the organisations recommended to receive a grant we are the only one who is able to offer very practical help and support in dealing with the issues arising from the Welfare Reform Act 2012, especially Universal Credit. We are already set up and trialling 'Jam Jar Accounts' which will greatly assist members in paying their rent and bills at the same time as encouraging them to save. Therefore we would like the members and officers to very seriously consider awarding a higher amount. This would enable us to employ a full time member of staff with the necessary skills to develop and deliver a wide range of products which would benefit many vulnerable and disadvantage Southampton residents. A full time member of staff would also enable us to take on at least one New Apprentice thereby increasing our capacity and providing much needed employment and skills opportunities.

We thank you for this opportunity to appeal and very much hope that the City Council can fully support the potentially much increased impact Solent Credit Union could make to the financial health of many Southampton People.

Southampton Advice and Representation Centre

Whilst we are grateful to have received continued funding, there is a reduction which will in time have a serious impact on our ability to provide a service that will meet current service demand, let alone the anticipated increase from welfare reform.

Even if there were short term funding to help over the next few years to try and tackle the volumes of work created by welfare form, it would be appreciated.

Southampton Amateur Gymnastics Club

It's very disappointing to hear there is no recommendation for us to be considered for a grant, it will have a negative impact on the club's future, for sustainability and progress. Particularly as we have had running costs grants for the past number of years, it is already looking for this year, without the grant that it will have a huge financial impact on the sustainability of the club.

Southampton Nuffield Theatre Trust

The Nuffield Theatre has provided entertainment, education and contributed to the quality of life in Southampton for over 40 years. An important part of this has been the long term partnership with Southampton City Council and our other funders. We are at a moment of transition, growth and new developments. However, the recommendation for the next three years represents a real and genuine challenge to our evolution and continued place as the key performing arts company in Southampton.

Overview

- We understand that Southampton City Council needs to respond to a very challenging financial situation, but the proposals for arts grants are for a disproportionate reduction (26.4% versus a total reduction of 6.8%) and the majority of the actual reduction from the cultural grants is proposed to fall to The Nuffield (a reduction of £52,589 out of a total reduction of £79,746).
- The Nuffield's SCC grant has reduced by 85% (including inflation) over the last fourteen years. The company has made savings of 2-4% year on year to cover this, and last year made a further saving of £100,000 by reconfiguring its work.
- In addition to savings, The Nuffield undertook a review with external consultants last year to develop a new business model with additional trading and fundraising income replacing lost public funds. The company has invested its total reserves in changes in order to achieve the necessary additional income, but we need longer for these changes to achieve the necessary additional income.
- For 2013/14, the company had planned for a total reduction of a further £28,000 being a reduction of 12%* from SCC together with a 1% reduction from Arts Council England, 1.9% from Hampshire County Council and standstill funding from the University of Southampton. The additional 15.5%* reduction proposed by SCC cannot be absorbed by the Company without impacting on front line services which will in turn compromise our agreements with our other funders and threaten the £800,000 PA inward investment. The Nuffield was informed of this proposal on 8 January, giving the company only twelve weeks to make adjustments accordingly.
- We were not informed in advance of the assessment scoring system that has been operated and whilst we understand its objectivity, we are concerned that it does not reflect the full picture in terms of company's needs, contributions and strategy in a changing and demanding environment.
- In particular we would like the assessment team to revisit the 7/10 mark for value for money given the Nuffield's leverage of over £800,000 inward investment of public funding into the City in the current economic environment.
- The proposal for such a significant cut and its threat to the Nuffield's new Business Plan may also undermine Arts Council England's confidence in SCC's commitment to funding the arts in general and the Cultural Quarter and the New Arts Complex project in Guildhall Square in particular.

- It will be increasingly difficult for The Nuffield as the key performing arts company to play its part in the City's plans for cultural regeneration and to combat the effects of the recession if it cannot operate efficiently.
- The Nuffield employs a significant number of Southampton residents and the majority of its leveraged and earned income is spent within the city and with local businesses.
- The Nuffield is a key to Southampton's cultural provision and a delivery partner in the City's audience development and animation project. This work and the City's longer term plans for the Cultural Quarter may be compromised if the Company is unable to continue its arts and audience development activities in the crucial years ahead of Southampton New Arts Complex (SNAC) opening.
(*compared to the 2012/13 grant)

Southampton Street Pastors

We are very grateful to have been recommended to receive grants from the SCC Commissioned Grants Programme.

It is a great relief for us to see the possibility of significant income supporting our development plans for the next 3 years. With these funds we are confident that we will be able to extend the successful NTE street pastor model into youth and community contexts over the next 3 years, whilst maintaining our existing NTE and school patrols.

We note that the sums recommended leave us with a budget shortfall around 15%. We will need to devote more of our resources to looking for additional income, which may slow us down somewhat, but we remain optimistic and committed to our goals.

Youth Options

I would like to make the following representation to Cabinet against the decision to not recommend a grant allocation to Youth Options through the Commissioned Grant Programme.

Youth Options scored 66 points out of a possible 100 leaving it in band F with no recommendation of grant. Having requested the appraisal of the application there are several comments that I would like to take issue with.

1. Firstly, against the question 'Does this application represent good value for money?' the comment has been made that it is 'a high cost for work in just one area of the city', and a score of 4/10 has been given. My first issue is that there was no indication in the application criteria that the service would be penalised for being located in just one area of the city. Secondly the value for money is not diminished by virtue of being located in one area, it is in fact increased as less time and money will be spent on travelling between homes, and allows all children in the families to attend after school clubs without transport being needed.
2. Against the question 'Are the stated targets satisfactory?' the comment has been made that it is 'Not clear how many people are actually being supported', and a score of 5/10 has been given. It states quite clearly in question 2.4 of our application that 'This bid seeks to continue the project for 10 referred families per year (30 in total) in Thornhill to access the support as described in question 2.3.' Whilst we cannot be clear about exact numbers of people I think this is a sound indication. Also the question asks about satisfactory targets, and we set the following:
 - a. 80% of children will show improved school attendance
 - b. 50% of parents supported to engage with education, employment or training

- c. 80% of children show improved behaviour both in school and at home
- d. 50% of parents supported to engage with education, employment or training
- e. 100% of parents understand the changes in Welfare Benefit, and how they are affected
- f. 80% of parents report improved parenting skills
- g. 80% of families report improved parent/children relationships
- h. 70% of families achieve their family targets set at referral to the project
- i. 50% of families increase the amount of physical exercise they undertake

I find it hard to believe that these targets warrant a score of only 5/10, given that they directly relate to the criteria set out in the guidelines.

3. With regard to the question 'How well will this application meet the outcomes it says it will?' the comment has been made that it has 'Good outcomes for Thornhill, but reach is limited.' We have scored 20/30 for this question. I have issue with the fact that we have already been penalised twice in the appraisal prior to this question for only delivering in Thornhill, and I do not believe it to be fair or professional to keep penalising for the same issue throughout, especially when that penalty represents a third of the marks available for this particular question.
4. In the final section, which reflects the Officers professional opinion our application scored 20/30, and several comments were made, which I would take issue with.
 - a. Once again it is mentioned that the project has limited reach, which indicates that once again marks have been deducted for something we have been penalised for three times already.
 - b. It says that we are duplicating the work of a post recently appointed at Kane's Hill Primary School; this is not strictly true as we offer after school support, activities throughout all school holidays for all members of the family, coffee morning and regular home visits, all of which are not offered by the school. We work closely with the appointed member of staff at Kane's Hill to ensure that we do not duplicate work, and that we support the work of the school.
 - c. It also says that there are 'concerns with how this fits with the Families Matter programme – other sources of funding could be available.' We have quite clearly stated in question 2.6 that 'This project, if it secures further funding, will also support the Government's Troubled Families (Families Matter) agenda, from which approximately 600 families have been identified in Southampton.' I would also take issue with the fact that there are other sources of funding available; due to the high profile of this Government Agenda, and the amount of money allocated to it other funders are unwilling to put their funds into such programmes.

I believe that taking into account all of the above points our application should have scored a higher mark than 66/100, and would, therefore, be eligible for a recommendation of funding.

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Agenda Item 9

Appendix 5

Community Chest Grant allocation 2012/13

A budget of £50,000 was allocated for 2012/13, which increased to £50,492 through the return of unspent grant from organisations that had been allocated Community Chest in 2011/12. In total 94 applications were made and 56 grants were awarded, with an average grant of £902.

Grants were awarded to a wide range of community groups across the city for general running costs, events and activities and equipment.

Organisation	Granted	Towards
Artful Scribe	£500	A contribution towards the two outreach poetry workshops
Arthritis Care - Southampton	£1,500	Towards hall hire and transport to sessions
Asian Seniors	£500	A contribution towards insurance, room hire and other expenses
Avenue Multicultural Centre	£1,500	A contribution towards insurance, rent and crèche costs
Awaaz FM	£1,125	A contribution towards running costs
Bitterne Youth Football Club	£750	A contribution towards setting up the football team
Breakout Youth	£1,000	A contribution towards volunteer expenses and insurance costs
Brendoncare Club Hampshire	£960	Towards room hire expenses for two activity clubs
Chinese Arts Southampton	£650	Towards the costs of a fundraising event
Chrysalis	£1,500	Towards meeting venue costs, volunteer expenses and IT equipment
Churches Together in Swaythling and Bassett	£500	A contribution towards producing newsletters with local events and information
Community Languages Trust	£500	A contribution towards start-up costs, including stationery, meeting room hire, insurance and volunteer expenses
Coxford and District Youth Project	£890	Towards insurance costs and a contribution towards one training coach
Do It Yourself Girl	£1,250	Towards the costs of printing a quarterly magazine
Dumbleton Park	£750	A contribution towards the purchase of additional bikes for local children to borrow
Ejector Seat Arts	£1,550	Towards the basic infrastructure costs of the event - insurance, events licence, toilets and litter collection
Environmental Rock	£250	Towards items for a community environmental event
Friends of Lords Hill	£522	Towards play equipment for the Parent and Toddler Group
Friends of Portswood Rec	£500	A contribution towards insurance, meeting room hire and other expenses
Friends of Town Quay Park	£200	A contribution towards insurance costs

Organisation	Granted	Towards
Inner City Boxing	£1,829	Towards the purchase of equipment brackets and a contribution towards ongoing renovation work
Kanes Hill Social Club (Fairfax Court)	£370	A contribution towards cooking and catering equipment
Lumsden Avenue Residents Association	£1,100	A contribution towards 1 year's running costs, including insurance, volunteer expenses and community event costs
Malayeee Association of Southampton	£500	A contribution towards hall hire for language and training classes
Melting Pot	£880	Towards the costs of 6 folk dancing taster sessions for over 50s.
Millbrook Over 50s Group	£2,500	A contribution towards the running costs of the group
North Southampton Community Forum	£500	A contribution towards venue hire, stationery and NORA subscription
Now Heritage CIC	£2,332	A contribution towards Oral History project workshops
Photobookshow	£1,780	A contribution towards workshops for the art project
Playtots Parent and Toddler Group	£202	Towards insurance and hall hire
Ranelagh Residents Association	£1,830	Towards fence replacement
Regents Park Quilters	£598	Towards two sewing machines
Ropewalk Community Garden	£1,153	Towards chairs and tables for developing the garden as a meeting place
Russian Speaking Group	£741	Towards hall hire, milk, art and craft materials, books and teaching aids and insurance
Sapphire Acro	£559	Towards the purchase of a trampette
Sarisbury Sparks White (Under 10s)	£500	A contribution towards hall hire, insurance and other expenses
Shirley Baptist Church	£1,500	A contribution towards the Holiday at Home Project
Sholing Senior Citizens	£443	Towards a printer, toner, tea trays and tea towels, cool box and membership cards
Solent Saints FC	£750	A contribution towards setting up the football team
Southampton Afghani Shia Association	£750	A contribution towards the running costs of a football team
Southampton Counselling Limited	£500	A contribution towards volunteer expenses
Southampton Federation of Residents' Associations	£250	A contribution towards ongoing expenses and to engage with other residents associations
Southampton Rugby Club	£1,000	A contribution towards kit and coaching to expand a Tag Coaching project with schools
Southampton Sunday Lunch Project	£2,702	Towards venue hire, food safety training, website costs and other expenses

Organisation	Granted	Towards
Southampton Uke Jam	£500	Towards the purchase of 10 ukuleles and a contribution towards other equipment
Southampton Woodcraft Folk	£500	A contribution towards tents and venue hire
Stars in the Sky	£864	A contribution towards volunteer expenses
Stepacross	£500	A contribution towards holding Southampton Inter-Generational Network meetings
Supporters of the Warren Centre	£500	A contribution towards running a few photography sessions as a pilot project to establish if there is demand for it
Swaythling Junior Netball Club	£800	A contribution towards additional equipment for the new under 10's group.
Swaythling Neighbourhood Centre Circuit Training Group	£678	Towards hall hire and trainer expenses
The Gambia Society	£1,290	A contribution towards insurance, training, venue costs (for meetings, IT training, job club and family support) and craft materials
Townhill Park Fifty Plus Club	£440	Towards venue hire
Transition Southampton	£754	Towards brochures for a Sustainable Living Festival in September 2012
Vedic Dance Group	£1,000	Towards volunteer expenses, music, equipment and publicity
Wayne Howard Trust	£500	A contribution towards IT equipment and phone expenses

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Support in Kind

Southampton City Council supports voluntary organisations through grants, contracts, spot purchases (such as room hire or training courses) and support in kind.

Mandatory Rate Relief (MRR) – Registered charities are eligible for an 80% reduction of their business rates. The full cost of this is met by central government and therefore the individual amounts have not been listed in this report. However, those organisations have been included to give the full picture of support. Currently 221 organisations in the city receive MRR, worth just under £7.8 million in 2012/13.

Discretionary Rate Relief (DDR) – Voluntary organisations not eligible for Mandatory Rate Relief can apply for Discretionary Rate Relief on up to 100% of their business rates bill. Currently 24 voluntary organisations in the city receive DDR. For these organisations the council can claim 75% of this cost back from central government. The other 25% is covered by the council. The current value of support from the council is £16,182.

Less than market rent – the council lets some properties to voluntary organisations at less than market rent or peppercorn rent where it would be unlikely to receive market rent. This includes both buildings and ground rent. Currently 54 voluntary organisations let properties at less than market rent or peppercorn rent. The current value of support from the council is £863,478.

The total value of support in kind from the council in January 2013 is **£879,660**.

Organisation	Disc Relief	Mand Relief	Less than Market Rent
11th Itchen Scout Group		✓	
11th Southampton West Scout Group		✓	£7,531
13th Soton Scout Group		✓	£7,999
14th Itchen South Scout Group		✓	
14th Soton (Highfield) Scouts		✓	
17th Itchen (St Francis) Scouts			£249
18th Southampton (Maybush) Boy Scout Group		✓	
19th Itchen North Scouts			£2,999
1st Itchen South (Woolston) Scout Group		✓	£4,349
1st Southampton (Aldermoor) Scouts Group		✓	£6,999
22nd Southampton Scout Group		✓	£4,034
25th Southampton (Northam) Sea Scouts		✓	
29th Immaculata Scout Group		✓	£3,999
2nd Southampton Scout Group		✓	
2nd Woolston Guides		✓	£3,599
3rd Itchen North Scouts		✓	
7th Southampton (Bassett) Scout Group		✓	

Organisation	Disc Relief	Mand Relief	Less than Market Rent
9th Itchen Sea Scouts Group		✓	£1,580
9th Southampton Scouts			£2,599
A Space : Growing Creative Communities		✓	
Abilitynet		✓	
Active Nation UK Ltd		✓	
Aeronautica At Southampton Ltd		✓	
African Caribbean Centre		✓	
African Voice		✓	
Age Concern Southampton		✓	
Age UK		✓	
Ancient Order Of Foresters		✓	
Art Asia Trust Ltd		✓	
Artsworld Ltd		✓	
Atherley Bowling Club		✓	
Aurora New Dawn Ltd	£1,612		
Awaaz Fm Community Radio CIC	£3,375		
B.T.C. Sports Club	£3,881		£3,000
B.T.C.(Southampton) Rowing Club	£223		
Barnardos		✓	
Bitterne Local History Society		✓	
Bitterne Manor Community Association		✓	£3,945
Bitterne Royal British Legion		✓	
Black Heritage Southampton Association		✓	£449
British Heart Foundation		✓	
British International Sailors Society		✓	
British Red Cross Society		✓	
Brockenhurst College		✓	
C.L.I.C. - Cancer & Leukaemia In Childhood		✓	
Cancer Research UK		✓	
Care And Relief For The Young		✓	
Careers Development Group		✓	
Catch 22 Charity Ltd		✓	
Central Southampton Vineyard Ltd (Church)		✓	
Centres For Seafarers		✓	
CFU Trust		✓	
Choices Advocacy		✓	
Christian Alliance Housing Association Ltd		✓	
Church Of England Children's Society		✓	
CIS'ters		✓	

Organisation	Disc Relief	Mand Relief	Less than Market Rent
City Centre Catholic Parishes - Diocese Of Portsmouth		✓	
City Life Church Southampton		✓	
City Reach Youth Project		✓	
Coalporters Amateur Rowing Club	£2,250		
Community Playlink		✓	£3,500
County Bowling Club		✓	
Coxford & District Community Association		✓	£4,649
Crime Reduction Initiatives		✓	
Cultural Media Enterprise Ltd	£2,633		
Dominion Faith Ministries		✓	
Dreamwall Ltd		✓	
Eastpoint Centre Limited		✓	£149,999
Emergency Aid		✓	
Eng Training Association		✓	
English Heritage		✓	
Enham		✓	
Family Mosaic		✓	
Festival Of Britain (Itchen) Community Association		✓	
Firgrove Family Trust		✓	
Freemantle And Shirley Community Association		✓	£14,499
Freemantle C Of E Community Academy		✓	
Girl Guides Association		✓	
Gnostic Cultural Association	£2,590		
Godfrey House Trust		✓	
Governors Of Highfield CE School		✓	
Governors Of Holy Family RC (A)		✓	
Governors Of Springhill RC Primary School		✓	
Governors Of St Annes Convent RC GM Girls School		✓	
Governors Of St Patricks RC (A)		✓	
Governors Of Upper Shirley High School		✓	
Guide Dogs For The Blind Assoc		✓	
Guides - Sea Rangers			£999
Guides Association		✓	
Hampshire & IOW Air Ambulance		✓	
Hampshire & Isle Of Wight Youth Options		✓	£9,935
Hampshire Advocacy Regional Group		✓	
Hampshire County Council			£6,999

Organisation	Disc Relief	Mand Relief	Less than Market Rent
Hampshire Somali Community		✓	
Hampshire, IOW & Channel Islands Association For Deaf People Ltd		✓	
Hamwic Housing Co-Operative Ltd		✓	
Hants & Wight Trust For Maritime Archaeology		✓	
Harefield Community Association		✓	£10,499
Home Group Ltd		✓	
Honeybeez Pre-School			£10,799
Hope & Aid Direct		✓	
Hope Now Ltd		✓	
Hyde Housing Association		✓	
Inner Peace Foundation		✓	
ISAF (UK) Limited		✓	
Itchen College		✓	
Itchen Imperial Rowing Club		✓	
Itchen North District Scout		✓	
Jubilee Sailing Trust		✓	
King Edward Vi School		✓	
Kingsland Residents Community Association		✓	£12,499
League Of Friends University Hospital Southampton		✓	
Learningland		✓	
Lloyds Register EMEA		✓	
Lordshill Community Association		✓	£8,555
Lordswood Residents Association		✓	£6,499
Marie Curie Cancer Care		✓	
Maskers Theatre Co		✓	
Mayflower Theatre Trust		✓	£199,999
Medical Research Council		✓	
Merchant Navy Welfare Board		✓	
Merryoak Community Centre		✓	£10,999
Millbrook Rugby Football Club			£7,618
Moorsland Community Association			£3,999
Mountain Of Fire And Miracles Ministries International		✓	
National Council Of Young Men's Christian Associations (Incorp)		✓	
New Forest Mediation		✓	

Organisation	Disc Relief	Mand Relief	Less than Market Rent
New Frontiers Life Church Southampton Ltd		✓	
No Limits (Southampton)		✓	
Northam Community Link		✓	£33,999
NSPCC		✓	
Oasis Community Learning		✓	
October Books Ltd	£5,496		
Oxfam		✓	
PCC Of E Parish Of Holy Trinity Weston		✓	
PDSA		✓	
Pirrie Park Bowling Club	£2,450		
Plus You Limited		✓	
Pneuma Life Centre		✓	
Polish Catholic Centre		✓	
Positive Action Client Support Ltd		✓	£8,299
R.S.P.C.A.		✓	
Radian Group Ltd		✓	
Raglan Housing Association Ltd		✓	
Rainbow Trust Children's Charity		✓	
Ranger Unit Southampton			£299
Red Lodge Community Pool Ltd		✓	£999
Redeemed Christian Church Of God Oasis Of Life Southampton		✓	
Regents Park Community Association		✓	
Rising Status Limited			£13,000
Royal British Legion		✓	
Royal Southampton Yacht Club Ltd	£4,866		
S.O.S Polonia Trust		✓	
Samaritans Purse International		✓	
Samaritans Southampton & District Branch		✓	
Saxon Weald Homes Ltd		✓	
SCA Transport Services		✓	
Scope		✓	
Shirley Parish Church		✓	
Shirley Sea Angling Club	£650		
Sholing Community Association		✓	£7,664
Sholing Valley Study Centre Association			£4,499
Sitra (Services)		✓	
Social Care In Action		✓	
Social Mailing Services Ltd	£2,042		
Society Of St James		✓	

Organisation	Disc Relief	Mand Relief	Less than Market Rent
SoCo Music Project	£5,088		
Solent Addictions Trust Ltd		✓	
Solent Mind		✓	£750
Solent Sky			£23,800
Soton Hospital Broadcasting Association		✓	
South Hampshire Lawn Tennis Club		✓	
Southampton Action For Employment Ltd		✓	
Southampton Advice & Representation Centre		✓	
Southampton Afghani Shia Association		✓	
Southampton Amateur Rowing Club		✓	
Southampton Children's Play Association		✓	
Southampton Citizens Advice Bureau		✓	
Southampton City And Region Action To Combat Hardship		✓	
Southampton City College		✓	
Southampton City Primary Care Trust			£7,599
Southampton Gymnastics Club		✓	
Southampton Master Mariners Club	£1,772		
Southampton Mosque Trust		✓	
Southampton Old Bowling Green	£583		
Southampton Pre School Learning Alliance		✓	
Southampton Rape Crisis And Sexual Abuse Counselling Service		✓	
Southampton Rugby Club			£16,499
Southampton Sailing Club	£5,670		
Southampton Sea Cadets Corp		✓	£3,100
Southampton Service User Network		✓	
Southampton Solent University		✓	
Southampton Sports Club	£2,873		
Southampton Voluntary Services		✓	£49,631
Southampton Women's Aid Ltd		✓	
Southampton YMCA		✓	
St Denys Community Association		✓	£23,599
St John Ambulance		✓	
St Mary's College & Junior School		✓	
Starfish ESOL Plus Community Interest Company Ltd,	£188		
Stonham Housing Assoc Ltd		✓	
Sue Ryder Care		✓	
Swaythling Lawn Tennis Club		✓	

Organisation	Disc Relief	Mand Relief	Less than Market Rent
Swaythling Neighbourhood Centre Community Association		✓	£24,699
Tenovus		✓	
Test District Guides			£8,349
The Army Cadet Force Association & The Air Training Corps General		✓	
The Art House Southampton Community Interest Company	£3,375		
The Damaris Trust Ltd		✓	
The Environment Centre		✓	
The Governors Of Taunton's College		✓	
The Gregg + St Winifred's Schools Trust		✓	
The Hampton Trust		✓	
The Harbour Counselling Service		✓	
The Jane Goodall Institute (UK)		✓	
The Mammal Society		✓	
The Mayflower Christian Bookshops Charity Trust		✓	
The Millennium Third Age Centre		✓	
The Moorlands Community Association		✓	
The Muslim Council Of Southampton	£74		
The Navigators UK Ltd		✓	
The Oakhaven Trust		✓	
The Princes Trust		✓	
The Public Safety Charitable Trust Ltd		✓	
The Rainbow Project		✓	
The Redeemed Christian Church Of God Holy Ghost Zone		✓	
The Rose Road Association		✓	£39,999
The Salvation Army		✓	
The School Mathematics Project		✓	
The Scout Association Trust Corp			£8,997
The Society Of St James		✓	
The Southampton Education Trust Limited		✓	
The Southampton Engineering Training Association Ltd		✓	
The Southampton Nuffield Theatre Trust Ltd		✓	
The Southampton Scrap Store		✓	
The Stroke Association		✓	
The Sue Ryder Foundation		✓	

Organisation	Disc Relief	Mand Relief	Less than Market Rent
The United Reformed Church (Wessex) Trust Limited		✓	
The Wayne Howard Trust		✓	
The Wheatsheaf Trust		✓	
Thornhill Natterbox Community Association			£3,499
Thornhill Youth Centre		✓	
Townhill Park Community Association			£2,000
Trojan Mailing Limited	£4,641		
Two Saints Trust		✓	
U Support		✓	
Unit 11 Studios	£2,297		
Unity 12 Ltd		✓	£24,999
University Of Southampton		✓	
Vitalise		✓	
Wessex Cancer Trust		✓	
Wessex Cardiac Trust		✓	
Wessex Children's Hospice Trust		✓	
Wessex Driveability		✓	
West Itchen Community Trust Ltd		✓	
Weston Adventure Playground		✓	
Wheatsheaf Trust		✓	
Who Made Your Pants	£4,433		
Willow Creek Association UK		✓	
Winchester Diocesan Board Of Finance		✓	
Women's Wisdom Ltd	£1,665		
Woolston And District Community Association		✓	£20,999
Woolston/Weston Mini Bus Association			£199
Workers Educational Association		✓	£11,624
YMCA Fairthorne Group			£9,000
Total Value Of Support To Voluntary Organisations	£64,726	£7,797,504	£863,478
Total Value Of Support Given By SCC	£16,182	£0	£863,478

Grants to Voluntary Organisations 2013/14 to 2015/16

Equality and Safety Impact Assessment information for individual applicants

As part of their application organisations were asked to provide information on the impact of not awarding the full grant they requested. They were asked for details of the impact on the organisation and service users and specifically the impact on equalities (questions 2.8 and 2.9 of the application form).

On 08 January 2013 applicants were advised of their recommended grant and invited to update the impact information.

A Cumulative Impact Assessment has also been completed and is included with the Grants to Voluntary Organisations 2013/14 to 2015/16 report to Cabinet, 19 February 2013, as appendix 4.

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a space arts

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	<p>Less or no funding will eventually result in slower growth of the creative communities in the city. The artists in the studios would not have the opportunity in Southampton to develop their business and add to participation in and across communities.</p>	

Aeronautica (Solent Sky)

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding could lead to a reduction in museum services offered to schools, colleges, universities, adult education and senior groups.	
Disability	Reduced or no funding could lead to a reduction in museum services offered to disability groups and other interest groups.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	<p>Solent Sky is the only public museum covering the county's and the Solent area's aviation heritage.</p> <p>If the museum was unable to secure the requested funding it would undoubtedly mean a reduction in the service Solent Sky offers to the public.</p>	

Age Concern

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding will mean we are unable to engage with older BME people who have suffered from a number of cuts to services over the past few years.	
Disability	Reduced or no funding will mean we are unable to engage with older BME people who have suffered from a number of cuts to services over the past few years.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	Reduced or no funding will mean we are unable to engage with older BME people who have suffered from a number of cuts to services over the past few years. It would also reduce support for the development of small BME groups which equips them with the necessary skills to fundraise and manage their own affairs.	
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	If we do not engage with older BME people we will be unable to provide information, advice and signposting services to them. Our experience in this field is valuable and we wish to retain our member of staff who holds this expertise.	

Ansbury

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding could mean this facility to support young people in transition post 16 to make informed, key decisions about their progression in learning will not be available to Southampton school pupils.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

Work in progress

Art Asia

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	<p>Our roots are in the South Asian arts and culture. We have enjoyed the support of the council for a number of years in promoting South Asian arts in the city. Loss of all or a part of this funding could have a severe negative effect on the work that we carry out. The cultural diversity work we provide for all the community could be severely affected.</p>	
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	<p>Reduced or no funding could put further pressure to reduce the numbers of staff and this would reduce the amount of programming in the city. Working with other arts organisations contributes to partnership programming and has a beneficial effect on community cohesion. If the Mela were to be reduced in size or if we were forced to cancel it due to the withdrawal of SCC funding, this would itself be a huge blow and would be a great loss to the city, in artistic, cultural and community terms.</p>	

Be Your Best Foundation

Updated: 09 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age	<p>Without funding from the council Southampton schools will no longer automatically receive places at the Rock Challenge event and will have to attempt to gain entry through the first-come, first-served basis as with any schools wanting to participate who are based outside the city. This will reduce their chance of entry in the event.</p> <p>Participating in the Rock Challenge can lead to improved school attendance, and better prepared school leavers with an increased employability chance.</p> <p>BYBF believe this could potentially affect a number of other categories as well as age.</p>	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

Breakout Youth

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding could lead to at least 40 young LGBT people (and a potential 400 or more) not having access to a safe and friendly local facility that provides them with essential support and advice on a range of issues that for them are potentially life threatening or life diminishing. If this service was not available those young LGBT would be far more vulnerable in terms of victimisation/bullying/trafficking and this increases the potential for them becoming involved in drugs/alcohol misuse, crime, becoming homeless and putting a greater strain on the various health and social services.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation	Reduced or no funding could lead to at least 40 young LGBT people (and a potential 400 or more) not having access to a safe and friendly local facility that provides them with essential support and advice on a range of issues that for them are potentially life threatening or life diminishing. If this service was not available those young LGBT would be far more vulnerable in terms of victimisation/bullying/trafficking and this increases the potential for them becoming involved in drugs/alcohol misuse, crime, becoming homeless and putting a greater strain on the various health and social services.	

Community Safety		
Poverty		
Other Significant Impacts		

Work in progress

City Eye

Updated: 25 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age	<p>One of our core client groups are people considered to be vulnerable because of age (predominantly young people but also the elderly). It is frequently the case that these groups are also less able financially to support their own engagement and indeed often might not consider participating in an activity unless it was made financially accessible to them. Our ability to offer our services at subsidised rates to other organisations and groups working with particular sections of the community would be greatly hindered.</p> <p>Our film and video activity would need to be priced on a full cost recovery basis which would certainly place it beyond the reach of many young people and elderly people, both groups and individuals.</p>	
Disability	<p>Two of our core client groups are mental health service users and people with disabilities. It is frequently the case that these groups are also less able financially to support their own engagement and indeed often might not consider participating in an activity unless it was made financially accessible to them. Our ability to offer our services at subsidised rates to other organisations and groups working with particular sections of the community would be greatly hindered.</p> <p>Our film and video activity would need to be priced on a full cost recovery basis which would certainly place it beyond the reach of many mental health service users and people with disabilities, which is one of our core client groups.</p>	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		

<p>Race</p>	<p>One of our core client groups are people from ethnic minority groups. It is frequently the case that these groups are also less able financially to support their own engagement and indeed often might not consider participating in an activity unless it was made financially accessible to them. Our ability to offer our services at subsidised rates to other organisations and groups working with particular sections of the community would be greatly hindered.</p> <p>Our film and video activity would need to be priced on a full cost recovery basis which would certainly place it beyond the reach of many people from ethnic minority groups which is one of our core client groups.</p>	
<p>Religion or Belief</p>		
<p>Sex</p>		
<p>Sexual Orientation</p>		
<p>Community Safety</p>		
<p>Poverty</p>	<p>Reduced or no funding could lead to us having to increase our charges, impacting on the ability of many people within the community to participate in our activities. Many people we engage with are on low incomes.</p>	
<p>Other Significant Impacts</p>	<p>Reduced or no funding could affect staffing levels as 85% of our costs are staff salaries. Staff are already employed on salaries below the city average. Without SCC funding it may not be possible to deliver Southampton Film Week, because it is critical in enabling the organisation to draw in funding from other funds, e.g. Creative England, BFI and Arts Council. Our credibility as a community based film and video facility would be jeopardised and in turn would hinder opportunities to raise further funds.</p>	

City Reach Youth Project

Impact Assessment	Details of Impact	Possible Solutions
Age	The impact of reduced or no funding on communities, families, children and parents, would be that they would have no where safe or secure to send their children in the area. There would be no referral point for agencies to refer young people to. There would be no positive activities for young people to take part in after school, weekend or school holiday periods.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety	Reduced or no funding of this young people's service could lead to an increase in anti social behaviour, juvenile nuisance and crime.	
Poverty		
Other Significant Impacts	The total closure of the youth project and its work across three communities in the inner city would be a distinct possibility.	

CLEAR

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	100% of our clients would be of ethnic and national origins. Reduced or no funding could mean 50 learners and 32 children would no longer be able to access learning English/creche in the city.	
Religion or Belief	A high proportion of our clients are Muslim (around 60%) and so there could be a negative effect on Religion and belief.	
Sex	We have a high proportion of women who access English and volunteering opportunities and so there may be an impact under the Sex characteristic also.	
Sexual Orientation		
Community Safety		
Poverty	There will be a drift into poverty for many clients as our services diminish at a time of major benefit changes.	
Other Significant Impacts	In the first year we would have to reduce the number of staff involved in the advice service, with a probable consequence of reducing our opening hours. The likely reduction would be 35% of our opening capacity, which would mean 770 fewer user visits. This would put limitations on our service delivery, and would lead to some clients being unable to access the advice that they need, whilst others will seek to find help elsewhere and consequently put pressure on other advice services in the city.	

Work in progress

Communicare

Impact Assessment	Details of Impact	Possible Solutions
Age	78% of clients are over 65 years of age and 58% are over 80. Reduced or no funding could lead to an increase social isolation for older people, which in turn could lead to more people experiencing depression and anxiety-related conditions.	
Disability	Loss of funding could have a detrimental impact on these clients with disabilities, around 60% of our clients, including some who are house-bound due to physical disabilities such as immobility, deafness or sight impairment. The impact could be reduced services for weekly shopping and assisting with GP appointments where the client has hearing difficulties to taking house-bound clients out in their wheel chair to help combat feelings of isolation and confinement.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	Reduced or no funding could lead to a reduction in the hours of part-time staff and delay recruitment thereby reducing the quality and flexibility of the service. Reducing this low cost service whose principles rest on the value of preventative rather than reactive care could prove detrimental	

	to the wellbeing of existing and potential clients and could result in an increase in funded care.	
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Work in progress

Community Languages Trust

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding could impact children and young people as all the students attending language classes are aged under 19. They are not in a position to take action to ameliorate the impact of a loss of services, for example, they cannot usually buy resources or make alternative arrangements to learn community languages free or at a reduced cost.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	Reduced or no funding could lead to a reduction in staff training which could have a detrimental impact on the BME communities who use the classes to maintain their linguistic and cultural heritage and promote community cohesion. All of the students in classes are from BME communities in Southampton. See also EIA on Community Languages Service (Feb 2011)	
Religion or Belief		
Sex	The majority of volunteer teachers at the language classes are women. Reduced or no funding could lead to fewer opportunities to develop skills and improve their employability. A higher proportion of the students in classes are also female. Communities feel confident that the classes are a safe environment with good quality teaching and high levels of examination success. If the classes close or are less successful academically it is possible that girls from some very protective / restrictive communities will not be able to access classes elsewhere.	

	Many female students eventually become voluntary teachers which is an important progression for their employability and independence.	
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	Reduced or no funding would mean key elements of community languages provision in Southampton will not be delivered and this will have a detrimental effect on the service (through class attendance and exam attainment). If this grant is refused, the Trust may not be able to make any tangible contribution to the running of the service and in the long run both the service and the Trust could close.	

Work in progress

Community Playlink

Updated: 17 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age	Less than requested funding could reduce access to our comprehensive toy library service for families of 5-14 year olds which provides good quality play and learning opportunities and helps them towards early learning goals when they get to school. Services would need to retract to the most used venues.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	Staffing levels may have to be reduced.	

The Conservation Volunteers

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability	Reduced or no funding for the Green Gym could have a negative impact on people considered as vulnerable adults or with mental distress.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty	Reduced or no funding for the Green Gym could have a negative impact people with lower incomes as the project is focused on and has outputs and outcomes related to people living in the five wards with the highest level of multiple deprivation in Southampton.	
Other Significant Impacts	If partial funding was offered It would be difficult to provide the level of support needed to enable the Green Gym to become a locally managed community group.	

Co-operatives Southampton

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability	There is evidence that co-operatives have higher proportions of people with disabilities in Board-level positions. A reduced level of activity would therefore result in these positions not being created and therefore unavailable to be filled by people with the above characteristics.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	There is evidence that co-operatives have higher proportions of members of ethnic minorities in Board-level positions. A reduced level of activity would therefore result in these positions not being created and therefore unavailable to be filled by people with the above characteristics.	
Religion or Belief		
Sex	There is evidence that co-operatives have higher proportions of women in Board-level positions. A reduced level of activity would therefore result in these positions not being created and therefore unavailable to be filled by people with the above characteristics.	
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	Southampton could fall behind other areas in the number and quality of co-operative businesses established, missing opportunities for improved employment, housing and environment.	

EU Welcome

Updated: 16 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	Reduced or no funding could lead to the closure of the organisation leading to people from EU countries losing a support system. The impact could be a knock on effect on homelessness, health services and advice services.	
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety	An impact of not/reduced funding could be a potential increase of crime and ASB from and against people from EU countries as we provide advice and support to individuals and agencies on cultural differences that could impact on crime and ASB.	
Poverty	Reduced or no funding could lead to the closure of the organisation which could lead to people from EU countries struggling with finding work and accessing benefits.	
Other Significant Impacts	See below.	

Other Significant Impacts

If this funding request fails it is likely that the project will cease on or soon after 31 March 2013. We have applied to numerous grant-making bodies for assistance but historically our principle source of funding has been SCC. At present we have no other committed funding for 2013/14. This would have the following impact:

1. Our 3 weekly drop ins would cease meaning that EU clients with limited English would have nowhere to go for help in issues concerning housing, employment, benefits, health, police and law issues, family crises etc
2. We would not be available to support the Two Saints Day Centre and the Homeless Prevention Team with their EU clients. This would inevitably necessitate the use of expensive and limited translation services
3. SCC Housing and Money management would lose our support with EU clients
4. Job Centre Plus would not be able to send relevant clients to us for help with CV writing and job advice
5. Our work with Hampshire Constabulary would cease. We act as liaison between the police and EU communities providing information which promotes good community relations and helps prevent hate crime. Therefore and in view of budget cuts across all statutory agencies which has contributed to a shortage of funding availability and thus the gradual disappearance of many third sector agencies who in the past have acted as a safety net for many minority groups in our communities, added to this the expected reduction in various Benefits which are yet to filter through into people's every day lives, it is a belief that there is a potential likelihood for issues related to 'Hate Crime' and ASB's to increase thus increasing the potential for Community Tensions to also increase in the future.
6. Our knowledge of the new benefits system would be lost. This will mean more non English speaking clients attending Gateway
7. Our work helping families access SureStart services will end, as will our own play group for EU families. We also help families understand the local school admission system and send out consistent messages re school attendance.
8. No other organisation runs regular evening drop ins supporting those from EU countries who work throughout the day
9. We regularly support the Council and clients in issues of anti-social behaviour making sure clients understand the implications of their actions. Our work therefore prevents tensions. With no funding this will cease
10. Annually we see over 3,000 clients. If EU Welcome ceases to operate it would leave a large gap in support available for these people.

Family Lives

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding could result in less support for children and young people and their families who experience multiple problems, leading to less support for people facing barriers to employment because of their caring role, and fewer people understanding the range of services available to support them.	
Disability	Reduced or no funding could lead to less support for parents/carers experiencing mental illness and stress as a result of the multiple problems they are facing.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	Reduced or no funding could lead to less support for BAME families (at least 15% of families in the project) rendering their situation more unequal in the city.	
Religion or Belief		
Sex	Reduced or no funding could lead to less support for women within vulnerable families overwhelmed by multiple problems who are experiencing domestic violence and abuse.	
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

Groundwork Solent

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	<p>Reduced or no funding could lead to a reduction in our development activity which in turn enables us to generate such good leverage and inward investment for Southampton's environmental, social and economic regeneration projects. We could be limited in what we could commit in terms of our own resources to Southampton which could diminish our contribution to partnership working in the city.</p>	

Hampshire Schools Sports Federation

Impact Assessment	Details of Impact	Possible Solutions
Age	Should SCC be unable to fund, or in effect affiliate to the Federation, the possible impact could be that young people from Southampton no longer have access to representative pathways in some sports from city level to regional levels and beyond.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

Work in progress

Hampshire and Wight Maritime Trust for Archaeology

Updated 22 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age	<p>Young residents looking for their first job and retired residents are main users of these services and would be disproportionately affected by a reduction in services, which equip them with a range of skills to gain employment; provide a sense of achievement and self worth.</p> <p>In previous years we have noticed an above population-average number of people joining our volunteer programme of advanced years</p>	
Disability	<p>Those unable to work due to illness would be disproportionately affected by a reduction in service, which facilitate their recovery and re-engagement into community life or work.</p>	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

The Millennium Third Age Centre

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding could impact on work to improve the employability chances of older residents.	
Disability	Reduced or no funding could impact on work to improve the employability chances of those with disabled people.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	<p>Our projects will promote accessibility; participation; equal opportunities; inclusive communities and value cultural diversity.</p> <p>Non receipt of this Grant will slow down our growth, and importantly, significantly hamper the ambition of our collaborative group to make a bigger difference to the community we wish to serve. There will particularly be an adverse impact on local BME Community in Bevois Valley, which is one of the 10% most deprived wards in the country.</p>	
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	<p>This project will help set priorities of greatest need and tackle inequality in the health issues that have been identified in the Joint Health and Wellbeing Strategy.</p> <p>Non receipt of this Grant will slow down our growth, and importantly, significantly hamper the ambition of our collaborative group to make a</p>	

	bigger difference to the community we wish to serve.	
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Work in progress

Mount Pleasant Media Workshop

Updated: 23 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	<p>For many local community groups we help them extend their reach into communities and maximise the benefits that they offer. We deliver consultation as well as design, and provide project management in implementation of commissioned activities. As far as we know our service is unique in that no other voluntary sector organisation in the city offers the same level of support in this specific field, or the combination of services that we offer.</p> <p>The Media Workshop will have to close its resource base at Mount Pleasant Junior School and make current staff redundant. Due to the time constraints there will be pressure both financially and physically in winding down the current resource base and office by 31/3/2013.</p>	

No Limits

Updated: 10 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age	<p>No Limits provide the only advice/ support service that is open to all young people. Reduced or no funding could reduce assistance for young people in: maximising income, reducing numbers of NEET, preventing homelessness, developing independent living skills, making positive life choices and meeting social welfare needs.</p> <p>Reduced opening hours will impact negatively on these groups of young people.</p>	
Disability	<p>About 8% of young people accessing our advice/support are disabled. The long term impact of a reduction in our services will be more social exclusion experienced particularly by vulnerable groups of young people, and the escalation of mental health issues.</p>	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity	<p>We work with about 300 young parents / young pregnant women a year. Many young parents feel looked down on by older parents and services due to their young age. We support them to access maternity and other services both during pregnancy and when they have their children. Reduced or no funding could reduce the support available.</p>	
Race	<p>About 9% of young people accessing our advice/support are from BME communities.</p>	
Religion or Belief		
Sex		
Sexual Orientation	<p>We are aware that young LGBT people access our drop-in centres and feel comfortable there. Our support of Breakout has enabled the continuation of the local LGBT youth group and set up Breakout Youth as a charity in its own right.</p>	
Community	<p>A reduction in funding would mean less</p>	

Safety	support to victims of crime and less challenging of young people's anti-social and offending behaviour.	
Poverty	A reduction in funds would mean NEET young people remaining NEET for longer as they won't receive support to remove their barriers to education/employment, homeless young people remaining homeless for longer, less income maximisation, less benefit/grant take up, more debt problems.	
Other Significant Impacts	<p>The long term impact of a reduction in our services will be a rise in teen conception and STI's, less voluntary engagement by young people, less education and harm minimisation, young people's substance misuse leading to more misuse, less opportunities for young people to disclose issues about abuse, running away etc leading to more youth at risk, less support for those in care/care leavers and young offenders leading to poorer outcomes.</p> <p>The impact on No Limits of this reduced grant offer will be that we will have to scale back the number of hours that the drop-in centre's are open. To manage the impact of this reduced grant offer and the impact of the cuts to our contracted services we are proposing to cut 3 drop in sessions a week (Saturdays at City No Limits, Friday afternoons at Sholing and one session on Thursday at Shirley). We will not be recruiting to 2 Youth Advice work vacancies and are making a member of our admin staff redundant. Additionally we will use some reserves to fund staff who would otherwise have lost hours or been made redundant.</p>	

Oasis Academy

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety	Reduced or no funding could lead to less evening youth work provision which assists with reducing youth ASB.	
Poverty		
Other Significant Impacts	A reduction in services could decrease participation in sport and art based activities which will affect obesity levels and social cohesion benefits.	

Pre-School Learning Alliance

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding would mean a reduction in our volunteering project which supports young people into childcare as a career.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

Work in progress

The Prince's Trust

Updated: 25 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age	If our service is not funded it will directly impact local 13 to 25 year old young people by reducing the number of fully funded places we have to offer. We continually strive to strengthen and expand on our referrals network which has the necessary training and experience working in target areas with the aim of encouraging and engaging disengaged young people onto our programmes and providing them with sustained support throughout their stay on the programme.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

QEII Silver Jubilee Activity Centre

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability	Reduced or no funding could reduce the availability of services for people who are affected by severe learning disabilities.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

Work in progress

Rainbow Children's Trust

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding could lead to families with a child with a terminal or life threatening illness not being fully supported. This could impact on: a family's ability to manage stress; maintaining normality of family life; maintaining parents' emotional stability; enabling quality time between parents/sick child or young person; enabling quality time between parents/siblings.	
Disability	Many of the children/ young people supported are classed as having a disability.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

The Rainbow Project

Updated: 22 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age	This project will address the inequalities experienced by vulnerable and disadvantaged young people aged 16-25 years. Lack of funding will reduce the chances of decreasing inequalities experienced by this client group.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

Relate Solent

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding could lead to reduced support for parents to maintain their relationship and in turn a stable home environment. Stable homes enable children to focus on their studies without the worry and uncertainty that comes from parental relationship breakdown, and thereby improve their academic performance and longer term job prospects.	
Disability	Reduced or no funding could lead to reduced support for parents who have physical or mental health special needs.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety	Reduced or no funding could lead to reduced support for people experiencing domestic violence/abuse. We have developed a new holistic way of delivering Domestic Violence/Abuse training to all personnel within our organisation. In many cases we have helped victim survivors bridge to safety and have supported perpetrators to access appropriate help. Where children are involved we have worked closely with Social Services and the Police.	
Poverty	Some of our clients are on low incomes because their health needs mean they are unable to work. Others are retired and on low pension income which does not stretch to counselling costs. Those less able to afford the cost of counselling would be the first	

	to be unable to seek help if bursary support is withdrawn.	
Other Significant Impacts		

Work in progress

Saints Foundation

Updated: 14 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age	Less than requested funding could mean the number of activity sessions engaging young people in the west and central areas of the city would be reduced.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		
<p>Other comments Firstly the Saints Foundation is delighted to have been successful in securing funds through the above programme, subject to Cabinet approval in February. We have assessed the impact of not receiving the full amount requested and have forecasted the following two scenarios based on the shortfall which are as follows:-</p> <p>Impact – Option A Secure additional funding of £9,150 per year from an alternative grants provider. This combined funding would lead to an overall shortfall of £11,593. The impact of this would lead to reductions to the holiday courses, awards and publicity/promotion. These reductions have been made in order not to affect the targeted outcomes of the project and the Saints Foundation is confident the project targets can be achieved as set out in the original application.</p> <p>Impact - Option B In the event of an unsuccessful application to an additional organisation, the project would need to reduce the total cost of the project by £39,286 over the three years. This would lead to a removal of Tuesday night sessions and holiday courses, and a reduction in awards and publicity/promotion. We are hopeful of securing the additional funding to deliver Option A and will ensure we continue to keep you informed of developments as they progress.</p>		

Work in progress

The Salvation Army

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	<p>For those residents that engage and are successful in moving on positively there is a higher percentage who will be able to maintain their tenancy and therefore no longer require other services such as In Touch floating support and the Street Homeless Prevention Team which would free their time to be able to act on behalf of clients who do need their services.</p>	

SCRATCH

Updated 23 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability	We have no prior knowledge of who will be referred, but past experience shows that a high proportion of the people we help suffer with many forms of disability, especially mental impairments. It is therefore anticipated that not receiving a grant or any reduction in the level of funding would mean many vulnerable people within the city would be without affordable furniture provision.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity	We know that many of the female adults we help are pregnant or have new born babies. It is therefore anticipated that not receiving a grant or any reduction in the level of funding would mean many vulnerable people within the city would be without affordable furniture provision.	
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty	Based on the recommended grant SCRATCH would have to increase the cost of the basic furniture package for Southampton residents by a figure of between £10 and £20.	
Other Significant Impacts		

SoCo Music Project

Updated: 23 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age	We reach children and young people in challenging circumstances, allowing young people to feel empowered and are more engaged resulting in a more positive impact on society. Without the services we provide children and young people may engage less with education, employment or training. No funding would impact on our ability to reach children in care, young carers, young offenders and NEETs.	
Disability	No funding would impact on our ability to reach young people and adults with learning disabilities, mental health issues and physical disability.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety	No funding would impact on our ability to reach people with substance misuse issues.	
Poverty	We provide employability skills and training for economically inactive individuals for adults who may otherwise cause a strain on statutory and 3rd sector services without these services vulnerable adults may experience a lower quality of life; and volunteers will have less opportunities to engage in rewarding roles. Funding would allow us to reach further into the community.	
Other Significant Impacts		

Other comments

Our work also helps students in the city gain valuable work experience, and provides development opportunities for aspiring artists and arts leaders.

Unless SoCo Music Project is supported to increase capacity it will continue to deliver services but in a limited format through project funding. Many gaps are appearing in public services and SoCo Music Project is in a position to provide valuable and innovative services that can help fill those gaps. Core funding over 3 years will allow us to develop as a sustainable organisation working in partnership with the city council and agencies across the city to continue to deliver high quality services. An adult learning officer, a youth projects office and a volunteer coordinator will ensure that programmes are developed in these areas and funding identified. These officers will also have capacity for delivery meaning that provision will also be provided. With officers in these roles SoCo directors will be able to further develop the organisation strategically, dramatically enhancing the cultural offer in the city and the provision available to service users.

Work in progress

Solent Credit Union

Updated: 23 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability	Without the funding we could not be able to offer street level access to the high street office branch for disabled users.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	Without wanting to be alarmist, we predict 3,500 people would be significantly disadvantaged as a result of this proposed reduction. The specific level of disadvantage is hard to calculate, however, nationally, it is estimated that Credit Union loan interest charge is less than half the cost of other lenders. Therefore, with our estimated revised loan book of £600,000 we would expect local people to be able to spend an additional £100,000 in the local economy if we received the full grant.	

Solent Sea Rescue Organisation

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	A cut in funding would have an impact the rescue services we provide in the Solent as well as on our attendance at numerous local fayres and community events.	

Southampton Action for Employment (SAFE)

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment	<p>Our programme is specifically targeted towards those who face multiple barriers. This will include those who face discrimination, and are often isolated because of some characteristic, such as transgender. The course seeks to positively discriminate in recruitment in order to help those who are least helped elsewhere.</p>	
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	<p>Our programme is specifically targeted towards those who face multiple barriers. This will include those who face discrimination, and are often isolated because of some characteristic, such as race. The course seeks to positively discriminate in recruitment in order to help those who are least helped elsewhere.</p>	
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	<p>The course targets those who are most needy in the city, including poverty and social exclusion, seeking to help those who can't help themselves to progress. We have found proportionately higher representation of those facing protected characteristics of all categories on the Choices courses than the general population. Colloquially it appears there is often a</p>	

	higher representation through local community recruitment than through statutory agencies.	
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Work in progress

Southampton Advice and Representation Centre

Updated: 16 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability	30% of our clients have a disability or long term health condition. A reduction in ensuing access to quality employment advice could lead to residents losing their jobs unfairly.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	Around 25 % of our clients are from a minority ethnic community. A reduction in ensuing access to quality employment advice could lead to residents losing their jobs unfairly.	
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty	Most of our clients have multiple disadvantage and face poverty. A reduction in the provision of a city-wide specialist advice and representation in the fields of Welfare Benefits and Employment Law would largely affect these residents ability to maximise their income.	
Other Significant Impacts	We currently enable our clients to bring in over £600,000 into the city. Any reduction in our service will greatly reduce this significant economic leverage.	
<p>Other comments</p> <p>Whilst we are grateful to have received continued funding, there is a reduction which will in time have a serious impact on our ability to provide a service that will meet current service demand, let alone the anticipated increase from welfare reform.</p> <p>Even if there were short term funding to help over the next few years to try and tackle the volumes of work created by welfare form, it would be appreciated.</p>		

Work in progress

Southampton Amateur Gymnastics Club

Updated: 25 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age	A reduction in funding will limit: our development of gymnastics services and ability to support long term, individuals within the specific age group of 4 months to 16 years, throughout their career and assist with a healthy lifestyle choices.	
Disability	A reduction in funding will severely limit our ability to extend our reach in supporting individuals and groups with disabilities to take part in gymnastics.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	It is already looking like this year no grant will have a huge financial impact on the sustainability of the club.	

Southampton Centre for Independent Living

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability	We would not fail solely if this grant request fails; however, it would send a powerful negative message about the council's priority for facilitating the voice of Disabled People, users of services and undermine its ability to act as an exemplar in meeting the duties required from the Equality Act.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	Our organisation is the only true User-Led Organisation in Southampton, run by and for Disabled People. Failure to fund this grant would weaken our ability to develop and deliver high level strategic direction and guidance on a range of progressive social policy issues. This failure would impact on the availability of high level user-led advice and guidance to the Council and at the moment there is no alternative organisation in Southampton. The lack of such input will dramatically compromise the Council's ability to implement the Personalisation agenda.	

Southampton Children's Play Association

Impact Assessment	Details of Impact	Possible Solutions
Age	If our services were not provided children and young people will not have a safe stimulating environment to be in and boredom and anti social behaviour will rise. This could also impact on disability, pregnancy and maternity, race, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety	If our services were not provided children and young people will not have a safe stimulating environment to be in and boredom and anti social behaviour will rise.	
Poverty	We may not be able to offer isolated parents/carers an opportunity to access volunteering and training at a pace that suits them, which could and does lead to paid employment.	
Other Significant Impacts		

Southampton Citizen's Advice Bureau

Impact Assessment	Details of Impact	Possible Solutions
Age	<p>Access to caseworkers will be reduced if the service is cut – these will have a disproportionate impact as many of our services around residential care advice, debt advice, and welfare benefits advice are used by older clients. Key advice areas for older people are related to benefits, debt, housing, relationships and family, finance related; tax and utilities and consumer.</p> <p>Access to debt and welfare benefits caseworkers will be reduced if the service is cut. Younger peoples' key advice needs are benefits and debt, housing and employment.</p>	
Disability	<p>Disabled people require convenient DDA complaint locations to minimise transport and travel issues. Reduced or no funding could impact on our outreach expansion plans that would help meet that need and joint home visit services.</p>	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	<p>BAME groups are reluctant to seek external help for cultural reasons, for example traveller communities. Reduced or no funding could adversely impact effective partnership working, outreach work and referral systems built with community organisations. Our immigration service may have to be reduced, or stopped entirely with a funding cut. This will mean more people have nowhere to go to get Immigration advice.</p>	
Religion or Belief		
Sex	<p>Cuts may mean we have to reduce our hours of operation or reduce access channels disproportionately</p>	

	affecting women who need flexible service delivery.	
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	Reduced or no funding could lead to staff redundancies and limit the organisation's ability to provide outreach work throughout the city.	

Work in progress

Southampton Diving Academy

No information given on application form about equalities impact.

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

Work in progress

Southampton Nuffield Theatre Trust

Updated: 25 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age	Less funding would mean a reduced matinee performance schedule, these do not increase income but provide a safe and accessible theatre visit to elderly and disabled people.	
Disability	Less funding would mean a reduced matinee performance schedule, these do not increase income but provide a safe and accessible theatre visit to elderly and disabled people. No further BSL interpreted or audio described performances.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty	Reduced or no funding could mean no further discounted tickets for those in financial difficulty. No further tickets for NEETs groups.	
Other Significant Impacts	Reduced or no funding could have a domino effect with other funders reducing or ceasing their funding we can no longer provide the service they want.	

Southampton Rape Crisis and Sexual Abuse Counselling Service

Updated: 10 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age	<p>A significant number of young people, adults and families will not get help with the damaging impact of sexual violence and abuse in terms of :</p> <ul style="list-style-type: none"> • physical health implications - unattended injury, sexually transmitted infection, unwanted pregnancy (ISVA). • mental health implications - psychological distress and associated difficulties such as substance misuse, self-harm and suicidal ideation (therapeutic services) • feeling confident and supported in reporting crimes of sexual violence and accessing the criminal justice system (ISVA) 	
Disability	<p>Last year 15 % of our counselling clients recorded some form of physical illness or disability and 5% a learning disability.</p> <p>Reduced capacity at SRC to support these cases will lead to increased demands on G.P.s and statutory sexual and mental health providers (e.g. 50% of female statutory mental health service users have experienced sexual abuse – Dept of Health).</p> <p>Reduction in funding will inevitably result in fewer clients from diverse groups to access our services as we will not have the resources to engage in pro-active outreach work or bring in the additional resources for things such as bus fares or interpreters that can make it possible for someone to access our service who really needs it.</p>	
Gender Reassignment		

Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	<p>Reduction in funding would inevitably result in fewer clients from diverse groups accessing our services as we would not have the resources to engage in pro-active outreach work or bring in the additional resources for things such as bus fares or interpreters that can make it possible for someone to access our service who really need it.</p> <p>Last year 14 % of SRC service users were from BME communities</p>	
Religion or Belief		
Sex	<p>Reduction in funding would inevitably result in fewer female clients accessing our services as we would not have the resources to engage in pro-active outreach work.</p>	
Sexual Orientation		
Community Safety	<p>Reduction of vital Star Project preventative education is likely to lead to</p> <ul style="list-style-type: none"> • Further increase in sexual violence and offending behaviour in a city that already records high levels of sexual violence when compared to similar cities (see Southampton Police data) 	
Poverty		
Other Significant Impacts		

Southampton School Sports Association

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding could lead to no school extra curricular sport of any kind. These sporting activities are educationally holistically and encourages lifelong learning and the development of responsible attitudes which promotes independent living and creates a healthy active blueprint to be continued into adulthood.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

Southampton Sight

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding could mean children with sight loss and children caring for family members with sight loss not having access to the full range of services and support available to them to insure that they are able to live independently which, this could result in them becoming dependant adults.	
Disability	Reduced or no funding could mean children with sight loss and children caring for family members with sight loss not having access to the full range of services and support available to them to insure that they are able to live independently which, this could result in them becoming dependant adults.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

Southampton Trampoline Club

Impact Assessment	Details of Impact	Possible Solutions
Age	<p>Reduced or no funding could lead to an increase in membership fees for the trampoline club, affecting children from disadvantaged backgrounds and families with multiple children. We already do our best to support these children, not only with low fees, but also in shared transport to competitions, free competition kit, help with their Governing Body Membership and, in some extreme cases, waiving training fees in return for extra little jobs around the club. The grant is really the lifeline that enables us to operate successfully at all levels without disadvantaging children from low income families.</p>	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty	<p>Reduced or no funding could lead to an increase in membership fees for the trampoline club, affecting children from disadvantaged backgrounds and families with multiple children. We already do our best to support these children, not only with low fees, but also in shared transport to competitions, free competition kit, help with their Governing Body Membership and, in some extreme cases, waiving training fees in return</p>	

	<p>for extra little jobs around the club. The grant is really the lifeline that enables us to operate successfully at all levels without disadvantaging children from low income families.</p>	
<p>Other Significant Impacts</p>		

Work in progress

Southampton Voluntary Services

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	<p>Reduced or no funding could lead to staff reductions and jeopardise our overall financial sustainability. We work with people across all the protected characteristics. Depending on which work was ended due to reduced funding it could impact on one or more protected characteristic disproportionately.</p>	

Southampton Voluntary Services – Shopmobility

Impact Assessment	Details of Impact	Possible Solutions
Age	Funding cuts could have a disproportionately negative effect on our customers many of which are over pensionable age and some are frail and suffering from additional health issues. We are supporting some customers who are now in their nineties and still wish to enjoy all the city has to offer. Regardless of which, they require a service like ours to enable them the freedom to carry out their day to day activities.	
Disability	Funding cuts would have a disproportionately negative effect on our customers the majority of which have severe disabilities that have a substantial and long term affect on their ability to carry out day to day activities, which limit their opportunities to move freely around our city centre. Some have lost limbs and others have lost the use of limbs due to illness. Some have a disability according to the acts definition and others may have a perceived disability. Regardless of which, they require a service like ours to enable them the freedom to carry out their day to day activities.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		

Other Significant Impacts	No funding could lead to the service supporting disabled people in the city to close and 3 staff losing their jobs.	
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Work in progress

Southampton Women's Aid

Updated 23 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability	Reduced or no funding could have an adverse impact for service users with mental health impairment (between 50% and 60% of women who are mental health service users have experienced domestic violence) who use support to deal with the issues of domestic abuse this will be reduced.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex	<p>If this work was not funded the independence so valued by the women would be removed. This would lead to some women unable to come forward to seek help and, therefore, continuing to live in an abusive relationship, possibly until their situation becomes extremely high risk.</p> <p>We ask the council to give serious consideration to the possibility of a disproportionately negative effect on women as recent research and reports indicate reductions in funding to services nationwide are already disadvantaging women and increasing inequality between men and women in all areas.</p>	
Sexual Orientation		
Community Safety	The proposed reduction in requested funds for this project will put pressure on our outreach services which are already overstretched. In addition to this we have heard that there are proposed cuts to domestic violence services from supporting people. This	

	would mean that Stonham would not be able to provide an outreach service. If the funds we have requested here are reduced we will have to reduce staff hours and will not be able to help the numbers of women we currently support and will certainly not be able to provide any additional support needed due to Stonham losing their outreach services.	
Poverty		
Other Significant Impacts		

Work in progress

Street Pastors

Updated: 23 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety	<p>Less than requested funding could slow down our expansion into youth and community contexts. This could lead to less support for young people who suffer repeat victimisation in parks and public places and an increase in fear of ASB amongst communities. But we remain optimistic and committed to our goals.</p>	
Poverty		
Other Significant Impacts		

Supporters of the Warren Centre

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding could lead to less support for parents in developing the skills to support their children's learning and development through parenting groups and workshops for families.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty	Reduced or no funding could lead to fewer people becoming engaged in learning to develop higher levels of skill and employment.	
Other Significant Impacts	Reduced or no funding could lead to less support for tackling health inequalities by raising awareness about health and well being through our healthy lifestyles programme, cookery classes, fitness classes and one to one information, advice and guidance.	

the Environment Centre

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	<p>Reduced or no funding could lead to withdrawal of our free phone advice line which offers advice, guidance and practical support to Southampton residents, particularly those who are vulnerable, on increasing their energy, waste and water efficiency, saving money and keeping warm.</p> <p>Whilst we are confident we will continue to operate we have to consider the possibility that a lack of core funding will ultimately lead to the organisation being forced to seek alternatives and potentially concentrate more of our efforts outside the city. This could include loss of key staff.</p>	

The Society of St James

Impact Assessment	Details of Impact	Possible Solutions
Age	37% of our volunteers have children that they live with, while another 8% have child access. The volunteering project provides a sense of stability not just for our volunteers but also for their children, as it helps them to fill the gap that drugs and crime have left in their lives with positive activity. Reduced or no funding could lead to the project closing.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	Our volunteering project has high participation amongst BME communities. BME communities may be at risk of drug use because they often live in disadvantaged and deprived areas, where drug markets thrive. By providing peer support from ex drug-users (including a high proportion from BME communities), the project is providing exactly the kind of service that BME communities highlighted to the UKDPC. Since the service is meeting such a clear need amongst BME groups, closure would have a particularly negative effect upon racial minorities in Southampton.	
Religion or Belief		
Sex	Our project plays a crucial role in meeting the needs of women in the city. Amongst our volunteers, 80% of whom have had prior drug or alcohol abuse, 48% are women; the project is therefore engaging with a higher proportion of women than average drug treatment services. This engagement is particularly crucial in Southampton, where drug and alcohol	

	use is a significant issue amongst women. Reduced or no funding could lead to the project closing.	
Sexual Orientation		
Community Safety	The project helps to encourage our volunteers to stay away from drugs and crime and instead contribute positively to our city by supporting others to overcome addiction. It also helps them to get back into employment. Reduced or no funding could lead to the project closing.	
Poverty		
Other Significant Impacts	Many amongst our volunteers are from vulnerable client groups (80% had prior drug and/or alcohol use, and 48% had previous involvement with the criminal justice system) and so might otherwise struggle to find volunteering opportunities. Reduced or no funding could lead to the project closing.	

Work in progress

Turner Sims

Updated: 22 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding would result in a delay to or cancellation in our outreach programme which offers unique experiences for young people in the city, both those with acknowledged skills and those for whom the arts offers the chance to boost confidence and self esteem.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		
<p>Other comments</p> <p>Whilst the sum being requested is small relative to TS's turnover the value for money which it represents is significant. Investment from SCC whether at the current level (£7,000 in 2012-13) or that requested (£10,000 per year from 2013-14) acknowledges the key role which TS plays in the city's cultural life. It consequently strengthens our applications to and negotiations with other funders and stakeholders, helping to unlock more investment, and bring more creative opportunities to residents in Southampton.</p> <p>Support of our promoted concerts and outreach work also enables us to highlight SCC's investment at a regional and national level. Through activities such as the acclaimed 'Southampton's Musical Alphabet' weekend in March 2012, or our pioneering work with Southampton Music Services and Southampton Music Hub, TS has brought much positive national media coverage to the city, profiling not only the projects themselves but SCC itself.</p> <p>The withdrawal of funding, and therefore perceived endorsement of the work we deliver, puts the opportunities for delivering planned activity, securing external funding and profiling local investment at immediate risk.</p>		

Work in progress

TWICS (Training for Work in Communities)

Updated: 09 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age	21% of our learners were in the 60 to 74 age group. A reduction in funding would mean that we would only be able to offer a community training service to those easy to reach which would most likely be those people and communities that do not really need our support and training. A withdrawal of funding would mean the closure of the organisation.	
Disability	26% of our learners self-declare a disability. A reduction in funding would mean that we would only be able to offer a service to those easy to reach which would most likely be those people and communities that do not really need our support and training. A withdrawal of funding would mean the closure of the organisation.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	Of the 800 people we have engaged with or trained during the last year 20% have come from ethnic communities. A reduction in funding would mean that we would only be able to offer a service to those easy to reach which would most likely be those people and communities that do not really need our support and training. A withdrawal of funding would mean the closure of the organisation.	
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		

Poverty		
Other Significant Impacts	If core funding was reduced we may only be able to provide a skeleton service. If funding is withdrawn we may have to close.	

Work in progress

Unity 101 Community Radio

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	<p>Reduced or no funding could result in a reduction in face to face community contact time, as a result agencies will find it difficult to reach out to the BME community. It could also result in a less equipped and robust BME voluntary sector able to come together to air views and to build a strong response to local issues.</p> <p>The community radio has become an integral part of the BME community, the community rely on the station for their daily news and to be kept up-to-date on what's happening. The wider impact will result in more isolation within the BME sector and lead to greater long term inequalities as services are lost or not fully utilised.</p>	
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

Voice FM Radio Ltd

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding could lead to the closure of the station and young people will miss out on exciting media opportunities that develop their skills and enable them to have a voice across the city.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts		

Workers Educational Association (WEA) Southern Region

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	<p>More than 98% of our learners do not have English as their first language or are on income related benefit or have a qualification that is below level 2. Reduced or no funding could lead to a reduction in support for these clients through the initial stages of personal development and qualification and they could miss out on opportunities that are available.</p>	
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty	<p>More than 98% of our learners do not have English as their first language or are on income related benefit or have a qualification that is below level 2. Reduced or no funding could lead to a reduction in support for these clients through the initial stages of personal development and qualification and they could miss out on opportunities that are available.</p>	
Other Significant Impacts		

Weston Adventure Playground

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding could reduce our ability to provide a safe and stimulating play opportunities in a supervised playground for the use of 5 – 14 year olds.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	Tony Hill checking if there is a legal charge from Big Lottery on the playground	

WORK IN PROGRESS

Weston Church Youth Project

Impact Assessment	Details of Impact	Possible Solutions
Age	Reduced or no funding could mean there would be no provision for young people over 14 in Weston. Without projects such as ours in areas of urban deprivation there are few opportunities for young people to be involved in positive activities which help them to show the positive contribution young people make to society.	
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	Reduced or no funding may lead to the loss of staff.	

Wheatsheaf Trust

Updated: 14 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability	We have an emphasis on clients who have particular barriers to finding jobs (including those with disabilities). A reduction or no funding could mean that we would have to be constrained by our contractual expectations rather than being able to exceed them, particularly in providing extra support to those in the groups identified who need it.	
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race	We have an emphasis on clients who have particular barriers to finding jobs (including those from BME communities). A reduction or no funding could mean that we would have to be constrained by our contractual expectations rather than being able to exceed them sometimes, particularly in providing extra support to those in the groups identified who need it.	
Religion or Belief		
Sex	We have an emphasis on clients who have particular barriers to finding jobs (including women). A reduction or no funding could mean that we would have to be constrained by our contractual expectations rather than being able to exceed them sometimes, particularly in providing extra support to those in the groups identified who need it.	
Sexual Orientation		
Community Safety		

Poverty		
Other Significant Impacts		

Work in progress

Women's Wisdom

Updated: 10 January 2013

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity	<p>Without additional funding the service would only remain available to local mothers who are attending our nurseries due to rental of suitable rooms and travelling implications. The funding will enable vital access to mothers who are presently beyond the scope of our current work.</p>	
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty	<p>Women's Wisdom is passionate about making enterprise accessible. If this funding is not secured then there is a strong chance that those that are disadvantaged through deprivation or education will not get the same opportunities as those that are more financially stable and educated to a level that enterprise and self-employment come easy. This project would ensure that unemployed people will access solid information and practical support that will make self-employment a realistic option that could transform their life and the lives of their families, which will also impact on attitudes that influence their life choices again making self-employment the preferred</p>	

	option rather than being an inherent benefit claimant.	
Other Significant Impacts		

Work in progress

Youth Options

Impact Assessment	Details of Impact	Possible Solutions
Age		
Disability		
Gender Reassignment		
Marriage and Civil Partnership		
Pregnancy and Maternity		
Race		
Religion or Belief		
Sex		
Sexual Orientation		
Community Safety		
Poverty		
Other Significant Impacts	<p>Reduced or no funding could impact on families in the Thornhill area who have engaged with us over time and often come back several years later when issues arise that they are struggling to deal with, as they know that they will be given relevant support and information even though they no longer work with the project. It could also result in staff redundancies.</p>	

Agenda Item 10

DECISION-MAKER:	CABINET GOVERNANCE COMMITTEE COUNCIL		
SUBJECT:	TRANSFER OF PUBLIC HEALTH FUNCTIONS TO SOUTHAMPTON CITY COUNCIL		
DATE OF DECISION:	19 FEBRUARY 2013 19 MARCH 2013 20 MARCH 2013		
REPORT OF:	CABINET MEMBER FOR COMMUNITIES		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Martin Day	Tel: 023 80917831
	E-mail:	Martin.day@southampton.gov.uk	
Director	Name:	Dr Andrew Mortimore	Tel: 023 8083 2548
	E-mail:	Andrew.mortimore@southampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
None			

BRIEF SUMMARY

The Health and Social Care Act 2012 transfers public health from the NHS to local authorities and a new body called Public Health England from April 2013. This report outlines the key issues for delivering local authority public health functions and sets out proposals for a scheme of delegation to the Director of Public Health that will be incorporated into the Constitution.

RECOMMENDATIONS:

CABINET

- (i) That the details of the local authority public health responsibilities set out in this report be noted;
- (ii) That the proposed scheme of delegation to the Director of Public Health set out in Appendix 1, be approved for submission to Council as an amendment to the Council Constitution
- (iii) That authority be delegated to the Director of Public Health, together with other directors of the Council as appropriate, to undertake any actions and make any arrangements necessary for the transfer of relevant public health functions to the Council

GOVERNANCE COMMITTEE

- (i) That Governance Committee advises of any comments or views it has upon the proposed scheme of delegation to the Director of Public Health set out in Appendix 1, to be incorporated into Part 10 of the Council Constitution in accordance with its governance role.

COUNCIL

- (i) That the proposed scheme of delegation to the Director of Public Health set out in Appendix 1, be approved and incorporated into Part 10 of the Council Constitution

REASONS FOR REPORT RECOMMENDATIONS

1. To enable new local authority public health functions to be delivered from 1st April 2013.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. None. Public Health becomes a local authority function from 1st April 2013, and it is necessary to make provision for the Authority to be able to discharge its new functions.

DETAIL (Including consultation carried out)

3. The Health and Social Care Act 2012 transfers a number of key public health responsibilities to local authorities. A significant amount of work has been undertaken by both the Council and the PCT to ensure the smooth transfer of staff and the seamless transition of the service and activities. A transition plan, approved both by the PCT and SCC Cabinet, was submitted to South Central Strategic Health Authority in March 2012 and is being implemented and monitored.
4. In preparation for the transfer, Executive responsibility for public health was allocated to the Cabinet Member for Communities at the Annual Meeting of the Council in May 2012. From April 2013, the Cabinet Member will be directly responsible and accountable for setting a strategic and policy direction for public health.
5. Professional and operational leadership will be the responsibility of the Director of Public Health, who will also be the Council's principal adviser on health and health-related issues. The Director of Public Health will lead a multi-disciplinary public health team with support staff who have transferred from NHS Southampton to continue to deliver public health functions and responsibilities. These functions include:
 - health surveillance and needs analysis
 - health protection (including emergency preparedness)
 - population health care advice (including effectiveness and priority setting)
 - commissioning health improvement services
 - collaborative programmes to tackle causes of ill health
6. The Director of Public Health will also link to, and have overall strategic leadership responsibility for, other public health responsibilities that are currently delivered elsewhere in the Council. Those linked specifically to the defined public health services include:
 - Drugs misuse, - SCC Health and Adult Social Care Strategic Commissioning Team (includes the Drug Action Team)
 - Domestic violence – SCC Community Safety Team

- Alcohol, mental health promotion – Joint (SCC/NHS) mental health commissioning team
 - Teenage pregnancy and children’s prevention and inclusion – SCC Children’s Services, Education and Learning Directorate.
7. Public Health will be a function that needs to input into and influence work across the Council. With the function being located in the People Directorate there will be strong connections to the work of children’s and adult social care, housing services, and port and environmental health. To ensure opportunities to tackle wider determinants of ill health are maximised, Public Health will work with the new Place Directorate to co-design and support work programmes that link health improvement with private sector housing, transport, community safety and economic development. Through the Communities portfolio, Public Health will contribute to work on tackling poverty, Families Matter and equalities. The overall public health programme will be shaped by the Joint Health and Well-being Strategy, and deliver improvement across a range of prioritised outcomes, drawn from the national Public Health Outcomes Framework, which has links to, and a number of shared outcomes, with the frameworks for adult social care and the NHS.

Transfer of Public Health Staff

8. To assist with the smooth transfer of the function, public health staff were relocated from PCT premises to the Civic Centre in March 2012. The transfer of employment of staff to the Council will be covered by a Transfer Scheme to be drafted by lawyers acting for the Department of Health. This is consistent with arrangements for other Public Health Services and staff across the country, who formally transfer to local authority service on 1st April 2013.

Public Health mandated and other commissioned or provided services

9. Local authorities will be specifically responsible for commissioning or providing the following services. Whilst those marked * are the mandated services in legislation, many of the others are required to make delivery of those mandated services a reality. It is essential that the Director of Public Health and his staff have the necessary authority and delegated powers to enable the following services to be delivered.
- NHS Health Check assessments*
 - The national child measurement programme*
 - Comprehensive sexual health services - including testing and treatment for sexually transmitted infections, contraception outside of the GP contract and sexual health promotion and disease prevention*
 - A new expanded local authority role for public health - health protection including assurance of infection control, incidents, outbreaks and emergencies with a specific leadership role for Emergency Planning, Resilience and Response*
 - Public health leadership, advice and support to NHS commissioners*
 - Tobacco and smoking cessation services

- Alcohol and drug misuse services
- Public health services for children and young people aged 5 to 19 (and in the longer term all public health services for children and young people)
- Interventions to tackle obesity, such as community lifestyle and weight management services
- Locally led nutrition initiatives
- Increasing levels of physical activity in the local population
- Public mental health services
- Dental public health services
- Accidental injury prevention
- Population level interventions to reduce and prevent birth defects
- Behavioural and lifestyle campaigns to prevent cancer and long-term conditions
- Local initiatives on workplace health
- Supporting, reviewing and challenging delivery of key public health funded and NHS delivered services such as immunisation and screening programmes
- Local initiatives to reduce excess deaths as a result of seasonal mortality
- Public health aspects of promotion of community safety, violence prevention and response
- Public health aspects of local initiatives to tackle social exclusion
- Local initiatives that reduce public health impacts of environmental risks

Public health protection

10. From April 2013, the local authority will become responsible for all aspects of public health protection, supported by Public Health England. This will include community infection prevention and control. Other issues where public health may be called on would include chemical spills, natural disasters and the covert deliberate release of biological and chemical agents. The local authority will be expected to provide public health leadership in such circumstances and action to mobilise the NHS response.

Partnership with the Southampton CCG: The Local Public Health Advisory Service

11. One component of the new LA responsibilities for public health includes a Public Health Advice Service or “Core Offer” to Clinical Commissioning Groups (CCG). The elements of public health advice have been laid out in a memorandum of understanding that has been negotiated as part of the NHS transition into CCGs and new public health accountabilities and responsibilities. The Southampton memorandum of understanding covers two years to include the transition year 2012-13 and the first year of health act implementation in 2013-14.

Delegated powers required by the Director of Public Health

12. In order to undertake the activities described in this report, a series of delegations to the Director of Public Health are required. Appendix 1 sets out a list of the delegations required, and the Cabinet and Council are requested to endorse and adopt them so the Director of Public Health will be in a position to ensure the statutory duties can be undertaken.

RESOURCE IMPLICATIONS

Capital/Revenue

13. Public Health transfers to the local authority with a budget that is ring-fenced for a period of 3 years. With a number of public health functions transferring to Public Health England, it is not simply a case of transferring the existing PCT public health budget to the local authority. The Department of Health published the 2013/14 and 2014/15 budget allocations to enable local authorities to fulfil the public health function on 10th January 2013. The budget allocation announced for Southampton is £14.313m for 2013/14 and £15.050m for 2014/15. The final Public Health spending plan for 2013/14 is currently being compiled and from work completed to date is not expected to exceed the grant allocation announced. From April the budget will be subject to the standard council budget reporting and monitoring processes, and public health will be fully included in the budget setting process for 2014/15.
14. In addition to funding the Public Health Team and the Commissioned services, the grant is intended to fund any increase in the overheads and or support costs of the Council as a consequence of taking responsibility for Public Health. It has been estimated that the proportion of the grant intended for this purpose is £0.4m. Work is currently being undertaken to identify the nature and scope of these additional costs.
15. The grant is provided on the condition that quarterly returns to report progress on spend are made available to Public Health England to review. In addition, the Public Health outturn position, certified by the Chief Executive, is required to be provided in the same format as the quarterly reviews. The outturn grant spend will need to be subject to review by Audit.
16. The Public Health budget has been included within the budget to be agreed at Full Council on 13th February 2013.

Property/Other

17. None.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

18. The Health and Social Care Act 2012 transfers public health functions from PCTs to upper tier local authorities and Public Health England.

Other Legal Implications:

19. None.

POLICY FRAMEWORK IMPLICATIONS

20.. None.

KEY DECISION? No

WARDS/COMMUNITIES AFFECTED:	None
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SUPPORTING DOCUMENTATION

Appendices

1.	Proposed amendments to part 10 of the Council Constitution : Delegations to the Director of Public Health
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Documents In Members' Rooms

1.	None
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Equality Impact Assessment

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

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

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

Proposed amendments to part 10 of the Council constitution: Delegations to the Director of Public Health

Delegations: Director of Public Health

Director of Public Health

1. To undertake overall responsibility for all of the local authority's duties to take steps to improve public health and to provide officers and elected members with appropriate advice, based on a patterns of local health need, of what works and potential returns on public health investment.
2. To undertake any of the Secretary of State's public health protection or health improvement functions delegated to local authorities, either by arrangement or under regulations, – including services mandated by regulations made under section 6C of the NHS Act 2006.
3. To plan for, and respond to, emergencies that present a risk to public health, in consultation with the council's emergency planning officer where appropriate.
4. To undertake local authority's role in co-operating with the police, the probation service and the prison service to assess the risks posed by violent or sexual offenders
5. To be responsible for the local authority's public health response as a responsible authority under the Licensing Act 2003, including making representations about licensing applications under sections 5(3), 13(4), 69(4) and 172B(4) of the Licensing Act, as amended by Schedule 5 of the Health and Social Care 2012.
6. To be responsible for providing Healthy Start vitamins at any maternity or child health clinic commissioned by the council, in accordance with the Healthy Start and Welfare Food Regulations 2005 as amended by the Health and Social Care Act 2012.
7. To produce and update as necessary the Southampton Joint Strategic Needs Assessment in consultation with Southampton City Clinical Commissioning Group.
8. To lead on and co-ordinate the development, production, publication and updating of the Southampton Joint Health and Wellbeing Strategy in consultation with Southampton City Clinical Commissioning Group.
9. To develop and implement a system for collecting and analysis data to deliver the Public Health Outcomes Framework.
10. To produce the Director of Public Health's annual report.

11. To provide public health advice to NHS commissioners to help secure:
 - Commissioning strategies that meet the needs of vulnerable groups
 - The development of evidence-based care pathways and service specifications
 - Evidence-based prioritisation policies
 - Health needs audits and health equity audits and health impact assessments
12. To ensure delivery of the National Child Measurement Programme.
13. To secure the delivery of the NHS Health Check assessment.
14. To ensure appropriate access to sexual health services.
15. To ensure appropriate clinical governance arrangements are in place in respect of any clinical services commissioned, including sexual health and drug and alcohol services.
16. To maintain a particular focus on ensuring disadvantaged groups receive the attention they need, with the aim of reducing health inequalities.

Agenda Item 11

DECISION-MAKER:	CABINET
SUBJECT:	CREATION OF A LOCAL TRANSPORT BODY
DATE OF DECISION:	19 FEBRUARY 2013
REPORT OF:	Cabinet Member for Environment and Transport

<u>CONTACT DETAILS</u>				
AUTHOR:	Name:	Phil Marshall	Tel:	023 8083 2590
	E-mail:	philip.marshall@southampton.gov.uk		
Director	Name:	Dawn Baxendale	Tel:	023 8091 7713
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STATEMENT OF CONFIDENTIALITY

NOT APPLICABLE

BRIEF SUMMARY

This report seeks approval for the attached Local Transport Body (LTB) Joint Agreement.

RECOMMENDATIONS:

- (i) That Cabinet approves the LTB Joint Agreement attached in Appendix 1:
- (ii) That Cabinet delegates to the Monitoring Officer authority to fine tune the agreement before submission to the Department of Transport(DfT).

REASONS FOR REPORT RECOMMENDATIONS

1. In order that the LTB can meet the requirements of the DfT Assurance Framework for a LTB for the Solent LEP Area.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

Do Nothing

2. This has been rejected as if a LTB is not established, the Solent LEP Area will not be able to secure any local major transport scheme funding.

DETAIL (Including consultation carried out)

Introduction

3. In September 2012, the Department for Transport (DfT) published *Devolving Local Major Transport Schemes: Next Steps*, which summarised responses to the January 2012 consultation and set out guidelines for the establishment of LTBs. In late November 2012, DfT published Guidance for the establishment of LTBs, which set out the minimum requirement of an Assurance Framework. Each LTB area must submit assurance framework to DfT by the end of February 2013.
4. The geography of a LTB for the Solent LEP area has already been agreed in a joint letter submitted in September 2012 to DfT, signed by the Chief Executive of the four Local Transport Authorities (LTAs) and the Chairman of the Solent LEP. This identified that the local preference is for the LTB boundary to be coterminous with that of TfSH and the Solent LEP. This report proposes an LTB Joint Agreement that provide for an LTB for the Solent LEP area.
5. On the 5 February 2013, the TfSH Joint Committee approved in principle the LTB Joint Agreement, such that it can provide the Assurance Framework for an LTB for the Solent LEP Area. Delegated authority was also given to the Monitoring Officer to revise the agreement for Joint Committee sign off, so that it can be approved by all TfSH members authorities and LTB members.
6. This report seeks the necessary approval for the LTB Joint Agreement from Southampton City Council as a TfSH member and proposed LTB member.

The Role of a Local Transport Body

7. LTBs will have a single remit, that being to prioritise local major transport scheme investment and award funding to those prioritised schemes from the devolved local major transport schemes pot. Existing statutory duties and responsibilities of LTAs along with local transport funding streams are unaffected, meaning that the role of an LTB is a very specific one. LTAs remain the only bodies that can deliver (or allow delivery of) schemes on their network and have responsibility for producing local transport plans and transport strategy for their area. It is also worth noting that the role of an LTB would be distinct (although intrinsically linked) to the wider remit of TfSH.
8. The local major transport scheme budget will be capital only, with funding calculated on a per capita basis of the LTB area, using the latest projection of mid-year population in 2017 (given that the funding period will cover 2015-19). The total funding likely to be available (at the national level) in the devolved local major transport schemes pot is £1.1 billion for the four-year period 2015-19. For planning purposes, DfT has indicated that an LTB covering the Solent LEP area will receive an allocation of £29 million over the 2015-19 period. However, DfT has advised areas to plan for alternative scenarios of one-third above and one-third below this figure (£38 million and £19 million respectively).
9. All LTBs will need to meet certain minimum standards of governance, financial management, accountability and meeting and testing value for money. This should be set out in an Assurance Framework.

Establishing an LTB for the Solent LEP Area

10. In comparison to other areas, DfT view the Solent LEP area as being in a strong position to discharge the duties expected of an LTB. The area benefits from a history of and existing architecture (in Transport for South Hampshire) for successful strategic partnership working across the four LTAs.
11. DfT has stated that they will need to have confidence in the transport expertise of those proposing an LTB in order to sign-off proposals and that the LTB should build on existing transport partnership structures. DfT has demonstrated confidence in local arrangements for transport partnership working (TfSH) through the award of over £22 million to TfSH in the past year.
12. TfSH has an existing and established pool of transport expertise and is recognised and understood by key stakeholders such as DfT, Highways Agency, Network Rail and Public Transport operators, with which it has strong relationships. A Joint Committee structure exists with regular and well-attended public meetings, with documents published on its website – exactly the arrangements DfT is expecting.
13. Utilising TfSH staff resources would result in no additional funding required for an LTB secretariat and therefore, this model represents the most efficient and least bureaucratic option for establishing an LTB.
14. The existing architecture, experience and expertise of TfSH (and that TfSH can readily and freely call upon) provides a significant opportunity and strength of the Solent area that should be utilised when establishing an LTB. Whilst the LTB has its own agreement, LTB meetings will take place alongside TfSH business, reflecting the close links in business and membership between the two bodies.
15. The Joint Agreement enables the LTB Board to discharge the functions of a Local Transport Body for the Solent Local Enterprise Partnership Area. The Solent Local Enterprise Partnership will be a full member of the LTB alongside the 4 local transport authorities. The Joint Agreement also provides conformity with DfT's Assurance Framework. There is also an expectation that other interested bodies would be able to attend meetings and feed into the process – albeit without a vote – just as they do at current TfSH Joint Committee meetings.
16. An LTA must be the accountable body of an LTB. The accountable body for TfSH is Hampshire County Council and it is proposed that this does not change for the purposes of the LTB.

RESOURCE IMPLICATIONS

Capital/Revenue

Capital

17. The establishment of a LTB for the Solent LEP Area will enable Southampton City Council to bid for devolved major schemes transport capital funding. It is anticipated that the City Council would need to provide capital match funding towards any schemes. This will require appropriate approval on a scheme by scheme basis in accordance with the City Council's Financial Procedure Rules and Decision Making process.

Revenue

18. The establishment of a LTB for the Solent LEP Area will not create any additional revenue implications for the City Council, as its administration will be met from existing Environment & Transport revenue budgets for TfSH purposes.

Property/Other

19. None.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

20. Local Government Acts 1972 and 2000, and Localism Act 2011.

Other Legal Implications:

21. The arrangements proposed will need to be approved by DfT in accordance with their assurance framework. Central Government will no longer have a role in the selection and approval of individual schemes. As a result, it will need to ensure that the devolved system provides appropriate safeguards for the use of public funds and is able to deliver value for money for the overall level of Government funding. Government therefore needs a way to ensure that LTBs are fit for purpose and have the necessary arrangements in place to ensure value for money and sound decision making. The existing arrangements in place governing Local Authorities' financial management are not adequate for these purposes because it is the LTB and not the local authority that is the effective decision making body. LTBs may involve partners *other* than local authorities and will, in many cases, make decisions about distribution of resources *between* local authorities. More specific arrangements are therefore required that are tailored to the requirements of the programme and appropriate to the size and nature of the schemes that are likely to be funded. Government has therefore decided that all LTBs would need to put in place an assurance framework, setting out their governance and working arrangements, and that those frameworks will need to be submitted to, and approved by, DfT before any devolved funding will be transferred.

POLICY FRAMEWORK IMPLICATIONS

22. The establishment of an LTB is consistent with the Local Transport Plan (LTP) 3 and the Joint South Hampshire Strategy, included in the LTP.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	ALL
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SUPPORTING DOCUMENTATION

Appendices

1.	LTB Joint Agreement
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Documents In Members' Rooms

1.	None
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Equality Impact Assessment

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

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

Title of Background Paper(s)

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

1.	None	
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DATED

2013

**Hampshire County Council
Isle of Wight Council
Portsmouth City Council
Southampton City Council
and
Solent Local Enterprise Partnership Limited**

AGREEMENT

Relating to

The Solent Local Transport Body

Mark R Heath
Director of Corporate Services
Southampton City Council
Civic Centre
Southampton
SO14 7LT

RECITALS

1. The Parties to this Agreement have agreed to form a voluntary partnership to undertake the role of the Solent Local Transport Body ("LTB").
2. The Parties wish to enter into this Agreement to record their respective rights and obligations to each other and also their commitment to comply with the Government's requirements (the Assurance Framework as approved by the Department for Transport ("DfT"))
3. The Parties enter into this Agreement in pursuance of their powers under their Memorandum and Articles of Association (in respect of the LEP) and the Local Government Acts 1972 and 2000 and all other enabling powers (in respect of the local authorities).
4. The Parties further note that these arrangements will be kept under review including (but not limited to) in the event that a City Deal / Combined Authority is agreed in relation to the area covered by the LTB, such review shall include the role and existence of the Solent LTB (as currently constituted).

NOW IT IS AGREED:

1. Commencement

This Agreement shall come into force on the date above and shall continue in force until determined in accordance with Clause 13 of this Agreement.

2. Description

This Agreement records the present intentions of the Parties. It is entered into in good faith, but it is expressly recognised that this Agreement cannot fetter the discretion of the Parties. Subject to that, the following points are agreed.

3. Parties

- a. Hampshire County Council of The Castle, Winchester, Hampshire, SO23 8UJ
- b. Isle of Wight Council of County Hall, High Street, Newport, Isle of Wight, PO30 1UD
- c. Portsmouth City Council of Civic Offices, Guildhall Square, Portsmouth, Hampshire, PO1 2BG
- d. Southampton City Council of Civic Centre, Southampton, Hampshire SO14 7LY
- e. Solent Local Enterprise Partnership Limited of 1 London Road, Southampton SO15 2AE

4. Definitions

- 4.1 "The Parties" means the Parties to this Agreement set out in Clause 3 of this Agreement.

- 4.2 “LTB” means the Solent Local Transport Body, a voluntary partnership between the Parties to this Agreement which shall meet and discharge its business in accordance with this Agreement
- 4.3 “The LTB Area” means the geographical area shown on the plan in Appendix 3 of this Agreement.
- 4.4 “Key Objectives” means the Key Objectives for the LTB laid out in Appendix 4 of this Agreement.
- 4.5 “Lead Authority” means the local authority appointed by the Parties under this agreement to lead on a particular function in accordance with Clause 12 of this Agreement.
- 4.6 “Associate Members” shall mean those bodies given such membership and rights as laid out in Clause 8 of this Agreement.
- 4.7 “The Local Transport Authorities” (“LTAs”) shall mean Hampshire County Council, the Isle of Wight Council, Portsmouth City Council and Southampton City Council.

5. Interpretation

- 5.1 The headings for each section throughout this Agreement are provided for ease of reference only and shall not affect its construction or interpretation.
- 5.2 Where the masculine gender is used it shall also incorporate the feminine gender. Where the singular is used, it shall also incorporate the plural and words importing party and persons includes bodies, corporate and unincorporated and (in each case) vice versa.
- 5.3 Any reference to legislation shall include a reference to that legislation as amended, applied, consolidated, re-enacted by or as having affect by virtue of any subsequent legislation

6. Principles and Key Objective

- 6.1 The Parties agree to establish and participate in a voluntary Partnership to be known as “Solent LTB” (“LTB”).
- 6.2 The Key Objectives for the LTB are as set out in Appendix 4 of this Agreement.

7. Governance Structures and Membership

- 7.1 The Governance Structures shall be established in accordance with Appendix 5.. Any proposed change to the governance arrangements shall be treated as a variation in accordance with Clause 18 of this Agreement.

- 7.2 The membership of the Governance Structures shall be as laid out in Appendix 6. Any proposed change to membership shall be treated as a variation in accordance with Clause 18 of this Agreement.

8. Decision Making, Categories of Membership and Voting Rights

- 8.1 A Local Transport Board (“the Board”) will be established with the terms of reference, membership and constitutional arrangements as set out in Appendices 5 and 6 of this Agreement.
- 8.2 The Board will be administered by the relevant Lead Authority appointed in accordance with Clause 12 of this Agreement. The constitutional arrangements for the Board will be determined by that Lead Authority and will, unless the Lead Authority determines otherwise, follow the Constitutional arrangements of the Lead Authority.
- 8.3 The Board may at its absolute discretion determine that other bodies may have Associate Membership status which shall enable them to speak but not vote
- 8.4 Membership may be reviewed at any time, but shall be reviewed at least every two years. Any proposals for a change in membership shall be considered in accordance with Clause 18 of this Agreement.
- 8.5 Decisions shall be reached by simple majority voting between the Parties. Each of the Parties shall have one vote per organisation.
- 8.6 The quorum for meetings of the Board shall be 4 of the 5 Parties.
- 8.7 The Transport for South Hampshire and the Isle of Wight (“TfSHIOW”) Senior Management Board shall be responsible for LTB business case scrutiny and recommendation, and shall have the authority to commission such other bodies or persons to assist them in this role. The TfSHIOW Project Manager shall be responsible for signing off individual assessments of business cases. In the event of the TfSHIOW Project Manager being conflicted from undertaking this role, they shall liaise with the legal advisor (Monitoring Officer) who shall make such other arrangements as they deem appropriate following consultation with the Parties
- 8.8 Chairmanship shall rotate between the Local Transport Authorities on a basis to be agreed between them.

9. Legal, Governance, Probity and Financial Administration Issues

- 9.1 The LTB shall appoint one of the LTAs to provide the services of legal adviser to the partnership under this Agreement, and that LTA shall act as Lead Authority for providing advice and guidance on all corporate governance, constitutional and other legal matters. The charges for such provision (which may be sub-contracted by that authority to other authorities or the private sector) shall be met in accordance with clause 10 of this Agreement.

- 9.2 The LTB shall appoint one of the LTAs to provide the services of financial adviser to the partnership under this Agreement and that LTA shall act as Lead Authority for providing advice and guidance on all financial administration and other associated financial issues. This shall include making provision for regular local independent audit. The charges for such provision (which may be sub-contracted by that authority to other authorities or the private sector) shall be met in accordance with Clause 10 of this Agreement.
- 9.3 The Parties shall adhere to the Lead Authority's Code of Conduct and Rules for the purposes of declaring conflicts of interest and personal interests, declaring gifts and hospitality and shall abide by the Monitoring Officer's directions and requirements as though they were a member of that authority.
- 9.4 The Parties acknowledge the possibility of conflicts of interests between their LTB role and their role in their host organisation, and undertake to at all times act in the interests of the area as a whole and not according to the sectoral or geographic interests of their member organisations. The Monitoring Officer may provide further advice as required on this issue.
- 9.5 To promote transparency, a separate register of personal interests (including gifts and hospitality) of the individuals attending the Board on behalf of the Parties shall be held by and maintained by the LTB as directed by the Monitoring Officer (who will determine which authority shall host this arrangement and how such information is to be placed in the public domain)..
- 9.6 Hampshire County Council shall be the accountable body. This arrangement may be varied in accordance with Clause 18 of this Agreement. The accountable body shall:
- a. hold the devolved major scheme funding and make payments to delivery bodies such as other local authorities;
 - b. account for these funds in such a way that they are separately identifiable from the accountable body's own funds;
 - c. provide financial statements to the LTB as required;
 - d. ensure that the decisions and activities of the LTB conform with legal requirements with regard to equalities, environmental, EU issues etc;
 - e. ensure (through their Section 151 Officer) that the funds are used appropriately;
 - f. ensure jointly with the Monitoring Officer that the LTB assurance framework as approved by DfT is being adhered to;
 - g. maintain the official record of LTB proceedings and hold all LTB documents; and
 - h. be responsible for the decisions of the LTB in approving schemes (for example if subjected to legal challenge).
- 9.7 For the avoidance of doubt, the Parties confirm that devolved major funding may only be used in accordance with an LTB decision
- 9.8 The accountable body shall, on behalf of the LTB put in place arrangements for independent local audits to be carried out by a qualified auditor, and shall submit the reports of these audits to DfT. The aim of each audit will be to verify that the LTB is operating effectively within the terms of its agreed assurance framework. The LTB shall be responsible for taking the necessary action to remedy any shortcomings identified within the audit.

10. Financial Commitments of the Parties

- 10.1 The running costs of the LTB and the Board shall be met by a financial contribution from the Parties agreed by the Board.

11. Staff

- 11.1 Transport for South Hampshire and the Isle of Wight (TfSHIOW) shall provide the secretariat for the LTB and the Board.
- 11.2 When any of the Parties agrees to undertaking work at the request of the LTB, the staff of the Party undertaking such work shall be considered to be seconded to the LTB.
- 11.3 During the period of secondment, the staff shall continue to be employed by the Party from whom they were seconded and managed by that Party and no changes to the staff's terms and conditions of employment shall take place.
- 11.4 When the period of secondment comes to an end, the staff shall be treated as having returned to their original authority on the terms and conditions applying to their posts had they not been seconded

12. Lead Authorities and their Duties

- 12.1 In order to achieve the objectives of the LTB, the Parties may appoint a Lead Authority to act on their behalf in implementing decisions of the Board.
- 12.2 In the event of an authority being appointed as Lead Authority by the LTB, subject to any terms, conditions, limitations or caveats, the Lead Authority shall:
- a. act as agent for the LTB in the management and day-to-day supervision of the particular task the Lead Authority has been asked to lead on;
 - b. compile and return all financial and participation data relevant to the task that the Lead Authority has been asked to lead on;
 - c. convene meetings comprising such individuals, bodies or others as agreed by the LTB in establishing the Lead Authority arrangements and update the Parties on the progress of the task assigned to the Lead Authority;
 - d. act as the representative of the LTB in any discussions or negotiations when acting as the Lead Authority;
 - e. provide such administrative resources and office facilities as are reasonably necessary to enable the Lead Authority to manage the project (subject to any caveats or limitations agreed by the LTB in establishing the Lead Authority arrangements);
 - f. exercise overall responsibility for ensuring the quality assurance of the project or task assigned to the Lead Authority, including monitoring and evaluation in consultation with other Parties; and

- g. play such other role(s) as would normally and reasonably be expected of a Lead Authority in relation to the project or task as assigned.

12.3 The Lead Authority shall have full authority and power to act within the scope of the roles and responsibilities laid out in this Agreement on behalf of the LTB in the course of or for the purpose of doing the activities agreed by the LTB as Lead Authority in relation to the specific task assigned. Such action may be taken without further consent or approval from the Board provided this is within the scope of the authority given by the Board. The Parties shall take such steps as shall be necessary to enable the Lead Authority to fulfil its role.

13. Termination and Withdrawal

13.1 The LTB recognises that the success of the LTB depends upon the mutual co-operation of all the Parties and the withdrawal of any Parties may have serious administrative and financial repercussions for the remaining Parties and any Party withdrawing from the LTB shall, unless otherwise unanimously agreed:

- a. give six months notice in writing of withdrawal to all other Parties; and
- b. the other Parties shall consider what future arrangements should apply for the discharge for their functions which may include to agreeing to continue joint arrangements further to a new joint agreement.

14. Intellectual Property

14.1 Unless otherwise agreed:

- a. the Parties shall not acquire any right, title or interest in or to the intellectual property rights of the LTB; and
- b. the LTB shall not acquire any right, title or interest in or to the intellectual property rights of the Parties.

14.2 Any issues, challenges or claims in relation to any intellectual property rights shall be advised to each of the Parties immediately, and any intellectual property right claim shall be managed by the Parties as agreed.

15. Data Protection, Freedom of Information, Local Government Transparency Code, Information Sharing and Confidentiality

15.1 Without prejudice to the specific requirements of this clause, each Party shall comply with its legal requirements under data protection legislation, freedom of information and associated legislation, and the law relating to confidentiality.

15.2 An authority will be appointed as a Lead Authority for the purposes of ensuring compliance with any requirements arising under this Clause should they arise directly in relation to the LTB (as compared to information held by the Parties to this Agreement).

- 15.3 Subject to any legal obligations either arising upon the Parties and/or the LTB, information supplied by the Parties or third parties shall, unless agreed by the LTB, subject to any over-riding legal obligations, be treated as confidential.
- 15.4 The LTB shall, in discharging its responsibilities, comply with the Local Government Transparency Code
- 15.5 For the avoidance of doubt, meetings of the Board shall comply with the requirements of Part VA Local Government Act 1972 (access to information).
- 15.6 The LTB shall have its own web pages.

16. Liability of the Parties

- 16.1 Whilst the Parties / Parties shall make all reasonable attempts to mitigate loss, each Party / Party (“the Indemnifying Party”) shall be liable for and indemnify the others against any expense, liability, loss, claim or proceeding whatsoever arising under any statute or at common law in respect of personal injury to or death of any person whomsoever arising out of or in the course of or caused by any act or omission of that Indemnifying Party in respect of its role in the activities of the Board and/or under this Agreement and /or where acting as Lead Authority .
- 16.2 Whilst the Parties / Parties shall make all reasonable attempts to mitigate loss, each Party / Party (“the Indemnifying Party”) shall be liable for and shall indemnify the others against any reasonable expense, liability, loss, claim or proceeding in respect of any injury or damage whatsoever to any property real or personal in so far as such injury or damage arises out of or in the course of or is caused by any act or omission of that Indemnifying Party in respect of its role in the activities of the Board and/or under this Agreement and/or where acting as Lead Authority .
- 16.3 Whilst the Parties / Parties shall make all reasonable attempts to mitigate loss, each Party / Party (“the Indemnifying Party”) shall indemnify the others in respect of any reasonable loss caused to each of the other Parties / Parties as a direct result of that Indemnifying Party’s negligence, wilful default or fraud or that of any of the Indemnifying Party’s employees in respect of its role in the activities of the Board and/or under this Agreement and/or where acting as Lead Authority.
- 16.4 Where a Party is appointed the Lead Authority under the terms of clause 12 of this Agreement, the other Parties shall each indemnify the Lead Authority on pro rata basis according to the proportions of their respective financial commitments as set out in Clause 10 of this Agreement with the intent that the Lead Authority shall itself be responsible for its own pro-rata share.

17. Review

This Agreement may be reviewed at any time by agreement between the Parties.

18. Variations

This Agreement may at any time be varied or amended by the Monitoring Officer where the amendment is minor and has been agreed by all the Parties in writing in advance. Otherwise, this Agreement may at any time be varied or amended by a deed executed by all the Parties.

19. Insurance and Indemnification

Each of the Parties shall ensure that they have a sufficient policy of insurance of any work that they undertake on behalf of the LTB under this agreement and for a period of six years after termination of this Agreement.

20. Severability

If any term, condition or provision contained in this agreement shall be held to be invalid, unlawful or unenforceable to any extent, such term, condition or provision shall not affect the validity, legality or enforceability of the remaining parts of this agreement.

21. Publicity

The Parties recognise their respective public reputations and legal responsibilities. Each Party shall use all reasonable endeavours not to harm or compromise these.

22. Waiver

No term or provision of this Agreement shall be considered as waived by any of the Parties to this Agreement unless a waiver is given in writing by that Party to all other Parties to this Agreement.

23. Notice

Any notice, demand or other communication required to be served under this Agreement shall be sufficiently served if delivered personally to or sent by pre-paid first class recorded delivery post or facsimile transmission to the addresses set out in Clause 3 and if so sent shall, subject to proof to the contrary, be deemed to have been received by the addressee at the time of personal delivery or on the second working day after the date of posting or unsuccessful transmission as the case may be. Anything served personally or transmitted which is received at the recipient's premises on a day when it would not in the ordinary course of its business have been open for business shall be deemed to have been received on the next following day when it is open in the ordinary course of business or would have been if it had not ceased to conduct business.

24. Governing Law

This Agreement shall be governed by and construed in accordance with English Law and the Parties hereby submit to the exclusive jurisdiction of the English Courts.

25. Counterparts

This agreement may be executed in any number of counterparts, all of which when taken together shall constitute one and the same instrument.

26. Exercise of statutory authority

Without prejudice to this agreement, nothing in this agreement shall be construed as a fetter or restriction on the exercise by any of the parties of their statutory functions.

27. Exclusion of Third Party Rights

Save to the extent as expressly provided for in this Agreement no person not a Party to this Agreement shall have any right to enforce any term of this Agreement and the provisions of the Contracts (Rights of Third Parties) 1999 shall not apply to this Agreement

28. Survival of Clauses

The following clauses shall survive the expiry or termination of this Agreement

- Clause 4 (Definitions)
- Clause 5 (Interpretation)
- Clause 6 and Appendix 4 (Principles and Key Objectives)
- Clause 9 (Legal, Governance and Financial Administration Issues)
- Clause 10 (Financial Commitment of the Parties)
- Clause 14 (Intellectual Property)
- Clause 15 (Data Protection, Freedom of Information, Information Sharing and Confidentiality)
- Clause 19 (Insurance and Indemnification)
- Clause 23 (Notice)
- Clause 28 (Survival of Clauses)

29. No Partnership at Law

As public bodies, the Parties do not enter into this Agreement with any view of profit. The use of the terms “partners” and “partnership” in this Agreement merely denotes the intention of the Parties to work within local government legislation in a common way to achieve shared objectives, and should not be taken as an indication of any legal partnership for the purposes of the Partnership Act 1890.

**THE COMMON SEAL OF THE PARTIES IS
HEREUNDER AFFIXED IN THE PRESENCE OF:**

Authorised Signatory _____
Hampshire County Council

Authorised Signatory _____
Isle of Wight Council

Authorised Signatory
Portsmouth City Council

Authorised Signatory
Southampton City Council

Authorised Signatory _____

Solent Local Enterprise Partnership Limited

APPENDIX 1: PRIORITISATION METHODOLOGY

Proposals prioritised for devolved local major transport scheme funding by the Solent LTB will be for worthwhile transport schemes that meet local priorities and national objectives and accord with the Solent LTB eligibility criteria.

A transport scheme is defined as a scheme that responds to a current and/ or forecast future transport problem or problems on one of more of the highway, public transport, walking and cycling networks or a future part of one or more of those networks.

In respect of proposals on the strategic road or rail networks, Transport for South Hampshire will ensure that the Highways Agency and Network Rail are fully sighted on schemes that are to be considered for funding so that their views on deliverability and impact on the wider strategic and rail networks can be considered and taken into account in the initial prioritisation exercise. In cases where schemes have any impact on train and bus services the views of train operating companies, DfT (rail) and bus operators will be sought.

Scheme Eligibility Criteria

Independent schemes as well as package proposals will be considered for funding, subject to the proposal:

- a. being included (or will be included) within the TDP;
- b. having a clearly defined scope;
- c. comprising a 100% capital funding request;
- d. be supported by a local contribution (public and/ or private and revenue and/ or capital) of at least 25% of the overall project cost. This 25% local contribution can be applied after 2019 (*with higher local contributions viewed more favourably in scheme prioritisation*);
- e. having a capital cost of £2,000,000 or above;
- f. supporting the generation of employment growth (*with higher employment growth viewed more favourably in scheme prioritisation*);
- g. being expected to deliver 'high' value for money; and
- h. being deliverable within the period 2015-19.
- i. being supported by the Local Transport Authority whose area within which the proposal would be delivered.

LTB funds may be awarded as a loan for schemes that meet the LTB scheme eligibility criteria. Schemes applying for a loan will be assessed on the same basis as other schemes. Loans must be repayed to the accountable body acting on behalf of the LTB in accordance with the agreed terms of the loan.

LTB funds may be awarded to projects where transport is just one component of a wider project. However, in these circumstances, LTB funds must be ring-fenced to fund the transport component either in part or in full.

Prioritisation Methodology

The Solent LTB will only consider proposals for devolved local major transport scheme funding that are included within the TfSHIOW Transport Delivery Plan (TDP). The schemes within the TDP (or that are subsequently added to the TDP) are identified following a processes that is consistent with DfT WebTAG advice. The process is explained in section 3 of the Transport Delivery Plan.

The schemes identified in the TDP aim to realise one or more of five Outcomes identified following a review of relevant local and national policy and priorities, and have been validated through local consultation. The Outcomes are presented below:

Core Outcomes	
O1	Strengthened international gateways in, fulfilling their role in supporting the local and national economy.
O2	Delivering planned housing and employment growth in existing economic centres first.
O3	The transport sector contributing to the area achieving its commitment to reduce greenhouse gas emissions (especially Carbon).
Supporting Outcomes	
O4	Reduced social disparities, supporting cohesive and inclusive communities and improving the quality of life for residents.
O5	Delivering continuous economic growth through the implementation of the strategic and major development areas in the region that will ultimately deliver the housing and employment targets.

The Outcomes provide the context within which a WebTAG consistent Land-use and Transport model –the Sub-Regional Transport Model (SRTM) – has been used to model the current and forecast future transport situation, providing a consistence evidence base and appraisal basis for all schemes. A summary of the SRTM is provided in Appendix 6. This identified the transport constraints (or barriers) to achieving the above Outcomes, which in turn generate objectives that direct transport solutions. This process ensures that schemes identified respond to evidenced problems. The objectives for the TDP are:

<ul style="list-style-type: none"> • Enable higher levels of economic growth by improving local employment opportunities, deepening the labour market and therefore increasing productivity
<ul style="list-style-type: none"> • Enhance business performance particularly at the international gateways, by increasing the efficiency of the transport network and managing congestion
<ul style="list-style-type: none"> • Improve sustainable access linking people to jobs and key facilities in our cities and towns and improving the opportunities for education and training.
<ul style="list-style-type: none"> • Reduce unemployment in areas of high deprivation through improved sustainable access to employment centres
<ul style="list-style-type: none"> • Reduce emissions (particularly carbon) from the transport sector by reducing highway vehicle kilometres

The schemes contained within the TDP have been sifted from an initial list of circa 400 schemes and provide a set of schemes that accord with local priorities and national objectives, offer value for money and are deliverable.

For LTB prioritisation, the Department for Transport (DfT) Early Assessment and Sifting Tool (EAST) will be used to summarise and present evidence on options in a clear and consistent format. A local augmentation to EAST will be a requirement on promoters to identify the number of direct and indirect jobs that would be expected to be created as a consequence of scheme delivery.

The prioritisation process to be followed by the Solent LTB is set out in the six steps, below:

- Step 1:** Using the TDP as a base, promoters select those schemes that they wish to propose for devolved local major transport scheme funding. This will ensure commitment from the delivery body.
- Step 2:** Each scheme promoter completes a short *Expression of Interest* (EoI) including an EAST form that provides an opportunity to 'sell' the case for a transport scheme or package of schemes.
- Step 3:** LTB Member workshop to review the applications, agree on a prioritised list of schemes and award programme entry (subject to the later submission of a Transport Business Case and WebTAG assessment). This step will invite promoters to present their proposals and answer questions, provide supplementary information and a final chance to 'sell' their scheme.
- Step 4:** Report presented to a meeting of the LTB providing details of all EoIs and recommendations for prioritisation, programme entry, and phasing. At this step, there will be an opportunity for non-LTB members to challenge/ support proposed decisions.
- Step 5:** Prioritised list ratified at a meeting of the LTB.
- Step 6:** Results of prioritisation published on the Solent LTB website and notified to DfT.

The prioritisation methodology, expressions of interest and decisions will be published on the Solent LTB website.

APPENDIX 2: PROGRAMME MANAGEMENT AND INVESTMENT DECISIONS METHODOLOGY

Scheme Assessment and Approval

Scheme promoters will be responsible for developing and funding a transport business case and WebTAG assessment for their scheme(s).

TfSHIOW will provide the secretariat for the LTB.

TfSHIOW will be responsible for assessing business cases, with all decisions on prioritisation and award of funding taken by the Solent LTB.

Independent scrutiny of business cases will be provided by suitably qualified experts, who will provide advice to the TfSHIOW Project Manager. The TfSHIOW Project Manager will have overall responsibility for business case scrutiny and recommendations to the Solent LTB

A clear distinction and adequate separation between the scheme promoters and the decision-makers will be achieved through:

- a rigorous and objective scheme identification process
- a consistent, open and transparent prioritisation process
- opportunity for challenge through open forum
- Independent value for money statement following scrutiny of business case and WebTAG assessment
- Review of decision-making by an Investment Panel

Prioritisation will represent programme entry, and provide promoters with the necessary expectation of funding to enable promoters to embark on statutory processes (subject to submission of a full transport business case and WebTAG assessment).

The Transport Business Case

Following programme entry each promoter will agree with TfSHIOW the study approach. This will be formalised in an Outline Business Case which will be independently scrutinised. This scrutiny will form the basis of a recommendation to the Solent LTB on whether a scheme may progress to develop a Full Business case. Only in exceptional circumstances is it expected that a scheme would not progress to Full Business Case.

All scheme proposals submitted by promoters must follow the key principles of the Transport Business Case guidance available on DfT's website.¹ The modelling and appraisal of schemes contained in business cases must be developed in accordance with the guidance published in WebTAG at the time the business case is submitted for approval. Central case assessments must be based on forecasts which are consistent with the definitive version of NTEM (DfT's planning dataset). Alternative planning assumptions as sensitivity tests may be considered when making a decision about whether to approve a scheme.

Schemes will only be approved that offer at least "high" value for money, as assessed using DfT guidance. In exceptional circumstances a scheme that offers less than "high" value for money may be considered where its delivery will unlock new economic growth and / or employment growth to the area.

¹ <http://www.dft.gov.uk/publications/transport-business-case>

Each scheme will be supported by a value for money statement in line with published DfT WebTAG guidance. This will independently scrutinised and advice provided to the TfSHIOW Project Manager, who will be responsible for signing off VfM assessments as true and accurate.

Funding will not be committed irreversibly before scrutiny and approval of the Full Business Case, within which evidence of the guaranteed delivery of the scheme (legal powers in place) and full costs must be provided.

Promoters will be expected to submit a monitoring and evaluation framework with the business case submission. Promoters will be responsible for undertaking monitoring and evaluation and will report results back to the Solent LTB.

The Post-Prioritisation Investment Decision-Making Process is set out in steps 7-14, below:

- Step 7:** Promoters of schemes prioritised for funding develop an Outline Transport Business Case and WebTAG assessment
- Step 8:** Study approach agreed and invitation to develop a Full Business Case formalised
- Step 9:** Full Transport Business Case developed with WebTAG assessment undertaken by scheme promoter
- Step 10:** Independent scrutiny of the Business Case for each scheme, with a Value for Money Statement provided on each scheme
- Step 11:** Publication of Business cases on the TfSHIOW website
- Step 12:** Three month consultation period
- Step 13:** LTB make a final decision on funding, based on a review of the Business Case, the independent scrutiny, and consultation responses
- Step 14:** Confirmation of funding award

The prioritisation and Investment Decision Process is set out below:

Phase 1	Investment Decision Point	Phase 2	Investment Decision Point	Phase 3	Investment Decision Point
Expression of Interest	<ul style="list-style-type: none"> • Prioritisation • Programme Entry 	Outline Business Case	<ul style="list-style-type: none"> • Agree study approach 	Full Business Case (<i>Inc. WebTAG assessment and value for money statement</i>).	<ul style="list-style-type: none"> • Full funding approval

All decision-making steps will be undertaken at a meeting of the Solent LTB.

Release of Funding, Cost Control and Approval Conditions

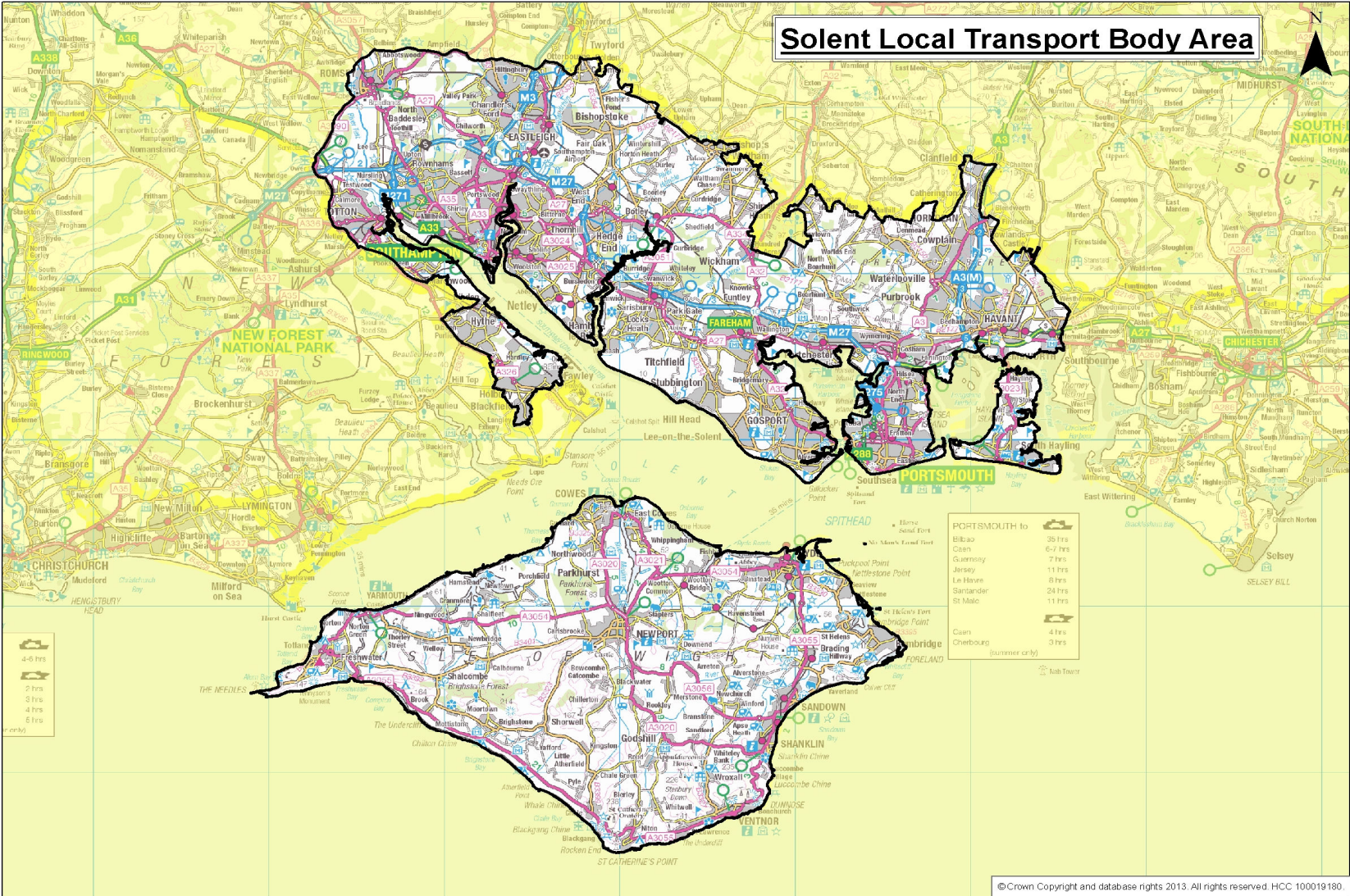
The award of funding by the LTB will be capped, with the delivery body responsible for all cost increases. The Local Authority s151 officer of the delivery body must provide assurance that the local contributions will be provided and accept liability for all cost increases. This will also confirm that the awarded LTB funding will only be used for the scheme for which it was awarded and that all reasonable efforts to control costs will be made.

Claims for LTB funds for approved projects will be made in arrears.

Programme and Risk Management

TfSHIOW will have responsibility for overall programme management (including risk control) on behalf of the Solent LTB. A statement on management of programme risk will be developed by TfSHIOW for approval by the Solent LTB.

APPENDIX 3: LTB AREA MAP



APPENDIX 4: KEY OBJECTIVES OF THE LOCAL TRANSPORT BODY

The Objectives of the Local Transport Body shall be:

To decide which investments should be prioritised, to review and approve individual business cases for those investments, and to ensure effective delivery of the programme.

APPENDIX 5: GOVERNANCE

TERMS OF REFERENCE FOR THE LTB BOARD

GENERAL

- a. This is a Board of the Parties.
- b. The Parties have agreed that the Board shall operate as if it were a Committee established under the Local Government Act 1972 in the interests of openness, accountability and transparency, and the access to information regime applicable to such a committee shall apply accordingly to the Board.
- c. Certain functions, tasks or activities may be delegated by the Board within their terms of reference to officers of the Parties (in so far as the law allows).
- d. Where a function or matter within the Board's competence has been delegated, the Board may exercise that function / matter concurrently with the officer to whom it has been delegated.

TERMS OF REFERENCE FOR THE LTB BOARD

GENERAL

- a. This is the Solent Local Transport Body Board, a voluntary partnership of the Parties.
- b. The Parties have agreed to form a Local Transport Body Board which shall meet to decide which investments should be prioritised, to review and approve individual business cases for those investments, and to ensure effective delivery of the programme.

TERMS OF REFERENCE

- a. To be responsible for ensuring value for money is achieved
- b. To identify a prioritised list of investments within the available budget in accordance with the Prioritisation Methodology set out in Appendix 1 which may be amended from time to time by the LTB and which shall be published on the LTB web pages
- c. To make decisions on individual scheme approval, investment decision making and release of funding, including scrutiny of individual scheme business cases in accordance with the methodology set out in Appendix 2 which may be amended from time to time by the LTB and which shall be published on the LTB web pages
- d. To monitor progress of scheme delivery and spend
- e. To actively manage the devolved budget and programme to respond to changed circumstance [scheme slippage, scheme alteration, cost increases etc]
- f. To formally:
 - I. Determine the initial decision on the composition of the scheme programme; and
 - II. To make individual scheme investment decisions

TERMS OF REFERENCE FOR THE WORKING GROUPS

GENERAL

These Working Groups are informal bodies and without statutory powers or authority save as directly delegated to individual officers by their authority / the Board/LTB.

SPECIFIC TERMS OF REFERENCE OF THE WORKING GROUPS

- a. Responsibility for ensuring value for money is achieved
- b. Identifying a prioritised list of investments within the available budget
- c. Making decisions on individual scheme approvals, investment decision making and release of funding, including scrutiny of individual scheme business cases
- d. Monitoring progress of scheme delivery and spend
- e. Actively managing the devolved major schemes budget and programme to respond to changed circumstances

GENERAL TERMS OF REFERENCE FOR ALL WORKING GROUPS

- a. To provide advice and guidance to the Senior Management Board and Board/LTB within the specific terms of reference of each Working Group
- b. To monitor and review the budget, governance, financial compliance matters and issues where appropriate.
- c. To monitor the action plan and delivery
- d. As delegated by the Board / LTB / to be responsible for operational decision making & the day-to-day management of projects and activities carried out in the name of or on behalf of TfSHIOW

APPENDIX 6: MEMBERSHIP

Board:

- One Executive Member of each of the partner local authorities leading on the respective issues within the Terms of Reference of the Board or exceptionally in the absence of that person, the Leader of the relevant partner local authority or another Executive Member of that local authority appointed by the Leader to attend the meeting as a Board member.
- A representative(s) of the Solent LEP appointed by the Solent LEP.

Note: *Only 1 vote per organisation*

Associate Members:

- An Executive Member from the relevant district councils. Namely:
 - Havant
 - Fareham
 - Eastleigh
 - Gosport
 - New Forest
 - East Hampshire
 - Test Valley
 - Winchester
- DfT, the Highways Agency and Network Rail
- The relevant transport operators and/or stakeholders

APPENDIX 7: SUMMARY OF THE SUB-REGIONAL TRANSPORT MODEL

This section provides a summary of the model used to support the Economic Case, as requested in the LSTF Supplementary Guidance. Full details are included in the Model Validation Report which are available from.

The Transport for South Hampshire Sub-regional Transport Model (SRTM) modelling suite is an evidence-based land-use and transport interaction model developed to provide a strong analytical basis for the development of coherent, objective-led implementation plans to enable the changes in transport provision required to deliver prosperity to the area.

The integrated forecasting approach contains a suite of transport models and an associated Local Economic Impact Model (LEIM). The toolkit has been developed to assist in the ongoing investigation, appraisal and assessment of different: policies; strategies; and infrastructure, management and operational interventions on land-use policies and transport provision.



Figure 1: SRTM Modelled Area Definitions

The main TfSHIOW area (shown in orange in the figure above) contains the detailed network models, and this area, combined with the surrounding area (shown in green), is covered by LEIM.

The Local Economic Impact Model forecasts:

- The supply of housing
- The number of households by type
- The population by person types
- The number of jobs by sector
- The amount of commercial floorspace

The forecasts are produced for each year of the forecast period (2011 – 2041), and are affected by a range of factors, including, importantly, the performance of the transport network which is input for the years 2014, 2019, 20126 and 2036.

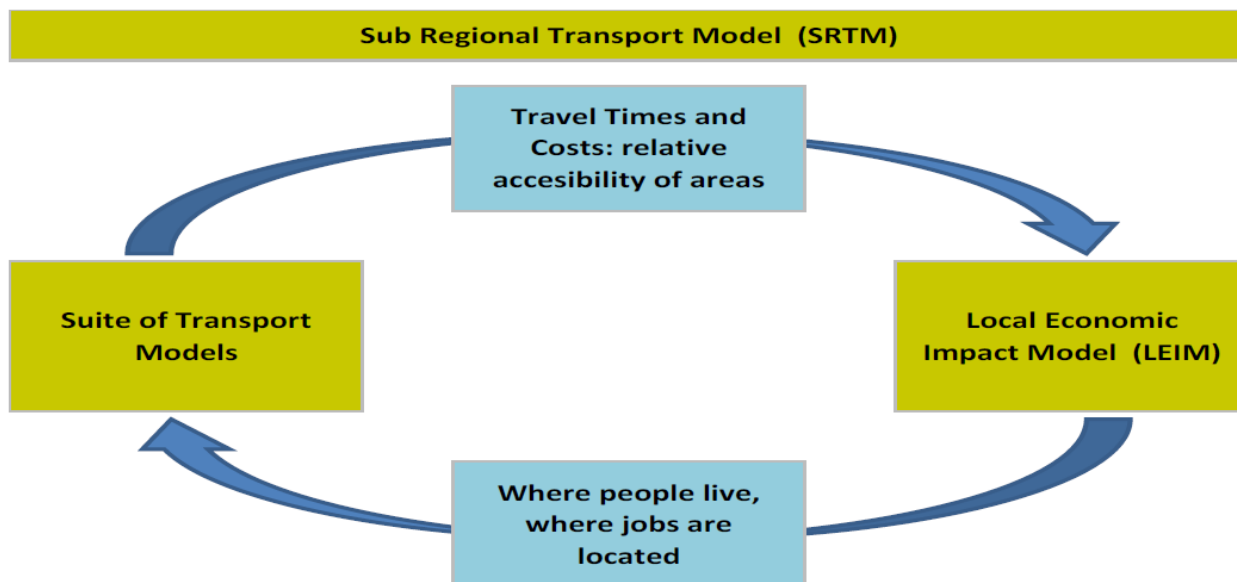


Figure 2: SRTM Transport and Land Use Mode interaction

The changes in the supply of housing and employment floorspace are controlled in line with local planning policies and national figures in TEMPRO 6.2. Planning assumptions on permissible development were collected from the relevant local planning authorities and they cover the period up to 2026. For the period beyond 2026 LEIM assumes a greater intensification of use at existing sites only.

The overall growth of South Hampshire can be allowed to vary within constraints set by the TEMPRO data at a sector level, to test the impact of transport and planning policies, or it can be fixed to test the consequences of higher or lower levels of growth.

The outputs of the LEIM are used by the transport models to predict the demand for travel to and from areas within South Hampshire and these can be compared to assess the land-use/economic impacts of different planning and transport policies. The models are set up for a base year of 2010 with forecast scenarios for 2014, 2019, 2026 & 2036. The transport models represent travel conditions for the morning and evening peak periods and the inter-peak period. They estimate the changing patterns of travel separately for travellers undertaking journeys for different purposes (e.g. for commuting or for education-related journeys) and for light and heavy goods vehicles).

The suite of transport models comprises the Main Demand Model (MDM), the Gateway Demand Model (GDM), Road Traffic Model (RTM) and Public Transport Model (PTM). *Figure.3* shows the interaction of the various models within the SRTM.

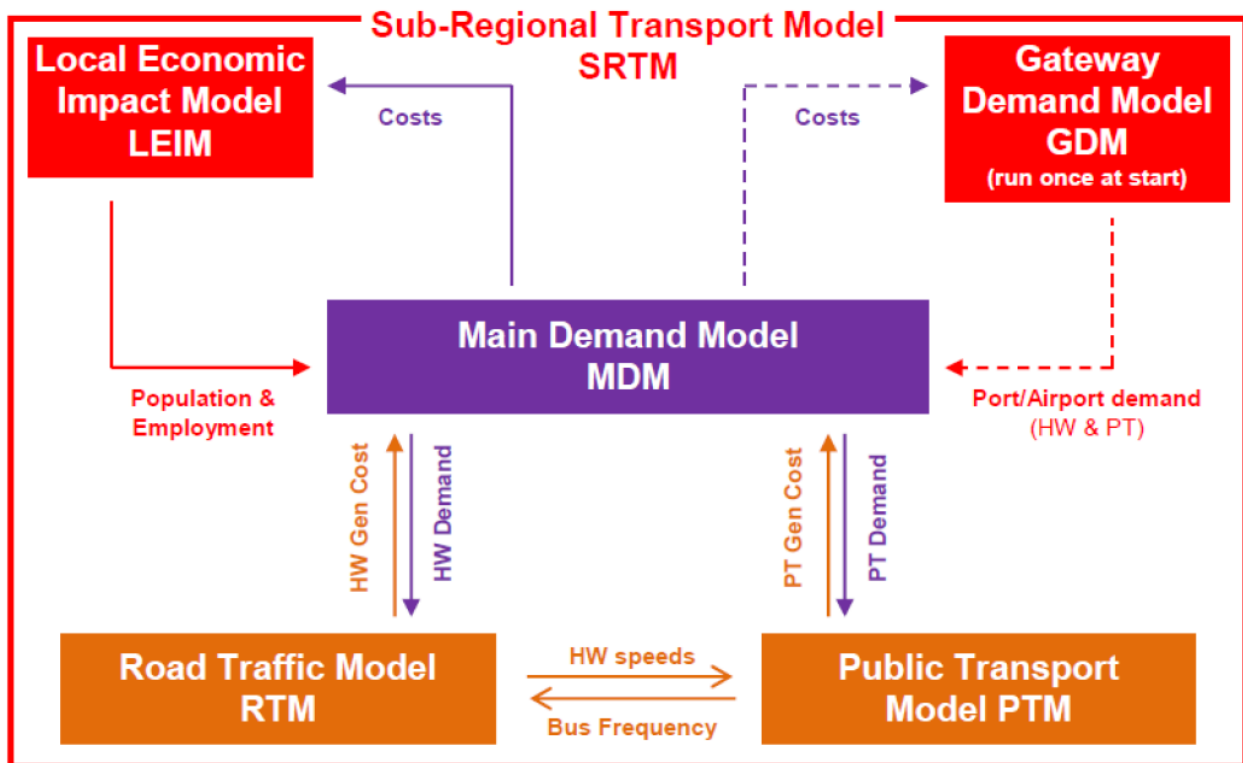


Figure 3: Interaction of models within the SRTM

One notable aspect of the MDM is that it uses tours to define journeys throughout the day rather than the usual trips (one tour would be the journey to work in the morning and back again in the evening; this would be two separate and unlinked trips in other models). A full description of SRTM and LEIM is available from <http://www3.hants.gov.uk/TfSHIOWh/TfSHIOWh-what-TfSHIOW-does/TfSHIOW-projects-evidence-base.htm>.

How the reference cases are derived and what they tell us (spread and quantum of development)

For each forecast year a set of tests was undertaken:

- Base Case - LEIM forecasts of travel demand using base year transport costs
- Reference Case – LEIM forecasts of travel demand using that year’s transport costs incorporating only committed schemes

The Reference Case forecasts of population and employment are lower than the Base Case projections due to the constraints generated by the inefficiencies of the transport network i.e. overall costs of travel (time and money) will be higher. The aim of the interventions in the LSTF bid, and also the LTSIP, is to increase the levels of development, especially employment, back up to the Base Case levels by removing many of the barriers and constraints evident in the reference case. The impacts of these interventions are discussed in the following sections of this Economic Case.

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DECISION-MAKER:	CABINET
SUBJECT:	PLAY SITE DEVELOPMENT
DATE OF DECISION:	19 FEBRUARY 2013
REPORT OF:	CABINET MEMBER FOR HOUSING AND LEISURE
STATEMENT OF CONFIDENTIALITY	
None	

BRIEF SUMMARY

Southampton City Council has responsibility for 115 Open Access Play Areas throughout the city, the general maintenance of these sites has been resourced from the council's revenue budget. Any larger development comes from Capital funding, Section 106. As part of this provision Play Areas are identified each year by the Play Task Force Group for refurbishment. This report provides information on the proposed development of play areas in the city for 2013.

RECOMMENDATIONS:

- (i) To add, in accordance with Financial Procedure Rules a sum of £263,500 to the Housing & Leisure Capital Programme for play area development.
- (iii) Individual scheme spending will be processed through the Capital Board and authorised by the Executive Director for Children Services or relevant officer.

REASONS FOR REPORT RECOMMENDATIONS

1. Section 106 funding is allocated to play areas that are close to housing developments over one bedroom in size. The anticipation being that children will live in these houses and need facilities where they are able to play.
 - The amount allocated through the planning gain is based on the number of bedrooms in each house. The money becomes available to spend once all of the houses within the development are occupied.
 - These funds are specific for the development of play areas. Although the play areas to be developed are identified when planning permission is applied for, it is normally somewhere between three and five years before the money is available for spend.
 - The Section 106 resource has to be spent within ten years. Given suitable time for sizeable amounts to be accrued so that significant development can take place.
2. Southampton City Council has a responsibility to provide play spaces for children young people and families in dense urban areas, in support of the overarching city objectives of Community Safety, Health and Wellbeing, and School Attendance.
3. Play Areas are a highly visible community resource. Extra funding is sometimes found by residents and local groups. Consequently parents and families lobby hard for their protection and development.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. Not to undertake these refurbishments could result in some of the play areas becoming a Health and Safety risk and subsequently needing to be closed.

5. Developing more sites, using council resources other than Section 106 money, would be difficult to sustain in the current financial climate.

DETAIL (Including consultation carried out)

6. The Play Strategy was adopted by the Council in 2008. The aims of this strategy are to:
 - To provide free play to allow all children to develop their full potential so they may participate fully in society in a constructive way.
 - To provide play areas that do not expose children to unacceptable risk.
 - To provide stimulating play areas that encourage a child to develop their life skills.
 - To provide accessible play areas that all children want to use and are within easy reach of their homes.
7. Play Areas are currently maintained with funding set aside annually to support maintenance, basic wear and tear and vandalism. The City Council has a considerable fund of ringfenced money, accumulated through legacy arrangements from more substantial builds.
8. The Play Areas to be developed this time around have been identified and are situated in the wards of Freemantle, Sholing, Bargate, Portswood, Harefield, Millbrook and Shirley.
9. Consultation, with children young people parents and carers, will be undertaken to understand what is required locally. For substantial developments a minimum of three contractors are invited to assess needs and produce detailed designs based on the consultation results. Once designs are returned (this is a free service) a second consultation is organised to gain public approval on the preferred design. A contract is then awarded in accordance with City Council procurement rules and timescale for installation agreed.
10. For 2013/14 the following sites have been identified by the Play Area Task Force as having substantial section 106 funds available and are in need of repair and development
 - The Common;
 - Bugle Street;
 - Golden Grove;
 - Bentley Green;
 - Cheriton Avenue;
 - Lawn Road;
 - Newtown;
 - Ivy Dene;
 - Butts Road;
 - Inkeman Road; and
 - Sullivan Road.

RESOURCE IMPLICATIONS

Capital/Revenue

11. An amount of £263,494 of ring fenced Section 106 funding is available to be spent on the wards listed in 8. above.
12. All sites are currently maintained through a revenue budget which will not be altered by these developments. A re-developed site will potentially reduce maintenance because of the installation of new equipment in place of old.

Property/Other

13. All Play Areas need to be designed and maintained to meet Health and Safety standards in order to mitigate the Council should any accidents or personal injury claims arise.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

14. Play areas are provided and maintained in accordance with a variety of site specific powers contained in a variety of legislation. The provision of play areas generally and the matters set out in this report are authorised by virtue of Section 1 Localism Act 2011 (the general power of competence) whereby the Council may do anything that an individual may ordinarily do subject to any pre or post commencement limitations contained in site specific powers.

Other Legal Implications:

15. All Council property, including play areas, must be provided and maintained in accordance with the provisions of relevant health & safety legislation, having regard to the Council's duties under the Equalities Act 2010 and s17 of the Crime & Disorder Act 1998.

POLICY FRAMEWORK IMPLICATIONS

16. The development and refurbishment of Play Areas supports the Play Strategy adopted by the Council in 2008.

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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Freemantle, Sholing, Bargate, Portswood, Harefield, Millbrook and Shirley.
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SUPPORTING DOCUMENTATION

Non-confidential appendices are in the Members' Rooms and can be accessed on-line

Appendices

	none
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Documents In Members' Rooms

	none
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Equality Impact Assessment

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

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

Title of Background Paper(s)

	none	
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Agenda Item 13

DECISION-MAKER:	CABINET
SUBJECT:	LICENSING SCHEME FOR HOUSES IN MULTIPLE OCCUPATION – CONSULTATION RESULTS AND FINAL APPROVAL
DATE OF DECISION:	19 FEBRUARY 2013
REPORT OF:	CABINET MEMBER FOR HOUSING AND LEISURE SERVICES

<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY

NOT APPLICABLE

BRIEF SUMMARY

Approval is sought for designating Bargate, Bevois, Portswood and Swaythling wards as being subject to additional licensing of houses in multiple occupation (HMOs), coming into effect on 1 July 2013 for a period of five years. The scheme will be evaluated by 30 June 2016 with the intention of making further designations, as appropriate across the City.

RECOMMENDATIONS:

- (i) To note the outcome of a full consultation, which has taken place in accordance with the Housing Act 2004
- (ii) To approve the designation of Bevois, Bargate, Portswood and Swaythling wards as being subject to additional licensing, requiring all houses in multiple occupation (HMOs) to be licensed, apart from section 257 HMOs and buildings exempted by Schedule 14 of the Housing Act 2004, to take effect on 1 July 2013 for a period of five years
- (iii) To agree that Cabinet will consider approving a further designation covering the entire City as being subject to additional licensing of houses in multiple occupation from 1 July 2016, subject to an evaluation and further consultation, as appropriate and further decision of Cabinet in due course.

- (iv) To delegate authority to the Senior Manager, Regulatory Services, following consultation with the relevant Director and Cabinet Member for Housing and Leisure Services, to approve any changes to the Council's HMO Licensing Policy and Procedures required in connection with the said designation
- (v) To delegate authority to the Head of Legal, HR and Democratic Services, following consultation with the Cabinet Member for Housing and Leisure Services, to undertake such actions necessary to enable the successful delivery of the scheme, including the recruitment of Regulatory Services and Legal staff as necessary, to be funded by the scheme

REASONS FOR REPORT RECOMMENDATIONS

1. The evidence shows that a significant proportion of houses in multiple occupation (HMOs) in Bargate, Bevois, Portswood and Swaythling wards are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.
2. This includes serious problems with poor property conditions, poor management and antisocial behaviour, which are not being adequately addressed through the Council's Mandatory Licensing Scheme (which only covers HMOs comprising three or more storeys and occupied by five or more people) and other enforcement and regulatory measures.
3. The Council has considered other courses of action, including the use of existing powers under the Housing Act 2004, but has determined that these will not be as effective in dealing with the problems in question.
4. Making the designation will significantly assist the Council in dealing with the problems in question without increasing homelessness or the number of empty properties. In conjunction with other courses of action, it will enable the Council to focus initially on those areas with the most serious issues and, with costs borne by landlords, will give the Council the resources it needs to robustly tackle problems and improve management and standards. This would be a proportionate response to address community concerns about the local impact of HMOs whilst ensuring safe, good quality privately rented accommodation is available to meet housing needs.
5. All reasonable steps have been taken to consult persons who are likely to be affected by the designation and representations have been considered.
6. As a result of representations made during the consultation and a review of the evidence available, it is considered appropriate to evaluate the success of the scheme in Bevois, Bargate, Portswood and Swaythling wards during its first three years of operation, before designating other areas of the City, or the entire City, as being subject to Additional Licensing, as appropriate. Any distortion of the market in undesignated areas will be actively monitored and existing enforcement tools will continue to be used in those areas.
7. A minimum of three months is legally required between making a designation and it coming into force. An additional month is considered prudent to appoint and establish the new team and allow sufficient time for promotion.

8. Delegating authority to the Senior Manager, Regulatory Services, for any changes required to the Council's HMO licensing policy or procedures, and to the Head of Legal, HR and Democratic Services to undertake such actions necessary to enable the successful delivery of the scheme, subject to the appropriate consultation, will help ensure its smooth implementation from 1 July 2013. The Senior Manager, Regulatory Services, already has delegated authority under the Officer Scheme of Delegation to determine and alter as necessary a scale of reasonable fees for the licensing of HMOs, in consultation with the relevant Director.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

9. That the Council manages issues associated with HMOs without any Additional Licensing designations. The Article 4 Direction now means that planning permission is required for all new HMOs in the City, but this does not apply to existing HMOs. A 'virtual HMO' team, made up of all Council services involved in regulating HMOs, has targeted enforcement effectively, but the proposals would enable a more proactive approach in those wards with the worst problems and will assist the Council in dealing with HMO issues.
10. Section 57(4) of the Housing Act 2004 requires the Council to consider alternatives to licensing that might provide an effective method of dealing with the problems in question. An evaluation of the following options was carried out and is reproduced as part of the evidence submitted in chapter 4 of Appendix 1: do nothing, reactive inspection programme, proactive inspection programme, landlord accreditation scheme, use of Management Orders, use of the Article 4 Direction and City wide licensing.

DETAIL (Including consultation carried out)

11. Section 56(2) of the Housing Act 2004 states that in making a designation for additional licensing the local housing authority should be able to show that it considers a "significant proportion of the HMOs of that description in an area are being managed significantly ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public". Chapter 3 of Appendix 1 provides details of properties that are being managed sufficiently ineffectively and, as a result, are having a detrimental effect on a local area. Data from the four wards in particular show that this criterion is met. For example, the number of complaints received about the internal condition of HMOs adversely impacting on the health, safety and welfare of occupiers and the landlords of these properties failing to take appropriate steps to address the issues. Residents in these areas also regularly complain about significant and persistent problems with noise nuisance, litter, waste, lettings boards and the external conditions and curtilage (including yards and gardens) adversely impacting upon the general character and amenity of the area in which they are located.
12. Section 56(3) of the Housing Act 2004 requires that before making a designation of an area subject to additional licensing the authority must (a) take reasonable steps to consult persons who are likely to be affected by the designation and (b) consider any representations made in accordance with the consultation and not withdrawn. The consultation was approved by Cabinet on 21 August 2012 and ran for twelve weeks from 3 September 2012

to 26 November 2012 inclusive. The consultation was well-publicised and had a strong response from a broad range of interested parties, including landlords, landlord associations, Hampshire Fire and Rescue Service, residents and residents groups, tenants, universities and housing agencies. 231 questionnaires were returned, many with detailed comments, 11 written submissions were made, approximately 150 people attended three meetings arranged by the Council and landlords attended two landlord forums.

13. Two thirds of questionnaire respondents agreed that licensing of all HMO landlords would improve Southampton's rented properties (66%). A very high percentage considered that poorly managed HMOs have a negative impact on their neighbourhood (81%) and a significant majority agreed that well managed HMOs have a positive impact (66%). A significant majority agreed that all HMO landlords should be licensed (69%) and that the Council should be doing more to tackle HMO issues (79%).
14. The written submissions contained polarised views, with strong support for the proposals from tenants, residents, Hampshire Fire and Rescue Service and Hampshire Police and strong opposition from most (but not all) landlords and their representative organisations, the National Landlords Association, Southern Landlords Association and the Residential Landlords Association. Hampshire Fire and Rescue Service considers that additional licensing will increase the safety of residents and of the public and states that this is fully consistent with its strategic objective to "keep people safe". Hampshire Police stated that the proposals would assist their ability to deal with crime and anti social behaviour associated with HMOs, in particular in relation to Operation Fortress, which is targeting drug-related violence.
15. Landlords' associations considered the consultation to be flawed, that the use of existing powers and accreditation would better achieve the Council's objectives and consider there to be insufficient, inconclusive or out of date evidence to support the proposals for a City wide scheme. The Council considered representations made by the landlords' associations but rebut the assertion that the consultation is flawed in any way. The Council carried out a full and detailed consultation, which complied with both the legislation and government guidance.
16. The universities are fully supportive and although the Southampton University Students Union considered that overall the proposals would help to ensure a large stock of high quality HMOs in the City, there was concern that sufficient frontline staff should be employed to carry out regular inspections and respond to complaints. Further details of the consultation responses are contained in Appendix 2.
17. All representations made in accordance with the consultation were considered and, as a result, the proposals have been amended as follows:
 - The initial designation will be limited to four wards
 - A decision on whether to extend the scheme will be made in 2016, following a full evaluation of the impact of additional licensing
 - Landlords will be permitted to commission their own survey from an independent, approved surveyor to support a licence application
 - HMOs with three or four occupiers will pay a reduced fee

18. Section 57(3) of the Housing Act 2004 states that when making a designation, the Council must also seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector. These have been incorporated into the Council's objectives for the proposed scheme, which are to:
- Keep occupants safe by ensuring the effective management of all HMOs
 - Improve living conditions by ensuring that appropriate facilities are provided
 - Improve housing standards and maintenance within HMOs, with a particular emphasis on security, fire safety and thermal comfort
 - Ensure that landlords exercise appropriate management and supervision of their properties to help reduce any adverse impact of HMOs on the neighbourhood and local communities
 - Build on and expand existing partnerships with landlords, managing agents, tenants, universities, community groups and others
 - Encourage and support owners and managing agents of HMOs to work proactively with the Council to achieve clearly defined standards and effective management
 - Facilitate stable and integrated communities through policy and the proactive targeting of risk-based and proportionate interventions
 - Reduce the number of complaints about HMOs received by the Council and its partners, such as universities and the fire service
 - Have no adverse effect on homelessness in the City
 - Ensure there is not an increase in the number of empty properties
19. Mandatory licensing of HMOs, introduced in 2006, applies only to an estimated 470 properties in Southampton, which have three or more storeys and are occupied by five or more people. Section 57(3)(b) of the Housing Act 2004 states that the authority must not make a designation unless it considers that making the designation will significantly assist in dealing with the problem or problems (whether or not other courses of action are taken as well). The proposed scheme will have comprehensive coverage of HMOs in the designated area, which will enable the Council to deal more robustly and effectively with problems associated with HMOs by inspecting them and setting and enforcing licence conditions. This would include specific patrols of areas with high densities of HMOs, which would all require a licence under the scheme. The proposed scheme will give the Council sufficient resources to ensure that management and property standards meet the required levels. Mandatory licensing alone is not sufficient to achieve this.
20. These proposals will also help to more effectively integrate licensing and planning enforcement and a comprehensive database of HMOs in the designated area by 30 June 2016 will help considerably with the determination of new planning applications in these four wards aiding the enforcement of Article 4.
21. HMO landlords in the designated area will be able to apply for a licence from 1 July 2013, but applications will be encouraged as follows during the first three years – Bargate Ward in 2013/14, Portswood and Swaythling Wards in 2014/15 and Bevois Ward in 2015/16. Appropriate action will be taken in these areas should HMO landlords fail to apply for a licence. By 30 June

2016, an estimated 4,500 properties in Bargate, Bevois, Portswood and Swaythling Wards will have been licensed, bringing the total number of licensed properties in Southampton to just under 5,000 (including those across the entire City that will continue to be subject to mandatory licensing, as described above).

22. A possible consequence of designating one area of the city, rather than the entire city, is that the private rented market for HMOs will be distorted. This will be actively monitored and, where necessary, the Council will use its existing enforcement tools in the undesignated areas, including Improvement Notices and prosecutions for breaches of HMO Management Regulations, which will continue to apply. If there is any pattern of new HMOs emerging in the undesignated areas this will be monitored and if there is a significant increase in HMOs that are poorly managed, any future designation could be brought forward for that area.
23. It is proposed that the designation will not apply to any building which is an HMO as defined by section 257 of the Housing Act 2004, relating to certain converted blocks of flats. Resident landlords with up to two lodgers are not defined as HMOs.
24. The proposed scheme will involve the following checks: determining that the landlord or manager is a 'fit and proper person', making sure that the property is free from serious housing hazards, checking gas and electrical safety certificates, fire safety and waste disposal arrangements. Licensed properties will be suitable for housing people to whom the Council owes a duty under homelessness legislation by asking for carbon monoxide detectors and an Energy Performance Certificate (EPC). Licence conditions will deal with antisocial behaviour, waste in gardens and lettings signs. Conditions will be applied to all new licences issued by the Council, including for HMOs subject to mandatory licensing, which will continue to apply across the entire City.
25. Persistent failure to apply for a licence or comply with licence conditions could result in prosecution, an application for a Rent Repayment Order and, in very serious cases, for the Council to take over the management of a property.
26. The scheme will be evaluated by 30 June 2016 including an evaluation of its impact on housing conditions, community concerns, health and wellbeing and on the supply of good quality, affordable housing.

RESOURCE IMPLICATIONS

Capital/Revenue

27. There are no capital implications.
28. Section 63 of the Housing Act 2004 gives the Council the statutory power to charge fees for HMO licensing, including additional licensing. In particular, section 63(3) states that the Council may, "require the application [for an HMO licence] to be accompanied by a fee fixed by the authority." No Regulations have been made under the Housing Act 2004 or any other Act that specify the maximum fees that are to be charged. However, section 63(7) of the Housing Act 2004 will be complied with: "When fixing fees under this section, the local housing authority may (subject to any regulations made under subsection (5)) take into account – (a) all costs incurred by the authority in carrying out their functions under this Part [HMO licensing], and (b) all costs

incurred by them in carrying out their functions under Chapter 1 of Part 4 in relation to HMOs [Management Orders] (so far as they are not recoverable under or by virtue of any provision of that Chapter).”

29. The HMO licensing fees will be set at a level that is reasonably expected to cover the costs of providing the service based on estimated officer time and associated costs involved in processing the applications, inspections, monitoring and enforcement as well as relevant overheads. A higher or “penalty fee” is proposed for non-compliant landlords, in common with the current mandatory licensing scheme. Taking into account comments made during the consultation, a sliding scale of fees is proposed, with lower fees for properties occupied by three or four people. A lower fee is also proposed for applicants who commission their own survey from an approved, independent surveyor. The proposed fees are set out in Appendix 3.
30. The experience of mandatory licensing is that around 10 per cent of landlords are likely to commission their own survey(s), while 90 per cent will prefer to use the Council’s services.
31. Income from the scheme would be ring-fenced for spending on regulating HMOs, including property inspections and ensuring compliance with licence conditions. The scheme will fund an additional 15 new full time equivalent (FTE) posts in Regulatory Services, which will bring the number of Regulatory Services staff working on HMO licensing to 18 FTEs, including an additional post in City Patrol. In addition, the equivalent of 1 FTE Solicitor in Legal Services will be funded by the scheme.
32. The proposed fees will also apply to properties subject to mandatory licensing and will be reviewed annually and in the event of the scheme being extended from 1 July 2016.

Property/Other

33. The most effective use of flexible working arrangements will be made for new and existing staff, including working remotely and the use of “hot desks”.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

34. A local Housing Authority can designate the area or an area within its district for Additional HMO Licensing pursuant to Section 56 Housing Act 2004. For the scheme to be lawful the Local housing Authority must comply with the specific sections, Section 56 to 59 inclusive of the Housing Act 2004 and also follow the Communities and Local Government guidance, entitled “ Approval steps for additional and selective licensing designations in England”.
The legislation states that the authority must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or likely to give rise to one or more particular problems either to those occupying the HMO or for member of the public.
Before making the designation the authority must:
 - a. take reasonable steps to consult persons who are likely to be affected by the designation , and

- b. consider any representations made in accordance with the consultation and not withdrawn

The Council must have regard to any information regarding the extent to which any codes of practice have been complied with by person managing HMOs

The Council must ensure that any exercise of the power is consistent with the Council's overall Housing Strategy and must also seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti social behaviour.

The Council must not make a particular designation unless:

- (a) it has considered whether there are any other courses of action available to them that might provide an effective method of dealing with the problem/s, and
- (b) it considers that making the designation will significantly assist them with dealing with the problem/s

The Government Guidance provides further information about how the Council could comply with these requirements. In particular with regard to the requirement to consult it confirms that the Council must give a detailed explanation of the proposed designation, explaining the reasons for the designation, how it will tackle specific problems, and the potential benefits.

Other Legal Implications:

35. Designation of the wards subject to additional licensing cannot come into force unless the designation has been confirmed by the Secretary of State, or falls within a general approval. The proposed designation falls within the 2010 General Approval. If a designation is made, section 59 of the Housing Act 2004 provides for publication of a notice confirming the fact of designation.
36. Limiting the designation to Bargate, Bevois, Portswood and Swaythling wards, which have the most HMO problems, reduces the risk of a successful legal challenge to the scheme, as there is strong evidence of a significant proportion of HMOs in these areas being poorly managed.
37. Any additional designation made would require a further period of consultation for a minimum of ten weeks, with persons who are likely to be affected by it.

POLICY FRAMEWORK IMPLICATIONS

38. A Council Resolution urging the Executive to apply for Additional Licensing for houses in multiple occupation to cover areas of the City where they are sufficiently badly managed and give rise to problems to occupants or neighbours was made on 22 September 2004.
39. The proposals are consistent with the council's Housing Strategy 2011-2015 and in particular with its objective to focus on privately rented homes in the worst condition. The Private Housing Renewal Strategy 2011-2015 also states that resources should be focused on tackling properties in the worst condition and that licensing will be carried out in accordance with the council's HMO Licensing Policy.

40. In July 2012, the Housing Strategy Action Plan was updated to incorporate a commitment to bring forward an Additional Licensing Scheme for houses in multiple occupation by April 2013, following consultation, to improve the management of this type of accommodation.

KEY DECISION? Yes/~~No~~

WARDS/COMMUNITIES AFFECTED:	BARGATE, BEVOIS, PORTSWOOD AND SWAYTHLING
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SUPPORTING DOCUMENTATION

Appendices

1.	Evidence to Support Additional Licensing
2.	Consultation Response
3.	Proposed Fees

Documents In Members' Rooms

1.	Evidence to Support Additional Licensing
2.	Consultation Responses

Equality Impact Assessment

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

Equality Impact Assessment and Other Background documents available for inspection at: Regulatory Services, Southampton City Council, One Guildhall Square, Southampton, SO14 7FP

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	Cabinet Report – 21 August 2012 – Licensing Scheme for Houses in Multiple Occupation	
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APPENDIX ONE

Licensing of Houses in Multiple Occupation (HMO) in Southampton



1. SUMMARY

Southampton is a vibrant, diverse and thriving city

The city has just over 100,000 homes of which just under a quarter are rented from private landlords. Within the private rented sector it is estimated that there are 7,000 Houses in Multiple Occupation (HMO). This means that one in ten homes in the city (not owned by the Council) is an HMO which is five times the national average.

The private rented sector is valued by the council, especially the importance of Houses in Multiple Occupation. The council also recognises the role of a healthy strong market for this housing. However, has become increasingly concerned about the impact it has on the rest of the city.

The council receives a high number of complaints from tenants, local residents and other interested parties about the condition and management of HMOs. These complaints are generally about the condition of the properties inside the HMO, noise, rubbish around the property (fly tipping), bins not used appropriately, anti-social behaviour affecting local residents and, in some cases, more serious offences.

Whilst many properties are well managed, there are a significant number of landlords who do not undertake their responsibilities.

The council has undertaken a number of different activities to address these problems and whilst there has been some success, there remain significant issues. The council believes that introducing Additional Licensing will provide a key tool to addressing management and conditions in small Houses in Multiple Occupation.

The Housing Act 2004 sets out the specific requirements that the council must comply with before a designation can be made to introduce Additional Licensing in the city. These are in sections 56 and 57 of the Act.

The aim of this report is to comply with the legislative requirements of the Housing Act 2004 by presenting the evidence needed to support the proposed scheme. This includes information about the consultation exercise that was undertaken and the other evidence required to demonstrate need. The results of the consultation process and the councils response to the issues raised are contained in a separate appendix two.

Bargate at a glance....



Bargate is home to the city centre and to the south of the ward is on the waterfront. Bargate has a lot of terraced housing and flats. It is the home of the retail sector in Southampton with many city centre shops and leisure activities.

The population of Bargate is 18,762; there was an increase of 58.6% between 2001 and 2011. The largest age group are the 20-24 year olds, 29.8% mostly made up of students. The population of Bargate is nearly 8% of the total population of city and the density is 50.7 people per hectare, compared with Southampton at 47.5.

There are an estimated **2000 HMOs** in this ward.

Bargate ward generates more complaints to the EHH service from HMOs and the second highest number of complaints to same service from all rented properties.

Information	Bevois	Bargate	Portswood	Swaythling
No and % of EHH service requests 2009/10	108 (18%)	76 (13%)	65 (11%)	33 (6%)
No and % of EHH service requests 2010/11	92 (17%)	66 (12%)	41 (8%)	23 (4%)
No and % of EHH service requests 2011/12	66 (15%)	65 (14%)	50 (11%)	25 (6%)
% of EHH service requests in consultation period	12%	58%	14%	6%

Bargate is part of the central area of the city.

Information	Central	North
Total number of private homes in area	17,100	13,500
% of cities private homes in the area	22.7%	17.9%
Total number of HMOs in area	4,100	1,800
% of private home in area that are HMOs	23.97%	13.3%
Est. % of category one hazards in HMOs in area	24.8%	11.7%

Bevois at a Glance....



Bevois is in the centre of the city and in terms of housing type has large amounts of terraced housing and flats. It is home to one of the cities hospitals (Royal South Hants) as well as light industrial units. The ward is home to the largest number of black and ethnic communities, businesses and faith organisations in Southampton

The **population** of Bevois is 16,844, an increase of 24% since 2001. The largest age group is the 20-24 year olds at just over 25% (mostly made up of those in higher education). The population is 5.7% of the total population of Southampton and has the highest population **density** in Southampton at 77.6 people per hectare compared with 47.5 for Southampton.

There are an estimated **1500 HMOs** in this ward.

Information	Bevois	Bargate	Portswood	Swaythling
No and % of EHH service requests 2009/10	108 (18%)	76 (13%)	65 (11%)	33 (6%)
No and % of EHH service requests 2010/11	92 (17%)	66 (12%)	41 (8%)	23 (4%)
No and % of EHH service requests 2011/12	66 (15%)	65 (14%)	50 (11%)	25 (6%)
% of EHH service requests in consultation period	12%	58%	14%	6%

Bevois is part of the **central** area of the city.

Information	Central	North
Total number of private homes in area	17,100	13,500
% of cities private homes in the area	22.7%	17.9%
Total number of HMOs in area	4,100	1,800
% of private home in area that are HMOs	23.97%	13.3%
Est. % of category one hazards in HMOs in area	24.8%	11.7%

Portswood at a glance....



Portswood ward is in the north of the city and the area has a mixture of accommodation including large detached houses with gardens, flats, and terraced housing also student halls of residence. To the north of the ward is the residential area of Highfield and this is also where the main campus of the University of Southampton is located. The east of the area is densely populated, St Deny's has railway station and is the gateway to the east of the city across the Cobden Bridge over to Bitterne

The **population** of Portswood is 14,831; the biggest age group is 20 to 24 (27%) of the ward population due to the large student population. It is 6.3% of the population of Southampton and the population **density** of Portswood is 56.3 people per hectare, the second highest ward in Southampton after Bevois.

There are an estimated **1500 HMOs** across Portswood and Swaythling wards.

Information	Bevois	Bargate	Portswood	Swaythling
No and % of EHH service requests 2009/10	108 (18%)	76 (13%)	65 (11%)	33 (6%)
No and % of EHH service requests 2010/11	92 (17%)	66 (12%)	41 (8%)	23 (4%)
No and % of EHH service requests 2011/12	66 (15%)	65 (14%)	50 (11%)	25 (6%)
% of EHH service requests in consultation period	12%	58%	14%	6%

Portswood is part of the **north** area of the city.

Information	Central	North
Total number of private homes in area	17,100	13,500
% of cities private homes in the area	22.7%	17.9%
Total number of HMOs in area	4,100	1,800
% of private home in area that are HMOs	23.97%	13.3%
Est. % of category one hazards in HMOs in area	24.8%	11.7%

Swaythling Ward at a glance....



Swaythling is at the north of the city and is one of two key gateways into the city. It is close to Southampton airport and has good road and rail links

The **population** of Swaythling is 13,664 and the largest age group is aged 15 to 24 forming 35% of the ward. Swaythling makes up nearly 6% of the population of Southampton and population **density** of 45.7 people per hectare, is very similar to Southampton (47.5).

There are an estimated **1500 HMOs** across both Portswood and Swaythling wards

Information	Bevois	Bargate	Portswood	Swaythling
No and % of EHH service requests 2009/10	108 (18%)	76 (13%)	65 (11%)	33 (6%)
No and % of EHH service requests 2010/11	92 (17%)	66 (12%)	41 (8%)	23 (4%)
No and % of EHH service requests 2011/12	66 (15%)	65 (14%)	50 (11%)	25 (6%)
% of EHH service requests in consultation period	12%	58%	14%	6%

Swaythling is part of the north area of the city.

Information	Central	North
Total number of private homes in area	17,100	13,500
% of cities private homes in the area	22.7%	17.9%
Total number of HMOs in area	4,100	1,800
% of private home in area that are HMOs	23.97%	13.3%
Est. % of category one hazards in HMOs in area	24.8%	11.7%

2. A STRATEGIC APPROACH

s.57 (2) before making a designation the authority must ensure that any exercise of the power is consistent with the authority's overall housing strategy.

The Housing Strategy

Southampton City Council published its current housing strategy in 2011 and includes the Private Housing Renewal Strategy 2011-15 (previously a stand alone report). The housing strategy is an overarching strategy setting out the council's priorities to meet local housing needs and aspirations thereby contributing to the overall long-term aim to improve the quality of life for all citizens in Southampton. These priorities are translated into a series of targets and actions including the July 2012 update of the Housing Strategy Action Plan which incorporates a commitment to implement an Additional Licensing Scheme for Houses in Multiple Occupation. In terms of private homes the aim is to focus on private rented homes focussing resources on tackling properties in the worst condition.

The strategy identifies that the right mix of housing is important for a prosperous economy both to meet local needs and in making Southampton a more prosperous, safer, greener and healthier place to live.

Despite the turbulent financial climate, Southampton retains a buoyant housing market. This is underpinned by a dynamic business environment, excellent transport and infrastructure, exceptional education and learning establishments and is a centre of cultural and heritage diversity. The council recognises that housing is the foundation for a good quality life.

The Housing Strategy acknowledges the important relationship between the Council and private landlords. Also that there is a continuing need to work with private landlords and landlord organisations to ensure that minimum standards of safety and management are maintained in a competitive rental market

The council recognises that there are significant national policy and legislative changes that will impact on the local housing market. The Welfare Reform and Housing Benefit Changes will see capped payments of Housing Benefit, an increase in Housing Benefit non dependant deductions, an increased age limit for shared accommodation and see the introduction of Universal Credit. The forecast is for a growth in Houses of Multiple Occupation in the city.

There are two universities in Southampton. Southampton University is one of the top 15 research universities in the UK and Southampton Solent University provides opportunities for vocational and professional learning.

The council is committed to supporting the continued success of the city's universities and the opportunities that this brings for local people and employers as well as inward investment. The city provides a home for approximately 41,000 students attending the two universities. The University of Southampton offers more than 5,000 places in 20 halls of residence to full

time undergraduates and oversees postgraduate students. Solent University has just over 2,300 bed spaces in 6 halls of residence most of which is available for new undergraduates.

The University of Southampton is currently carrying out a review of their student accommodation as the universities will need to consider the impact of changes to funding on student housing. Changes in the type and number of courses provided will impact on the type of accommodation students will need in the city.

Both universities are assessing the impact of the reductions in funding for higher education and the increase in entry fees for courses. This may see a reduction in the number of students; both universities are expanding their own portfolios of accommodation

The significance of this is that there are a large number of private landlords providing accommodation to students in Southampton as well as the accommodation that the universities own and manage themselves.

Private Housing Renewal Strategy

The Private Sector Housing Renewal strategy sets out the key aims, objectives and policy tools for improving privately owned homes in the city taking into account local needs and priorities. Southampton City Council has a commitment to safe, warm and accessible private homes in the city.

Housing quality is crucial to health and well-being, especially for vulnerable, very young and old people, who can be particularly susceptible to poor health associated with unsafe housing. Poor housing conditions can cause a range of physical and mental illnesses and children growing up in difficult housing conditions are more likely to suffer ill health and disability during childhood and early adulthood.

Tackling unsafe housing by removing hazards, in particular associated with excess cold, falls and fire, prevents injuries that require medical treatment and saves lives. Living in a home that is safe, warm and accessible helps residents of all ages to access employment, education, health services and leisure opportunities. The council also recognises that improving private housing also helps the local economy by supporting and creating jobs for example for building contractors and installers of insulation and renewable energy.

Houses in Multiple Occupation

The council has committed to working corporately to improve standards in multiply occupied accommodation where necessary and to tackle community concerns that can be related to properties let in this way. Working together involves housing, planning, waste, environmental health and other services, as necessary.

The council operates the mandatory licensing scheme under the Housing Act 2004, this requires HMOs containing three or more storeys and occupied by five or more people to apply for a licence. This helps ensure that minimum safety and management standards are met in these properties the strategy also sets out a commitment to focus resources on finding unlicensed houses in multiple occupation (HMOs) and to carry out the statutory checks required before issuing a licence. This work is completed within the context of and in accordance with the council's HMO licensing policy.

Health and Wellbeing Strategy

The Health and Wellbeing Strategy has been jointly prepared by the Council and the Southampton City Clinical Commissioning Group. The strategy provides an overarching framework for action across the City for the period 2013 -2016 to promote health and wellbeing in Southampton.

The strategy sets out the need for collective effort across a range of services and activities including those affecting the wider determinants of health such as housing, education, transport, environment and economic regeneration as well as clinical and care services, community interventions, the voluntary sector and the business sector.

It sets out the priority areas for action to improve health and wellbeing for local communities based on the needs identified in Southampton's Joint Strategic Needs Assessment (JSNA).

One of the local six priorities identified is to improve housing options and conditions for people in the city to support healthy lifestyles. The local evidence from the Joint Strategic Needs Assessment (JSNA) identifies the size, condition and management of the cities houses in multiple occupation as an issue to be addressed.

The private rented sector in Southampton

Key features of Southampton's private sector stock

Southampton has an estimated 100,000 homes, of which 53% are owner occupied, 24% are privately rented, 17% are local authority and 6% are housing association. The city has over twice the national average of privately rented accommodation (11% nationally) and below the average number of owner occupied homes (71% nationally). There are about 7,000 Houses in Multiple Occupation (HMOs) of all types, of which 444 of the largest have been licensed. There are an estimated 130 licensable HMOs that continue to operate without a licence.

A large scale stock condition survey carried out in 2008 shows that 38% (28,400) of all private homes do not meet the Decent Homes Standard, of which 8,500 are occupied by vulnerable people. 16,000 fail to meet the

standard because of poor insulation and heating and 14,000 because of one or more serious housing hazards – the most common are excess cold, falls (especially in owner occupied homes) and fire (especially in privately rented homes). The total cost of dealing with this is estimated at £111M.

Older properties (pre-1919) and privately rented homes are generally in the worst condition. There is an estimated need for 3,900 adaptations for disabled people, at an estimated cost of £21M. The research suggested that the most effective use of council resources to improve private homes is to target energy efficiency and adaptations in all private homes and to focus on those privately rented properties in the worst condition.

Although housing conditions are improving, the trend is that they continue to be worse than the national average – 38% (28,400) of Southampton's private homes fail to meet the Decent Homes Standard, compared to 33% nationally. 8,500 of these are occupied by vulnerable people. The situation is worst for older homes (built before 1919), privately rented homes and homes with a young (under 24) or old (over 85) head of household. Poor private housing is more concentrated in Bevois, Bargate and Portswood wards.

14,000 private homes have a serious housing hazard, with a quarter of homes built before 1919 and a quarter of privately rented homes having a hazard that is likely to result in harm that needs medical treatment. The cost of dealing with a serious hazard is estimated at £5,000, rising to an average of £19,000 for more comprehensive repairs.

In terms of energy efficiency, the average SAP rating is 51 (equivalent to energy rating band E on a scale of A to G). There is the potential to improve energy efficiency in 95% of private homes and there remain 7,000 homes with a dangerously low SAP rating of under 35 and an estimated 6,000 vulnerable households in fuel poverty. There are similar levels across owner occupied and privately rented homes however the numbers of households in fuel poverty is forecast to rise with increasing energy costs and the effects of other fiscal and economic factors.

3. HOUSES IN MULTIPLE OCCUPATION – WHAT’S THE PROBLEM?

The council must consider that a significant proportion of the HMOs of that description in the area are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.

Houses in Multiple Occupation in Southampton

There are just over 100,000 dwellings in Southampton (Census 2011) and of these a little under 25% are rented from private landlords (Census 2011). This is broadly similar to the information gathered as part of the house condition survey completed in 2008 which gave the estimate at 24%. The national picture shows that the proportion of households living in the private rented sector has been rising in recent years, and this trend continued with 16.5% of households renting privately in 2010-11 (EHS 2011).

To put this into local context, this is higher than other comparable local authorities for example Portsmouth has 18%, Brighton and Hove 23% and Bournemouth 22%. All on the south coast with universities.

The number of Houses in Multiple Occupation within the private rented sector in the city is estimated to be 7,000 (SHCS 2008) of which just under 500 meet the requirements of the mandatory licensing provisions of the Housing Act 2004. The remainder are not mandatory licensable. Therefore approximately 9.3% of dwellings in the private sector are HMOs, compared to the national average of 2% of dwellings (EHCS). To put this into context it is higher than Portsmouth (5.9%) and Bournemouth (7.3%) but less than Brighton and Hove (20%).

For the purposes of the CPC Survey the following definition of an HMO was applied:

- An entire house or flat which is let to 3 or more tenants who form 2 or more households and who share a kitchen, bathroom or toilet.
- A house which has been converted entirely into bedsits or other non-self contained accommodation and which is let to 3 or more tenants who form two or more households and who share kitchen, bathroom or toilet facilities.
- A converted house which contains one or more flats which are not wholly self contained (i.e. the flat does not contain within it a kitchen, bathroom or toilet) and which is occupied by 3 or more tenants who form two or more households.

HMO type and occupancy

The vast majority of HMOs in the city are shared houses. Purpose built blocks of flats represent a little over 7% of HMOs and one in four are bedsits.

HMO Type	No of Dwellings	Percent	No of Buildings	Percent
Bed Sit	1,900	27.1%	1,900	28.8%
Converted Flat	600	8.6%	300	4.5%
Other	200	2.9%	100	1.5%
Purpose Built Flat	500	7.1%	500	7.6%
Shared House	3,800	54.3%	3,800	57.6%
	7,000	100.0%	6,600	100.0%

Table of HMO types taken from Stock Condition Survey 2008

A sample of nearly 1000 properties multiply occupied were studied in more detail and when looking at the size of HMOs across the city showed that fewer properties were occupied by only 3 tenants and 5 or more tenants being the most frequent.

No. of Occupants	No. of Properties	% of total
3	106	11%
4	347	35%
5+	539	54%
	992	100%

Table displaying accumulated HMO statistics

The house condition survey identified that the age profile of HMO residents shows a predominance of those in the age band 16 to 24 (48.6%) followed by the 25 to 34 age band (35.4%).

Vulnerable households are defined as those in receipt of the benefits listed below, certain of which are means tested:

- Income support
- Housing benefit
- Council tax benefit
- Income based job seekers allowance
- Attendance allowance
- Disabled living allowance
- Industrial injuries disablement benefit
- War disablement pension
- Pension credit
- Working tax credit (with a disability element) [total income < £15,460]
- Child tax credit [total income < £15,460]

At the time of the CPC Survey, 810 HMOs were occupied by residents in receipt of one of the benefits listed above. Of these an estimated 340 were assessed as non decent, which represents 42% of vulnerably occupied HMOs, compared with 44.4% of dwellings in the wider stock. It should be

noted that these figures are affected by the high proportion of HMOs occupied by students, who are generally not vulnerable as they do not receive benefits. As a result, the overall proportion of HMOs with vulnerable households is relatively small.

As part of the survey work carried out for the house condition survey a detailed breakdown of the members of each household surveyed was undertaken and this enabled the extent of any overcrowding to be assessed.

The following table looks at the levels of overcrowding in HMOs:

Area	Overcrowded	Not Overcrowded
North	20.1%	79.9%
West	34.9%	65.1%
Central	13.7%	86.3%
North East	6.5%	93.5%
South East	20.8%	79.2%
All HMOs	16.8%	83.2%
Southampton all private sector dwellings	4.2%	95.8%

The table indicates, however, that overall, the level of overcrowding in HMOs is substantially higher than in the private sector housing stock as a whole. The rate of overcrowding in HMOs means that just under 1,200 HMOs are overcrowded, which also means that approximately one third of all overcrowded properties in Southampton are HMOs.

The Health Profile 2012 for Southampton from the Department of Health states that deprivation in the city is higher than the national average. The percentage of residents of Southampton living in deprivation is 25.5%, and the England average is 19.8%. The areas of the city that are most deprived coincide with the areas with high proportions of HMOs, especially the wards of Bevois and Bargate.

Property Conditions

The Decent Homes Standard is a government set standard. To meet the standard properties must meet certain criteria, which includes: to be in a reasonable state of repair, to have reasonably modern facilities and services, and to provide a reasonable degree of thermal comfort.

From the HMO data collected as part of the House Condition Survey, it is estimated that 2,940 HMOs (42.1%) can be classified non decent, which compares to the overall stock proportion of 37.7%. The table below gives a breakdown of the reasons for non decency failure within HMOs and compares that against the overall stock position.

Reason	Dwellings	Percent (of non decent HMOs) ¹	Percent (of HMOs)	Percent (of stock)
Category one hazards	1,450	49.3%	20.8%	18.5%
In need of repair	1,060	36.0%	15.2%	11.2%
Lacking modern facilities	20	0.7%	0.2%	0.6%
Poor degree of thermal comfort	1,210	41.1%	17.4%	21.2%

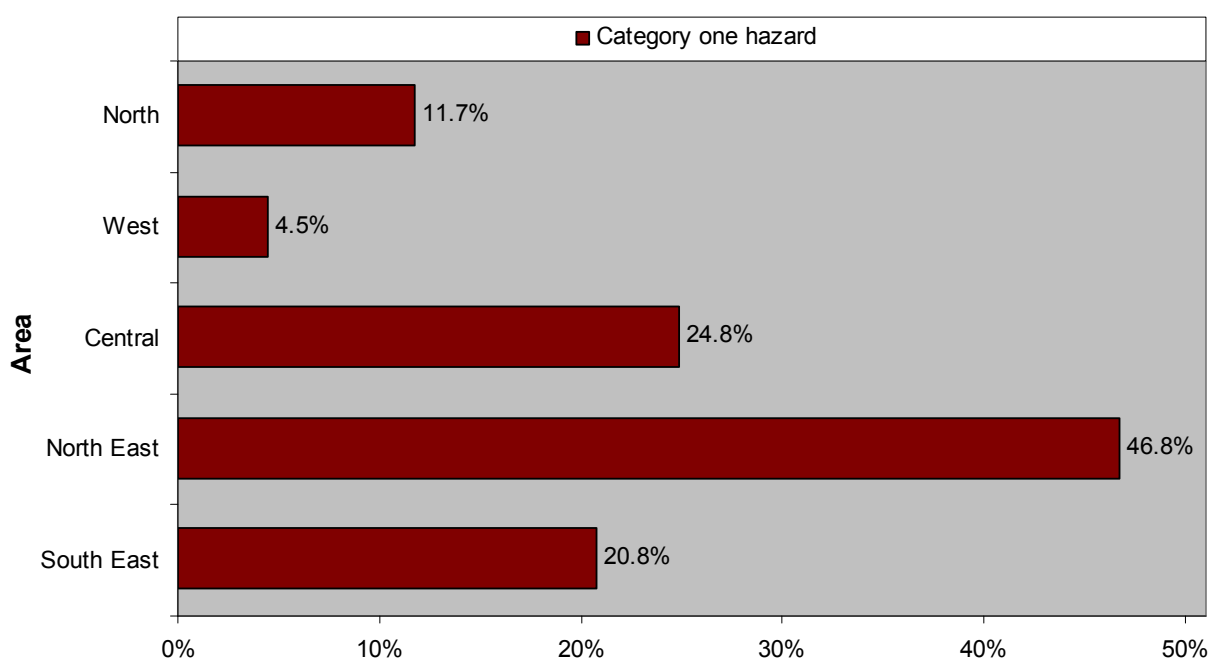
Table of Reasons for failure of dwellings as a decent home taken from the Stock Condition Survey (HMO may fail for more than one reason, therefore, the total for failures can add up to more than 100%)

The Housing Act 2004 introduced a tool to assess defects in properties titled the Housing Health and Safety Rating System (HHSRS). The tool allows local authorities to quantify the likelihood of someone being harmed as a result of the defects in a particular property, and the severity of the harm that may be suffered. By doing so the tool uses a scoring system to sort the defect or defects into either category 1 (bands A-C) or category 2 hazards (bands D-J).

Overall, category one hazards and disrepair are higher than the overall stock rates. The Survey concluded that the proportion of HMOs with a category one hazard is 20.8%, compared to 18.5% of dwellings found in the overall stock.

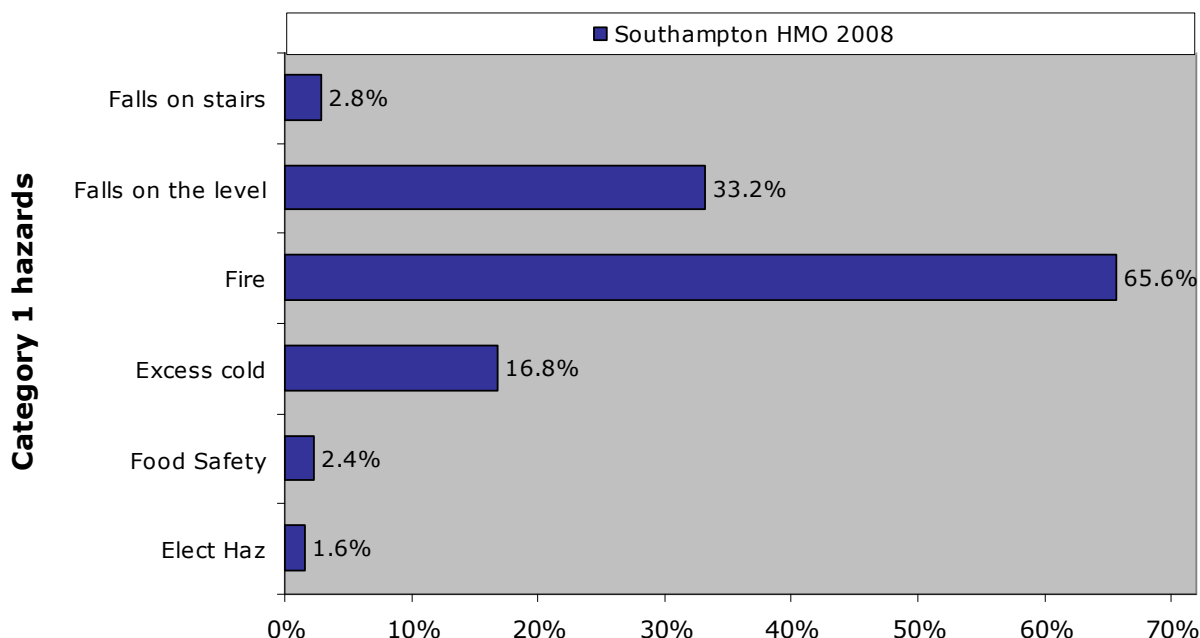
The Survey also considered the category one hazard failures by sub-area. The highest rate of failure is found in the North East sub-area (46.8%) followed by the Central sub-area (24.8%). The lowest rate is found in the West sub-area (4.5%). The following table displays the breakdown of category one hazards in HMOs by sub area.

Rates of category one hazards by sub-area from the Stock Condition Survey 2008



The chart below displays the breakdown of the types of category 1 hazard in HMOs, taken from the 2008 CPC Survey. The Fire hazard is the most commonly occurring category 1 hazard in HMOs.

Table showing Category 1 hazard reason, as % of category 1 hazards



The CPC Survey estimates that the total level of basic remedial works to HMOs with a category one hazard is an average of £3,200 with the comprehensive repair cost being an average of £12,800 per dwelling. Costs are allocated to not only basic failure items, but also the comprehensive cost of repairs in HMOs that have a category one hazard. Comprehensive repair is the level of repair and improvement needed such that no new work is required to the dwelling, in the next 10 years.

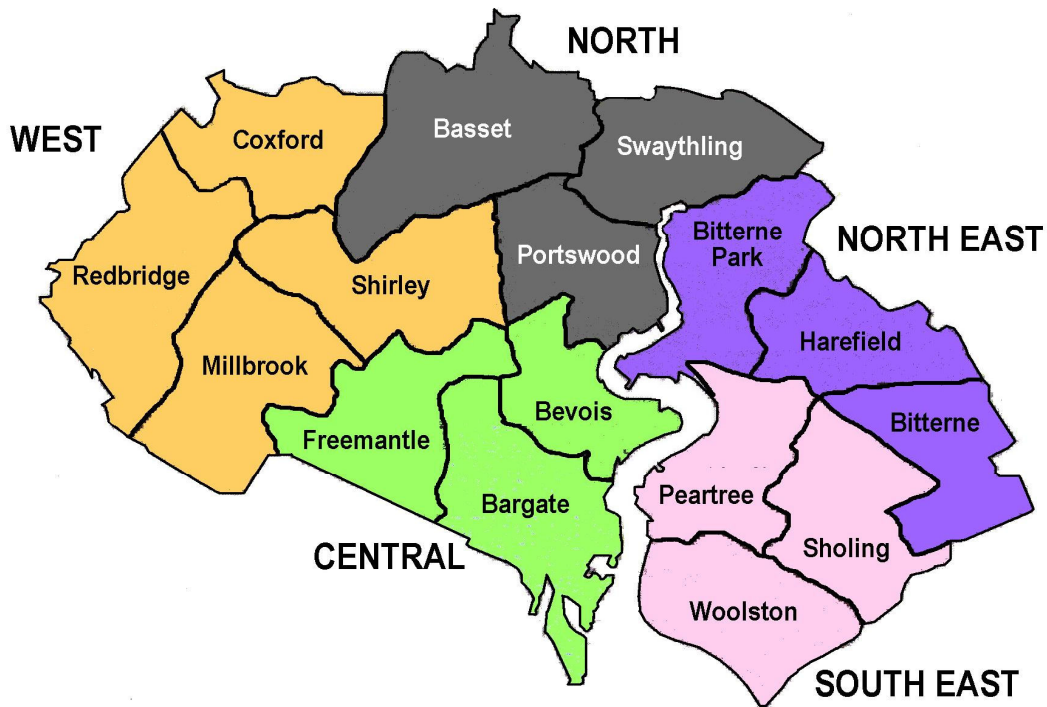
There are an estimated 2,900 (41.5%) of HMOs that have a least one category two hazard (bands D and E only) compared to 38.2% in the wider stock.

Category two hazards (bands D and E) are most associated with pre 1919 (49%) and 1945 to 1964 (52%), converted flats (62.1%) and shared houses (43.1%).

The current definition says that households are considered to be in fuel poverty if they spend 10% or more of their income on fuel to adequately heat their home. There are an estimated 1,200 (17.1%) HMOs containing residents in fuel poverty compared to 8% in the wider stock. HMO tenants are therefore twice as likely to be fuel poor than other Southampton residents. By the very nature of fuel poverty, it is almost always associated with those residents on the lowest incomes. 1,000 (92%) of those in fuel poverty within HMOs were found where household incomes were below £10,000 per annum.

Across the city by area

The city is divided into 16 wards and the estimated 7,000 HMOs are not distributed evenly across them. There are concentrations in a spine though the centre of the city across central and north areas. Please see the map of the city and table B which shows the numbers of HMOs across the city by area.



Map of Southampton showing breakdown by ward and sub area groupings

Areas	Dwellings	Percent
North	1,800	25.7%
West	400	5.7%
Central	4,100	58.6%
North East	300	4.3%
South East	400	5.7%
Total	7,000	100%

Table of HMO distribution taken from Stock Condition Survey 2008

When considering this as a part of the cities housing stock, the numbers of HMOs across the areas shows that almost one in four homes in the central area of the city are in multiple occupation, the second highest proportion is found in the North of Southampton at 13%. These are shown on the following table.

Areas	Dwellings	Percentage across city	Number of HMOs	Percentage of private homes in area
North	13,500	17.9%	1,800	13.3%
West	17,200	22.8%	400	2.3%
Central	17,100	22.7%	4,100	23.97%
North East	13,100	17.4%	300	2.3%
South East	14,500	19.2%	400	2.75%
Total	75,400	100%	7,000	9.2%

Table showing Private Sector stock totals by sub-area

Council and other services – what has been happening so far?

Southampton City Council understands that multiply occupied housing is a valuable housing option for residents and has been responsive to providing services that have tried to meet the identified needs of tenants and landlords. These services have changed over time as legislation and standards have changed, more recently as a result of other factors including budgetary pressures and political influences.

Environmental Health Housing (EHH)

The EHH team receive and process complaints about disrepair and management of private rented properties. This service is available to all private tenants and includes both HMOs and non HMOs.

When complaints about private rented properties are received by EHH they are assessed and prioritised through the Reactive Workload Prioritisation Scheme (RWPS). The RWPS consists of initial receipt and advice provided by Business Support Staff, a number of simple requests are resolved at this first point of contact. The service requests are processed through a duty officer system; more details are gained through a telephone conversation about the problems and the property in general. A priority rating is assigned to the complaint. The only reason a property would be visited at this stage is when the triage suggests that there is a significant and imminent risk to health and safety and emergency work may be needed.

The priority ratings are Emergency, High Priority, Other Priority, and Non Priority. In Emergency cases action will be taken to assist as soon as possible after the complaint has been received. High priority cases are inspected within two weeks from the date of receipt of the complaint.

Overall, the number of service requests shows a 5% reduction year on year, although this is encouraging, there are a number of key service changes that have been made that are likely to have influenced this for example the introduction of RWPS.

Year	Number of service requests (total)
2009/10	602
2010/11	572
2011/12	555

The number of service requests have been analysed to determine where in the city they relate to and this demonstrates that there are more service requests from properties in the central and north areas.

Ward	2009/10 (%)	2010/11 (%)	2011/12 (%)
Millbrook	7	6	5
Redbridge	3	2	3
Bitterne Park	4	5	6
Bitterne	1.5	3	3
Freemantle	11	12	11
Bevois	18	17	15
Bargate	13	12	14
Portswood	11	8	11
Swaythling	6	4	6
Woolston	5	5	6
Sholing	1.5	3	3
Shirley	5	7	6
Bassett	3	4	2
Peartree	5	6	3
Harefield	3	4	4
Coxford	3	2	2

The table below shows a cross section of inspections carried out in the last three financial years, and displays how many were HMOs and how many were not. Please note inspections connected with HMO licensing process were not included in this data. The data in the table shows that the percentage of inspections is significantly higher than the proportion of HMOs in the city.

	2009-2010	2010-2011	2011-2012
No. of HMOs visited	30	54	53
No. of non-HMOs visited	18	69	63
Total	48	123	116
% of Total	62.5%	44%	46%

Table showing inspection stats for Environmental Health Housing staff

Enforcement actions

Enforcement action taken by Environmental Health-Housing Staff under the Housing Act 2004 is common in HMOs. In the period from April 2009-March 2010 36% of the properties that required service of Improvement Notices

(sections 11 and 12 of the Act) were HMOs also one Emergency Prohibition Order (section 43 of the Act) was served in this period, and the property involved was an HMO.

The period from April 2010 to March 2011 saw a fewer number of Improvement Notices served in total, but an increase in the proportion of Improvement Notices served on HMOs. Of the total number of Improvement Notices served, 71% were for HMOs. There were two Emergency Prohibition Orders served in this period, both of which related to HMO properties. There was also an Overcrowding Notice (section 139 of the Act) served during this period, but these notices only apply to HMOs.

In the period from April 2011 to March 2012, there was a small drop to 60% in the amount of Improvement Notices served for hazards (identified using the Housing Health and Safety Rating System) in HMOs, but there were a higher number of Improvement Notices served on both HMOs (6) and non-HMOs (10). There was also an Overcrowding Notice served during this period.

Determining the risk of fire in an HMO property depends on a number of factors and as the LACORS Housing - Fire Safety guidance points out, each case must be considered on its merits. However it also points out some of the common contributing factors that would raise the level of risk in an HMO, such as a non-standard layout or occupants with drug or alcohol dependency.

The guidance shows that the level of risk in an HMO rises with the size and layout of the HMO, but also the type of tenancy the occupants have. For example a property with occupants on individual tenancy agreements would be considered to have a higher risk of fire than a similar sized property with a group of tenants on a single tenancy agreement.

The Housing Health and Safety Rating System states that an adult living in either a self contained flat or bedsit accommodation in a building of three storeys or more is roughly 10 times more likely to die in a fire than an adult living in a two storey house.

The report titled Fire Risk in HMOs carried out by the Department of the Environment, Transport and the Regions found that 1 in 62,510 people living in an HMO of any type died from a fire during the study period, compared to 1 person in 140,000 living in single occupancy dwellings. The different types of HMOs carry different levels of risk with bedsit type HMOs carrying the highest risk. This data is relatively old (1994-1995), but it provided part of the evidence base for HMO licensing within the Housing Act 2004.

Service requests received in consultation period

A more detailed analysis of service requests was undertaken during the 12 week consultation period between 3rd September 2012 and 26th November. This was EHH service, other council services and some external partners.

Environmental Health Housing

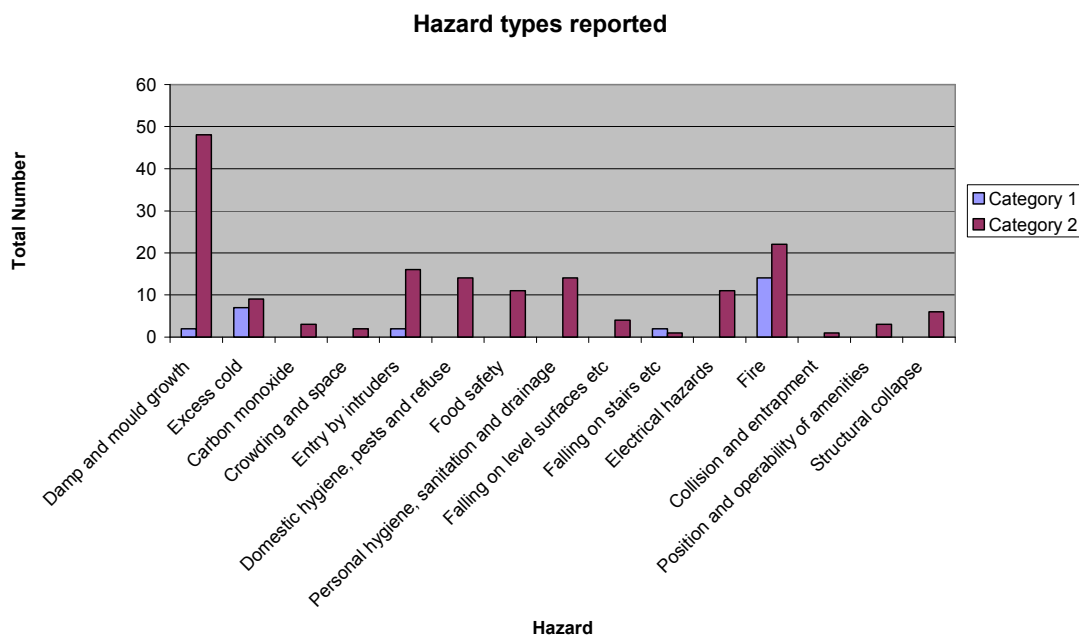
During this period there were 201 complaints received by the EHH service, almost half were related to HMOs (89). A little over 90% of the complaints were from addresses in the central and north areas, although proactive work generated 28 of the complaints from the Polygon area of the city (Bargate ward). The following table displays a breakdown of the Wards in which the complained about HMOs were located.

Ward	No. of HMO complaints
Bargate	52
Bassett	5
Bevois	11
Peartree	1
Portswood	13
Redbridge	1
Shirley	1
Swaythling	5

Of the 89 HMO complaints received 3 were given a High Priority rating, 25 were given an Other Priority rating, and 61 were given a Non Priority rating. In one of the High Priority cases an informal intervention was achieved and works were carried out to remove the category 1 hazards from the property, whereas the other two high priority cases were put through to be inspected within the two week target. Of the 25 Other Priority cases, 7 were resolved informally soon after receipt of the complaint, and the remaining 18 were put through to be inspected as well as a letter being sent to the landlord/manager of the property stating what the reported issues are and that we intend to inspect the property soon.

The Non Priority cases had letters sent to the landlord/manager of the property in question with information about the issues and advice to remedy the reported problems provided. Additionally advice was given to the tenants of the properties on how they can assist with resolving the problems, for example in the case of damp and mould growth complaints leaflets are sent to the tenants providing help and advice.

The following chart displays the numbers of hazards complained about relating to HMO properties, and subdivided into category 1 hazards and category 2 hazards. Complaints received often relate to more than one hazard, and sometimes multiple hazards.



The following table displays the numbers of reported breaches of The Management of Houses in Multiple Occupation (England) Regulations 2006. Although not generally referred to as part of the service request itself, officers are able to assess the issues being raised against the specific regulations as part of the triage process. There may be more than one breach at some properties.

Regulation	Number of Reported Breaches
Duty of manager to provide information to occupier	1
Duty of manager to take safety measures	42
Duty of manager to maintain common parts, fixtures, fittings and appliances	45
Duty of manager to maintain living accommodation	28
Duty to provide waste disposal facilities	4

The complaints related to a number of issues from cleanliness in the communal areas and facilities, damaged and poorly maintained fire protection related equipment i.e. overhead door closers not working, damaged smoke brushes etc.

The most common complaints not relating to a particular hazard or regulation were that the landlord or agent had promised to get works done, but had failed to act. Tenants are strongly encouraged to speak to their landlord/agent

before the EHH service become involved in a case, although the service recognises that this is not possible in all cases.

Of the 89 complaints relating to HMOs, 47 were managed by an agent, 39 were managed by a private landlord, and in three cases the complainant did not know who managed their property.

Housing Advice and Homelessness Service

The Housing Advice and Homelessness Services within Southampton City Council receive a number of complaints from HMO tenants. These complaints include tenancy agreement disputes, conditions of properties, eviction notices, and criminal activity.

The Neighbourhood Nuisance Service

The Neighbourhood Nuisance (NN) Service is based within the Regulatory Services division of Southampton City Council. The Team investigate complaints of alleged statutory nuisances including noise, rubbish accumulations, and pests.

If the NN service receives a complaint they must take reasonable steps to investigate that complaint. If it is found that a statutory nuisance exists, is likely to happen, or is likely to be repeated, then an Abatement Notice can be served (Environmental Protection Act 1990). This is a legal document that requires the noise or other nuisance to stop immediately, or within a specific time.

Initially when a complaint is received then letters are sent out to the alleged offender informing them of the issues being raised and giving an opportunity to stop. Following this stage if further complaints are received then officers will attempt to witness the alleged nuisance and make a judgement. If a statutory nuisance is witnessed then noise abatement notices will be served, any further nuisances caused would be a breach of this notice and a prosecution may be brought.

Southampton City Council operates a service to deal with noise problems out of office hours. Officers are on duty to respond to complaints from members of the public who are experiencing noise nuisance. The primary aim is to address persistent noise problems rather than one-off situations like parties, so priority is given to callers who have already registered their complaint with us. However they can deal with one-off parties in some circumstances.

Over the consultation period timescale from the many service requests received by the NN call centre, 156 progressed past the initial letter writing stage, and 37 of these cases involved an HMO property of some type, which equates to around 23.7% or a little under one in four. The proportion of noise nuisances arising from HMO properties is high.

During the consultation period noise abatement notices were served at 15 properties, three of these were HMOs equating to 20%. Again this is far higher than the proportion of HMOs in the city of Southampton.

The consultation period coincided with Operation Shush, a campaign introduced by the Police in response to anti-social behaviour (ASB) in the Polygon area of Southampton. Operation Shush conveys the message to all residents that if certain offences are committed during anti-social hours, such as being drunk and disorderly or another offence against the Public Order Act, then the offender may be issued an on the spot fine of £80. Consequently this may have had an impact on noise nuisances emanating from properties in this area where we know there are a large proportion of HMOs occupied by students.

Trading Standards

The Trading Standards Team is also based in the Regulatory Services division of Southampton City Council. Trading Standards will receive complaints relating to letting or managing agents, and often these complaints will relate to HMO properties.

The Trading Standards team have several ways that they receive complaints but primarily it is via e-mail. E-mails come to them in 3 ways, via Citizens Advice consumer helpline who provide initial civil advice for Trading Standards Services, via the Trading Standards e-mail box and via personal e-mails. The Team do not necessarily take action on all of the referrals as some of them may be purely for information.

The complaints received by Trading Standards about letting or managing agents are primarily to do with rental disputes, tenancy agreements and deposits.

During the months of September and October 2012 the Trading Standards Team received 10 complaints about letting/managing agents, and it is believed that at least half of these complaints were relating to HMO properties.

Waste Services

The Waste and recycling teams in Southampton City Council experience a number of issues relating to HMOs in their area of operation. The most common problems are as follows:

- Lack of ownership for managing waste and recycling due to multiple occupants resulting in:
 - Bins left on pavements
 - Low participation
 - Contamination

- Bins left out then get knocked over and result in litter problems
- Contaminated bins are left, but are never dealt with by tenants and so become an ongoing problem. This results in additional resources as crews are required to return and collect the bins.
- End of term student clear out resulting in:
 - Bulky items and rubbish being dumped in gardens, on the highway, in alleyways and by recycling banks
 - Overflowing bins and side waste
 - Severe contamination
 - Bins not put out for collection
 - Scavengers also rip open the bags and create additional litter problems

- Communication barriers/issues due to:
 - Multiple occupants
 - High turnover of tenants e.g. students and therefore constant need for communication and education
 - Language and cultural barriers (due to high levels of migrant workers in HMOs)

- A large number of different landlords who are not always easy to identify or communicate with.
- Landlords do not always take responsibility for dealing with bulky waste and rubbish when tenants move out.

The waste and recycling team regularly visit areas where there are significant issues with any of those identified. They provide information and advice to occupiers about waste collection days and the recycling regime that operates in the city. These have been more frequent in areas of the city where there are known to be a higher concentration of HMOs especially those occupied by students. The service works closely with the universities and their service and volunteers to educate students about their waste; especially at peak times around the start and end of term when fly tipping is a major issue in some parts of the central and north parts of the city.

Partners

Universities

SASSH

The Southampton Accreditation Scheme for Student Housing (SASSH) run by the universities in conjunction with Southampton City Council provides a voluntary forum for landlords to advertise their properties for rent. To do so they must ensure that their properties meet a prescriptive standard which works on a star rating system, and the landlords rate their own properties against this standard. The Environmental Health-Housing Team inspect a 5% cross section of these properties on behalf of the universities and the results

of these inspections show that the vast majority of properties fail to meet the advertised standard. For the academic year 2011-2012, only 1 out of the 24 properties inspected by Environmental Health-Housing passed its inspection upon the initial visit, the rest failed to meet their advertised standard.

University Housing Service

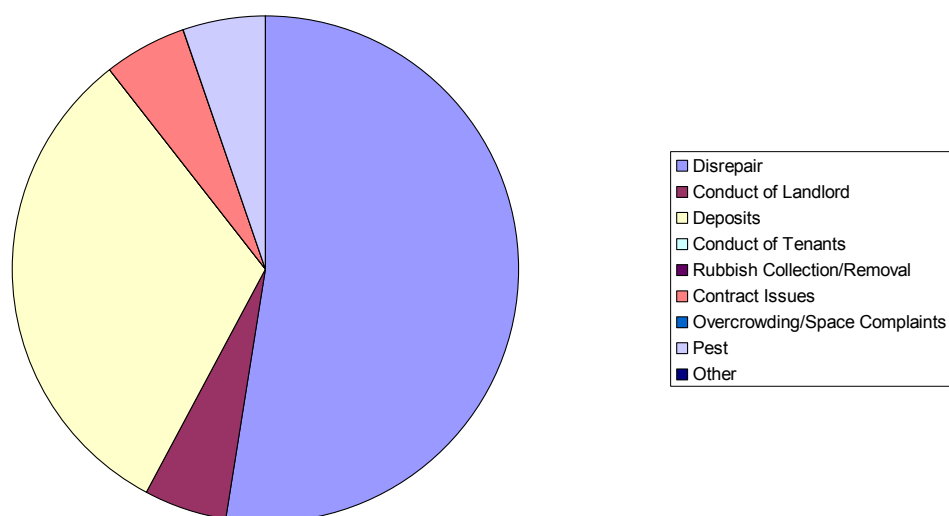
Southampton is home to two higher education institutions Southampton University, and Southampton Solent University. Consequently each year over 40,000 students come to live and study in the city.

Southampton University provide over 5,000 bedrooms in halls of residence across the city, and Southampton Solent University provide over 2,300. Consequently over 30,000 students live in private rented accommodation.

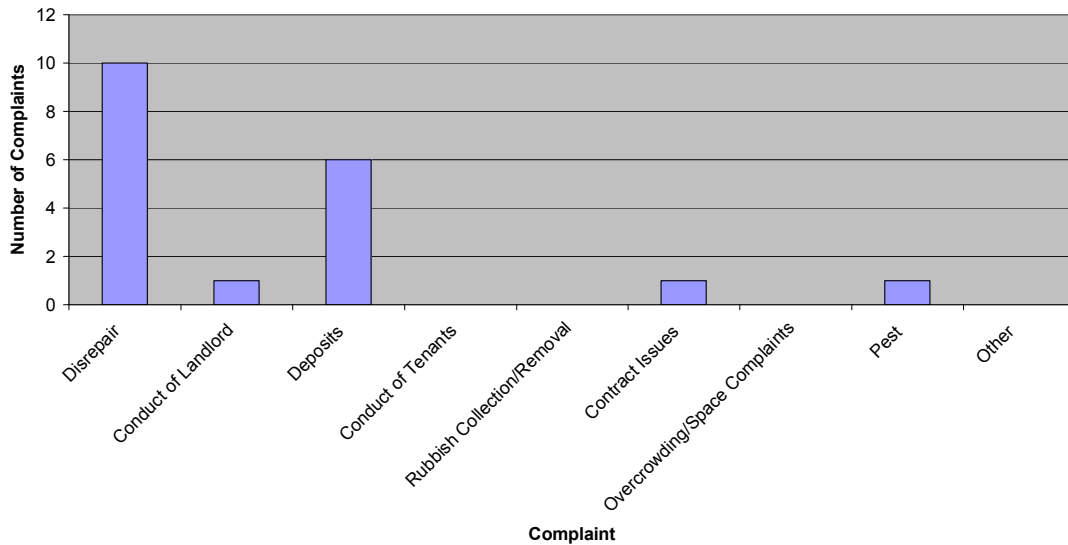
The universities receive a number of different complaints to both the student housing departments and the students unions. The common types of complaints received from HMO occupants include tenancy agreement disputes, disrepair issues, conduct of the landlord/agent, deposit disputes, and pests.

The following charts display the breakdown in type and number of complaints relating to HMOs received by Southampton Solent University. It should be noted that Southampton Solent University were not able to record data for the entire duration of the consultation period, so the following data was collected during the period 03/09/12 to 26/10/12, 1 month short of the consultation period.

HMO Complaints from the 3rd September 2012 from Southampton Solent



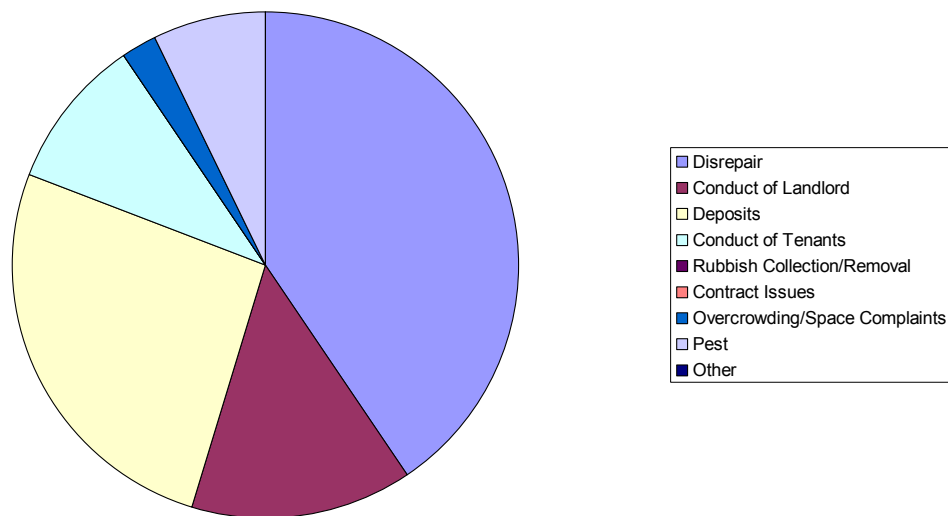
HMO complaints from 3rd September 2012 from Southampton Solent University



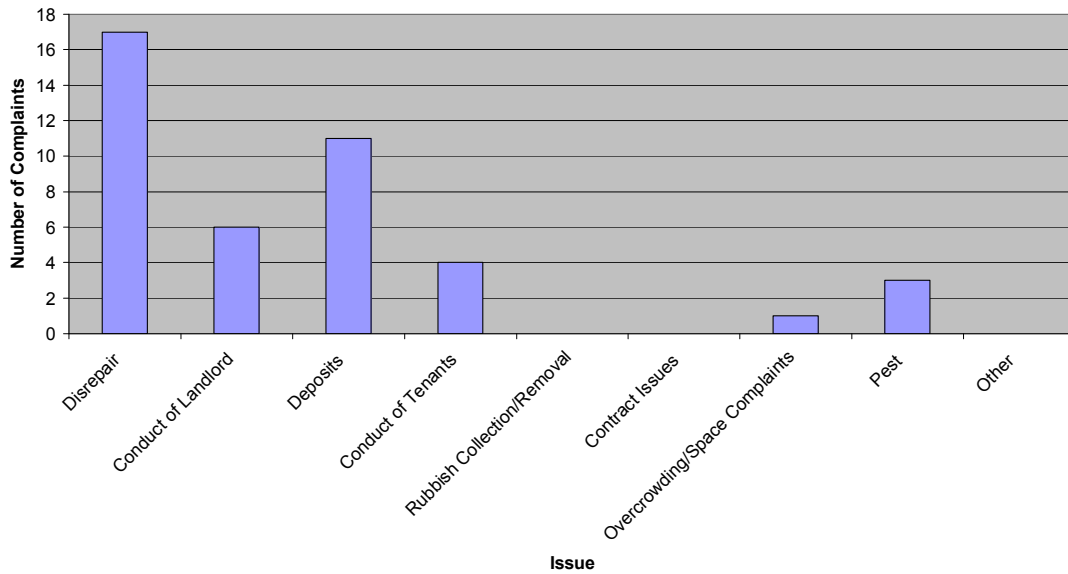
The charts show that the most common complaints they receive relate to disrepair problems, with the second most common relating to deposits. It would appear that landlords and agents frequently take longer than expected to remedy issues and problems when a tenant reports to them, or they are not acting at all. Of the disrepair problems reported, the most common issues fall under the Damp and Mould Growth hazard, but there are also Excess Cold problems, and Entry by Intruders.

The following charts display the breakdown in type and number of complaints relating to HMOs received by the Student's Union within Southampton University.

HMO Complaints since 3rd September from Southampton University



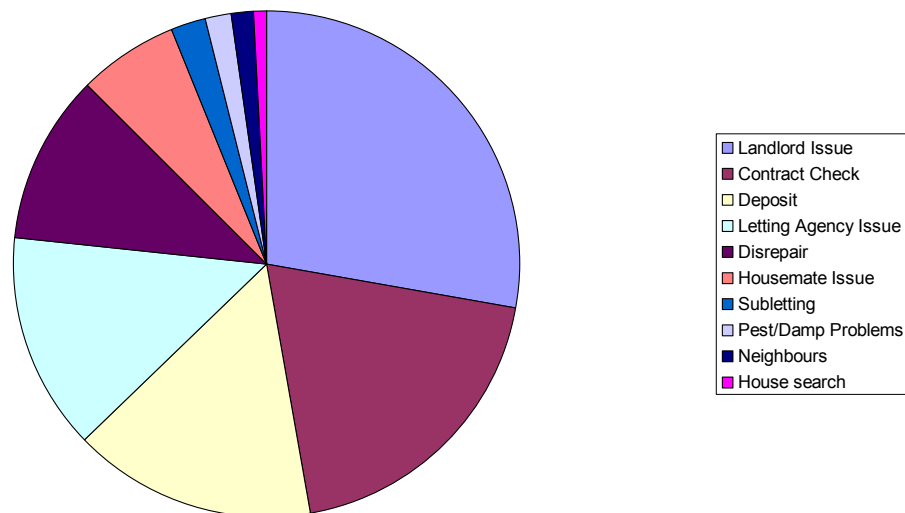
HMO Complaints from 3rd September 2012 from Southampton University



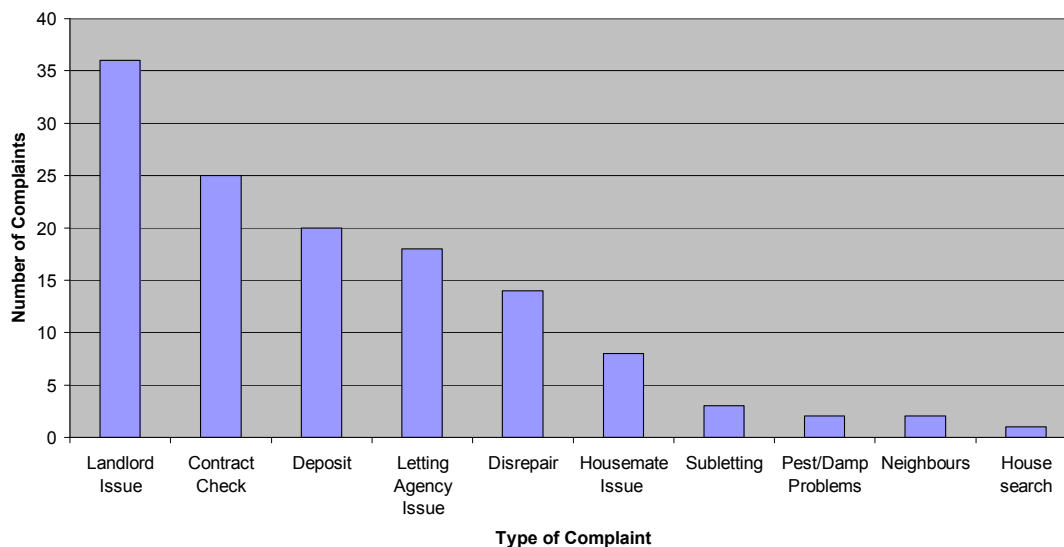
Again these charts display disrepair issues as the most common complaint, and deposit disputes as the second most common complaint. There were also 6 complaints about the conduct of landlords which included alleged illegal eviction and entrance to houses and rooms without any notice.

The following charts display the breakdown in type and number of complaints relating to HMOs received by the Student Services Team within Southampton University.

HMO Complaints from 3rd September 2012 From Southampton University



HMO Complaints Recieved From 3rd September 2012 from Southampton University



The above charts show complaints about landlords themselves are the most common complaint to this team in Southampton University, and disrepair issues are the fifth most common complaint.

Crime and Anti-Social Behaviour

The following tables show certain crime statistics for Southampton during the consultation period, broken down into the individual wards. The crime types included are burglary, violence, drugs, and ASB. The statistics are taken from the Crime Reports website.

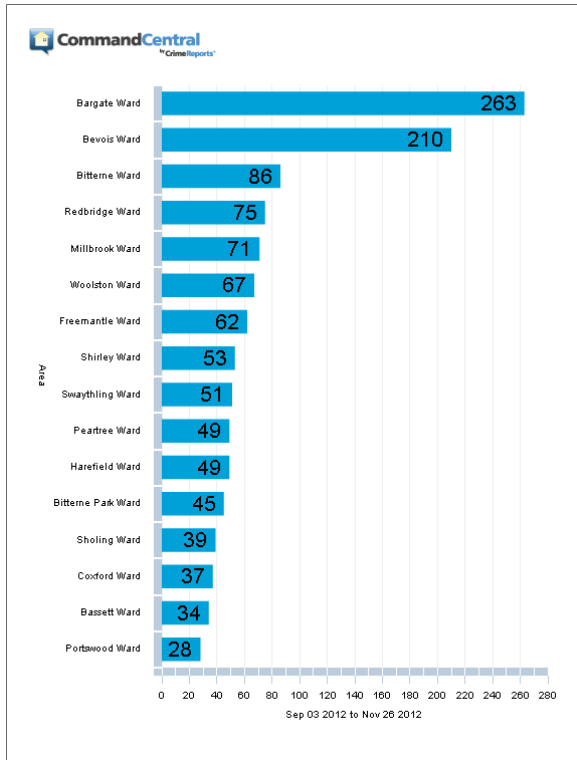


Fig 1: Bar chart showing violent crime statistics for Southampton wards

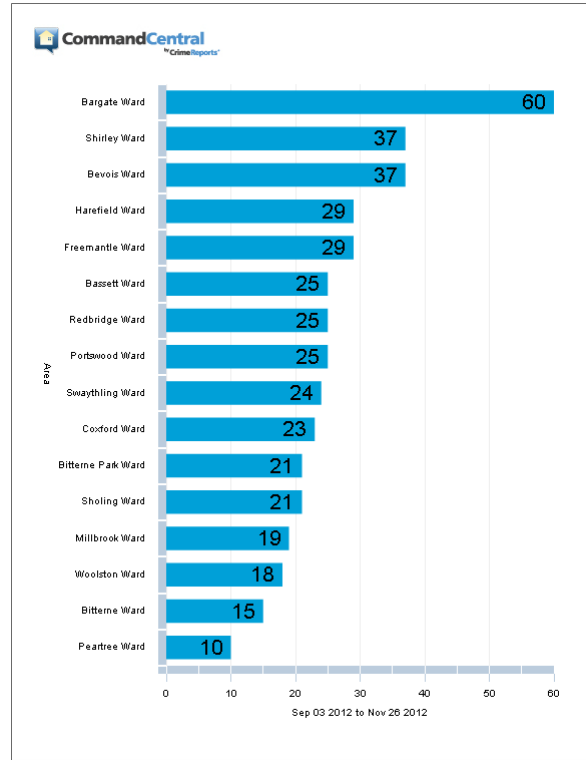


Fig 2: Bar chart showing burglary statistics for Southampton wards

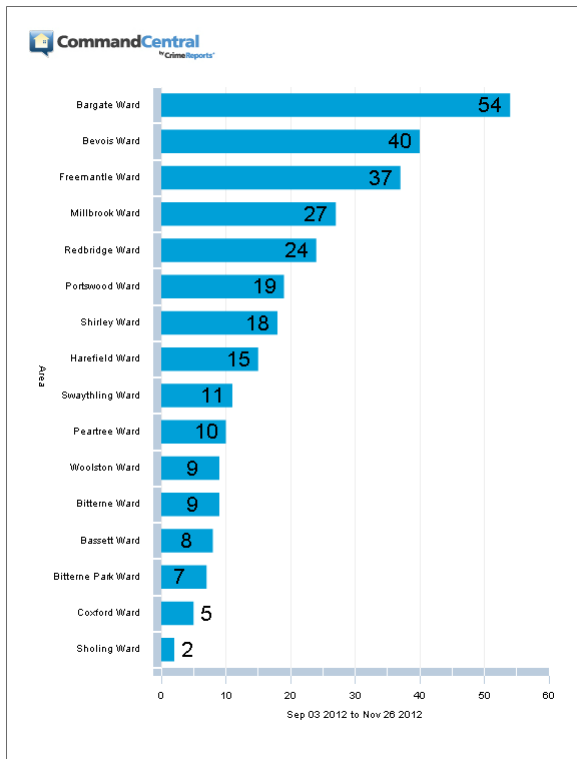


Fig 3: Bar chart showing drug crime statistics For Southampton wards

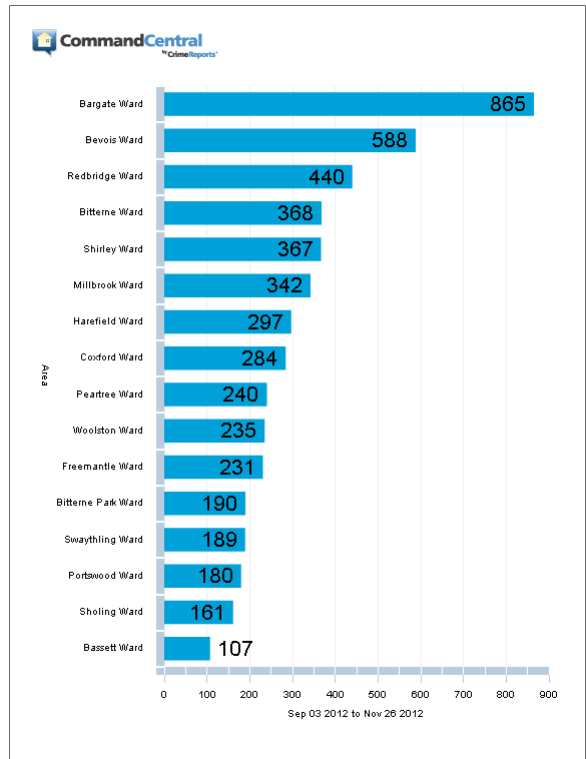
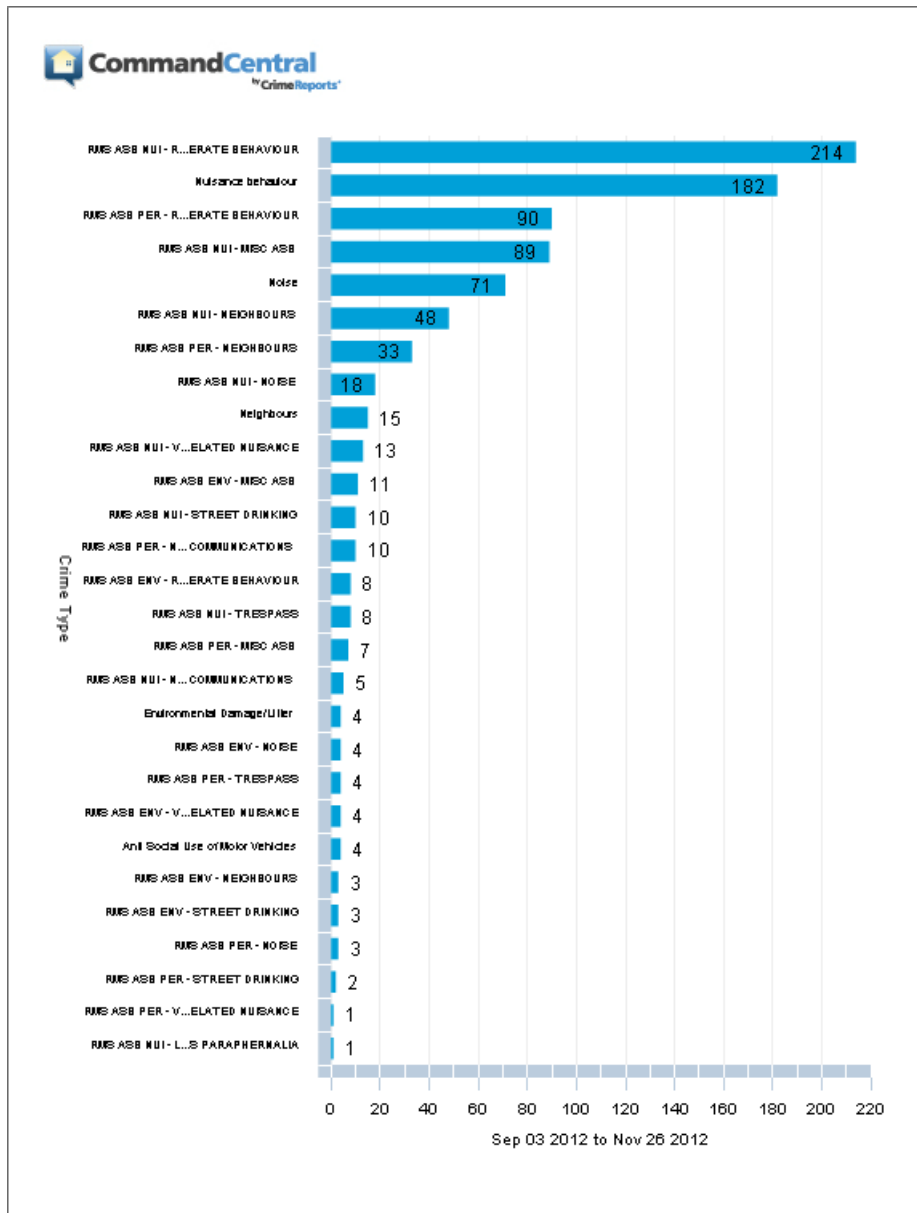


Fig 4: Bar chart showing ASB statistics for Southampton wards

The Bargate ward comes top of each of the above categories. This would be in part due to the fact that this ward encompasses the centre of town so it includes the majority of bars and nightclubs, but this ward also has the highest number of HMOs.

The following table displays the ASB statistics for the Bargate ward broken down into its subcategories.

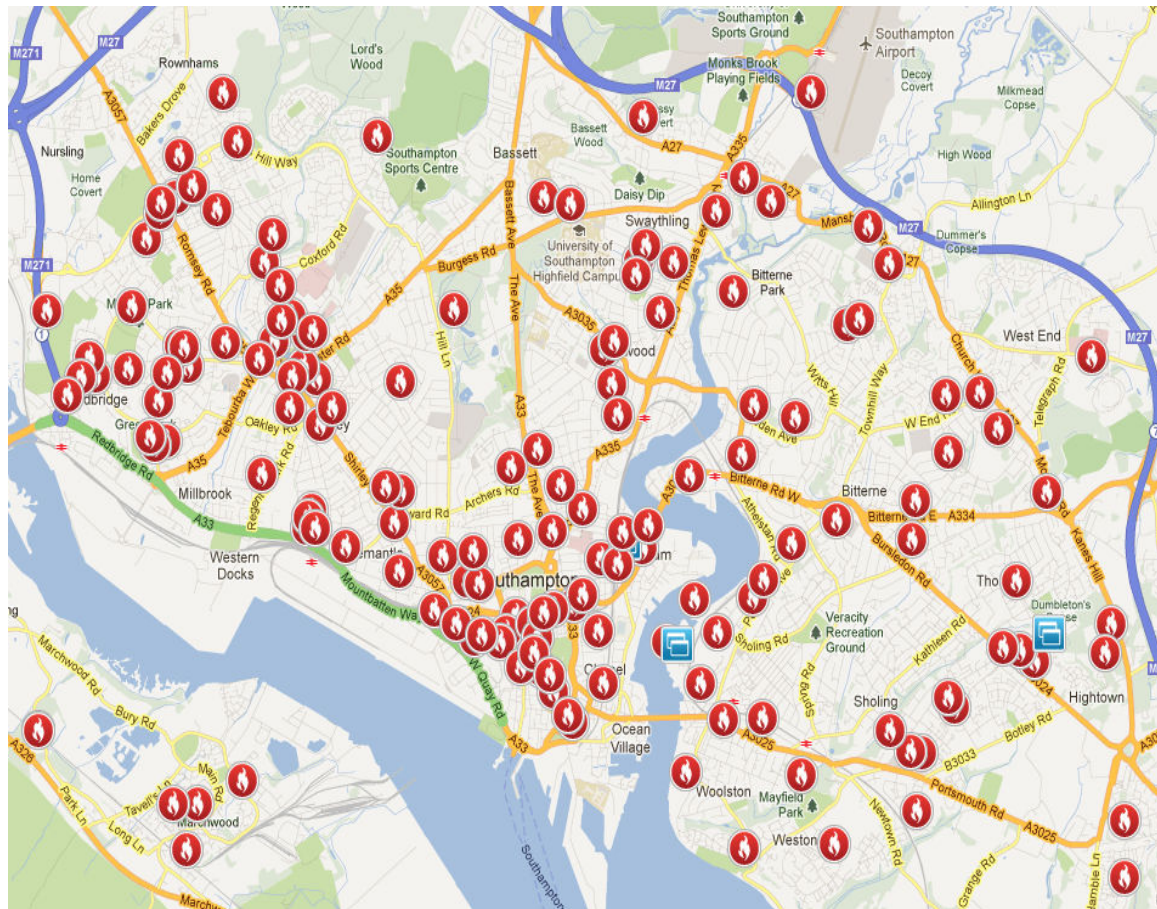


In addition to this, although not possible to identify individual HMO, some crime and antisocial behaviour can be analysed further in sub areas of each ward. Hampshire Police operate in beat areas and activities are recorded in each beat. Domestic Burglary, Criminal Damage, and Antisocial behaviour have been identified as issues in relation to poor management and property conditions. There are correlations with the recorded incidents with areas known to have higher concentrations of multiply occupied properties for example in the Polygon incidents of ASB more than doubles in September at

the start of the academic year, this is the same in Bevois and Bannister and Highfield. Levels of reported domestic burglary are also higher in areas where there are larger numbers of HMOs especially in the Polygon area.

Hampshire Fire and Rescue Service

The following map displays all of the reported building fires that occurred during the consultation period for the Southampton area. There is a clear trend showing higher concentrations of fires in areas of the city that have high concentrations of HMOs.



Street Cred

StreetCred represents a new approach to tackling environmental crime and anti-social behaviour, and educating residents about safety and crime prevention in hotspot locations across the city.

The scheme has seen the council team up with the police, Hampshire Fire and Rescue and local residents to help make homes and streets cleaner, greener and safer. In October 2012 there were a series of multi agency days targeted at parts of Portswood and the Polygon areas of the city. The aim of this work was to identify the location of houses in multiple occupation, to find out more details about them and to provide the occupiers with information about related council services. Over the events there were over 750

properties visited and of these 75% were multiply occupied, mainly by students. When looking at the HMOs, one in five needed a referral to the Environmental Health Housing service (20%) and a total of 164 properties were referred to another agency or council service for a repair or management related issue. This equates to almost one in three properties, some on one issue such as fly tipping, waste or significant litter issues in the front gardens, and a few were due to a number of concerns

4. OPTION APPRAISAL

The Council must consider whether there are other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question.

The Council must consider that making the designation will significantly assist them to achieve the objective.

The Council must consider that making the designation will significantly assist them to deal with the problem or problems.

The Housing Act 2004 (section 56(2)) requires that before making a designation to extend HMO Licensing for a particular type of HMO, or for a particular area, a local authority must consider whether there are any other courses of action available to them that might provide an effective method of dealing with the problem or problems in question.

A two stage appraisal of the options open to the Council was carried out in accordance with Government guidance. The first stage involved the development of key options available for tackling poor quality problematic HMOs in the City and consideration of the strengths and weaknesses of each.

The second stage involved the appraisal of the options against key objectives identified to help contribute towards the Council's vision for the city's private rented sector

The options were discussed by a multi-disciplinary panel of Council officers, who have formed the HMO Licensing Board with contributions from the following services:

- Environmental Health Housing
- Finance
- Housing Needs and Homelessness
- Planning
- Legal services

The panel considered the strengths and weaknesses of each option and these were recorded in tabular form.

The options to be considered:

Eight possible options for tackling substandard and 'problem' smaller HMOs in the City were identified and are set out below:

1. *Do nothing*

This option would involve the Council doing nothing to intervene in the small HMO sector this would leave the local housing market to be the driver for landlords carrying out improvements to their properties.

2. *Do the minimum (reactive inspection programme only)*

This option would mean that the Council intervention in the small HMO sector being limited to a basic complaint response service with action by other departments and agencies on a largely ad hoc basis. The option is reactive and relies on the housing market as a driver for landlord-initiated housing improvement across the board. All council services would continue to use their existing enforcement powers.

3. *Informal area action (Proactive inspection programme)*

This would be delivered through non-statutory Action Area, considering parts of the city where there were concentration of poorly managed or maintained properties. The driver for the housing improvement would come from a combination of council activity from different services focussing work in the area and landlord activity (including peer pressure)

4. *Voluntary Accreditation.*

Accreditation schemes have a set of standards (or code) relating to the management or physical condition of different HMOs and recognise properties/landlords who achieve/exceed the requirements. Southampton currently has an accreditation scheme for student housing (SASSH) operated by the universities. Any new scheme for other HMOs would run alongside.

5. *Targeted use of Interim Management Orders (IMOs) and Final Management Orders (FMOs).*

The Housing Act 2004 gives local authorities powers to use Management Orders for talking comprehensive and serious management failures.

6. *Article 4 Direction only.*

The council implemented an Article 4 Direction to require planning consent for any change of use from single dwelling house (C3) to a small HMO (C4) in March 2012. This option would rely on the use of this power to control the numbers of new HMOs and the market to drive property improvements.

7. *City Wide Additional Licensing Scheme.*

Licensing would be extended to all HMOs in the city (in all 18 wards) and would include all smaller multiply occupied properties not currently subjected to Mandatory HMO Licensing.

8. *Area-based Additional licensing scheme.*

Licensing would be introduced in selected wards in the city where there is the highest concentration of HMOs and the evidence demonstrates that there is the greatest need.

Assessing the options

Each option was discussed against the key objectives by the members of the HMO Licensing Board. The objectives of extending HMO licensing would be to:

- Keep occupants safe by ensuring effective management of all HMOs
- Improve living conditions by ensuring that appropriate facilities are provided
- Improve housing standards and maintenance within HMOs, with a particular emphasis on security, fire safety and thermal comfort
- Ensure that landlords exercise appropriate management and supervision of their properties to help reduce any adverse impact of HMOs on the neighbourhood and local communities
- Build on and expand existing partnerships with landlords, managing agents, tenants, universities, community groups and others
- Encourage and support owners and managing agents of HMOs to work proactively with the Council in achieving clearly defined standards and effective management
- Facilitate stable and integrated communities through policy and the proactive targeting of risk based and proportionate interventions
- Reduce the number of complaints about HMOs received by the Council and its partners, such as universities and the fire service
- Have no adverse effect on homelessness in the city
- Ensure there is not an increase in the number of empty properties

Outcome of the Option Appraisal

OPTION ONE: DO NOTHING		
Option description	Strengths	Weaknesses
<p>There would be no involvement by the council in the small HMO sector. The market would have responsibility for improving standards.</p>	<ul style="list-style-type: none"> ▪ There are no additional resources needed. ▪ Meets the desires of landlords to have self regulation in this area of the market. ▪ The housing market would determine the quality and standards of accommodation. 	<ul style="list-style-type: none"> ▪ The council would not be able to satisfy statutory requirements and duties. ▪ Creates additional burden on resources from other council services and partner organisations i.e. waste collection, Police, Fire Service ▪ Does not address the concerns and meet the expectations of both tenants and local residents/communities ▪ The city has a larger than average number of HMOs in the city and this would not address the issues these may present.

OPTION TWO: REACTIVE INSPECTION PROGRAMME (MINIMAL)		
Option description	Strengths	Weaknesses

<p>Council intervention would be limited to:</p> <ul style="list-style-type: none"> ▪ Responding to complaints about property conditions/management issues. ▪ Informal and formal enforcement work to improve living conditions, management etc. ▪ Use of other wider powers i.e. Noise Abatement notices ASB Orders, Fly tipping, Litter and waste management provisions. 	<ul style="list-style-type: none"> ▪ Improves individual properties. 	<ul style="list-style-type: none"> ▪ Resource intensive. ▪ Relies on complaints being received about property conditions; some tenants are not able to do this for fear of retaliatory action from landlords. ▪ Not proactive. ▪ Although would be risk rated, no guarantee dealing with poorest properties first. ▪ No additional resources for inspections or monitoring management of properties ▪ Does not tackle poor practises of rogue landlords ▪ Provides inconsistent service across the city. ▪ Does not provide detailed information about HMO properties in the city.
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OPTION THREE: PROACTIVE INSPECTION PROGRAMME

Option description	Strengths	Weaknesses
<p>The council maintains an inspection programme that targets certain property types or areas of the city.</p>	<ul style="list-style-type: none"> ▪ Improves individual properties ▪ Potential for partnership working with other agencies and organisations. ▪ Can be city wide or in smaller community areas or property types. ▪ Can be project managed ▪ May have element of self funding as able to seek to recover costs in association with work in default, enforced sale etc. 	<ul style="list-style-type: none"> ▪ Resource intensive. ▪ No additional resources for inspections or monitoring management of properties. ▪ Does not tackle poor practises of rogue landlords ▪ May provide inconsistent service across the city. ▪ Does not provide detailed information about HMO properties in the city.

OPTION FOUR: LANDLORD ACCREDITATION SCHEME

Option description	Strengths	Weaknesses
<p>The council continues with the existing SASSH accreditation scheme for student housing and consider extending to include other types of HMO.</p>	<ul style="list-style-type: none"> ▪ Improves the standard in properties where landlords engage with the scheme ▪ Good example of partnership working with other agencies i.e. SASSH. ▪ Can be used alongside other options for a more strategic approach 	<ul style="list-style-type: none"> ▪ Relies on voluntary engagement of landlords and agents ▪ Relies on self assessment of property conditions with varying results. ▪ Does not tackle poor practises of rogue landlords ▪ Does not provide detailed information about HMO properties in the city. ▪ Can be resource intensive as limited scope for charging.

OPTION FIVE: MANAGEMENT ORDERS

Option description	Strengths	Weaknesses
<p>Council uses the powers contained in the Housing Act 2004 part 4 to take over the management of the very worst HMOs in the city. The aim of which would be to improve them and eventually had back control to the landlord.</p>	<ul style="list-style-type: none"> ▪ Removes landlord responsibilities and passes them to an approved/ responsible nominated agent. ▪ Can be used alongside other options for a more strategic approach 	<ul style="list-style-type: none"> ▪ Resource intensive to set up and administer ▪ Previous experience has shown limited suitable agents ▪ Resolves issue in individual properties but does not secure long term improvement of properties, especially management. ▪ Does not tackle poor practises of rogue landlords ▪ Provides inconsistent service across the city. ▪ Does not provide detailed information about HMO properties in the city. ▪ Take on landlord responsibilities and need to keep for some time to resolve management issues and recover costs. ▪ Reactive not proactive.

OPTION SIX:USE OF ARTICLE 4 DIRECTION

Option description	Strengths	Weaknesses
Continue to control the number of new HMOs in the city in line with policy and guidance.	<ul style="list-style-type: none"> ▪ Controls the number of new HMOs in an area. ▪ Already introduced in Southampton and being implemented in the city. ▪ Can be used alongside other options for a more strategic approach. 	<ul style="list-style-type: none"> ▪ Does not require the improvement of properties. ▪ Does not apply retrospectively ▪ Much confusion among residents and property owners between these powers and EHH powers ▪ Does not tackle poor practises of rogue landlords ▪ Provides inconsistent service across the city. ▪ Does not provide detailed information about HMO properties in the city. ▪ Reactive.

OPTION SEVEN: CITY WIDE LICENSING		
Option description	Strengths	Weaknesses

<p>Licensing is extended to all or a selected type of small HMO across all wards in the city.</p>	<ul style="list-style-type: none"> ▪ Clearer scheme as applies to all eligible HMO properties regardless of location in the city. ▪ License conditions would be bespoke and therefore seek improvements in living conditions and management. ▪ Increased level of resources available for inspecting properties and monitoring license conditions. ▪ Reliable and up to date source of information about HMO sector ▪ Costs borne by appropriate sector. ▪ Linked to property inspections ▪ Links with the existing mandatory HMO licensing scheme provisions. 	<ul style="list-style-type: none"> ▪ Comprehensive and large programme that will require additional resources and staff
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OPTION EIGHT: SELECTED AREA BASED LICENSING		
Option description	Strengths	Weaknesses

<p>Licensing is extended to all or a selected type of small HMO in selected wards in the city</p>	<ul style="list-style-type: none"> ▪ Can focus on areas where there are issue, need and risk based. ▪ Tailored solutions to housing problems identified and other issues in partnership with other services and agencies. ▪ Reliable and up to date source of information about HMO sector in the selected areas. ▪ Costs borne by appropriate sector. ▪ Linked to property inspections. License conditions would be bespoke and therefore seek improvements in living conditions and management. ▪ Increased level of resources available for inspecting properties and monitoring license conditions. ▪ Working with landlords in selected areas may encourage improvements in management and behaviour so benefitting tenants and improving properties in other parts of the city. 	<ul style="list-style-type: none"> ▪ More limited service for same type of accommodation outside of selected areas i.e. inequality of service provision. ▪ Landlords may relocate business to properties in non licensable areas. ▪ May lead to variable standards in quality and management across different parts of the city. ▪ Potential to be confusing for tenants and residents ▪ Concern that Article 4 Direction restriction on development of HMOs in certain parts of the city may lead to their development in other parts that may not be covered by licensing.
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CONSULTATION

The local authority must consult persons likely to be affected by the designation.

The Council carried out consultation over a twelve week period starting on September 3rd 2012 running through to 26th November 2012. The consultation took place using a number of different methods

Letters were sent to all landlords and letting/managing agents inviting their views on the proposed scheme, letters were also sent to all known residents groups and associations. The consultation questionnaire was made available online through the Council's Consultation Portal, paper copies were made available at the public events and on request.

Three public meetings were held two in community venues and one in the Civic Centre, they had varying levels of attendance but all generated good debate on the issues around the proposals. Presentations were made at local meetings of both the Southern Landlords Association and the National Landlords Association.

The HMO pages on the Council's website were updated to give more information about the proposed scheme and included links to an online questionnaire as well as the consultation guide, the questionnaire, original Cabinet report as PDF documents to download.

The Communications Team sent out regular Tweets through the Council's Twitter feed (@SouthamptonCC) alerting followers to the consultation process and reminding about public meetings. Southampton Solent University put details onto their Facebook page.

There were 231 completed questionnaires returned and a number of more detailed responses. The detail about these and the outcomes together with the Council's response is in Appendix 2.

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APPENDIX 2



RESPONSE TO CONSULTATION ON PROPOSALS TO EXTEND LICENSING OF HOUSES IN MULTIPLE OCCUPATION (HMOs) IN SOUTHAMPTON

KEY FINDINGS

The consultation was approved by Cabinet on 21 August 2012 and ran for twelve weeks from 3 September 2012 to 26 November 2012 inclusive. The consultation was well-publicised and had a strong response from a broad range of interested parties, including landlords, landlord associations, Hampshire Fire and Rescue Service, residents and residents groups, tenants, universities and housing agencies. 231 questionnaires were returned, many with detailed comments, 11 written submissions were made, approximately 150 people attended three meetings arranged by the Council and landlords attended two forums arranged by landlords' associations.

Two thirds of questionnaire respondents agreed that licensing of all HMO landlords would improve Southampton's rented properties (66%). A very high percentage considered that poorly managed HMOs have a negative impact on their neighbourhood (81%), but a significant majority agreed that well managed HMOs have a positive impact (66%). A significant majority agreed that all HMO landlords should be licensed (69%) and that the council should be doing more to tackle HMO issues (79%).

The written submissions contained polarised views, with strong support for the proposals from tenants, residents, Hampshire Fire and Rescue Service and Hampshire Police and strong opposition from most (but not all) landlords and their representative organisations, the National Landlords Association, Southern Landlords Association and the Residential Landlords Association. Hampshire Fire and Rescue Service considers that additional licensing will increase the safety of residents and of the public and states that this is fully consistent with its strategic objective to "keep people safe". Hampshire Police stated that the proposals would assist their ability to deal with crime and anti social behaviour associated with HMOs, in particular in relation to Operation Fortress, which is targeting drug-related violence.

Landlords' associations considered the consultation to be flawed, that the use of existing powers and accreditation would better achieve the Council's objectives and consider there to be insufficient, inconclusive or out of date evidence to support the proposals for a city wide scheme. The Council's view is that the consultation fully met or exceeded all legal requirements, the continued use of existing powers and accreditation would not be as effective in tackling problems associated with HMOs and the evidence available supports the introduction of Additional Licensing in four wards. The universities were fully supportive and although the Southampton University Students Union considered that overall the proposals would help to ensure a large stock of high quality HMOs in the city, there was concern that sufficient frontline staff should be employed to carry out regular inspections and respond to complaints.

As a result of the consultation, the proposals have been amended as follows:

- The initial designation will be limited to four wards
- A decision on whether to extend the scheme will be made in 2016, following a full evaluation of the impact of additional licensing
- Landlords will be permitted to commission their own survey from an independent, approved surveyor to support a licence application
- HMOs with three or four occupiers will pay a reduced fee

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1. INTRODUCTION

This document sets out responses to Southampton City Council's consultation on its proposals to extend its licensing scheme for Houses in Multiple Occupation (HMOs), which was held between 3 September and 26 November 2012.

2. LEGAL REQUIREMENT TO CONSULT

Section 56(3) of the **Housing Act 2004** requires that:

Before making a designation [of an area subject to Additional Licensing] the authority must –

- (a) take reasonable steps to consult persons who are likely to be affected by the designation; and
- (b) consider any representations made in accordance with the consultation and not withdrawn.

The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2010 states:

The general approval ... is not given in relation to a designation in respect of which the Local Housing Authority has not consulted persons who are likely to be affected by it under section 56(3)(a) ... of the [Housing] Act [2004] for not less than 10 weeks.

Guidance published by the Department for Communities and Local Government in 2007 and updated in 2010, Approval Steps for Additional and Selective Licensing Designations in England, states:

LHAs [Local Housing Authorities] will be required to conduct a full consultation. This should include consultation of local residents, including tenants, landlords and where appropriate their managing agents and other members of the community who live or operate businesses or provide services within the proposed designation. It should also include local residents and those who operate businesses or provide services in the surrounding area outside of the proposed designation who will be affected. LHAs should ensure that the consultation is widely publicised using various channels of communication.

During consultation, LHAs must give a detailed explanation of the proposed designation, explaining the reasons for the designation, how it will tackle specific problems, the potential benefits etc. ...

Affected persons should be given adequate time to give their views, and these should all be considered and responded to.

Once the consultation has been completed the results should then be publicised and made available to the local community.

3. APPROACH

The consultation was approved by Southampton City Council's Cabinet on 21 August 2012 and ran for twelve weeks from 3 September 2012 to 26 November 2012 inclusive.

The consultation was publicised by a media release, which led to an article in a local newspaper, the Daily Echo, and items on BBC local television and radio news bulletins. Details of the consultation were published on the council's website and it was promoted using social media (Twitter).

Letters were sent to stakeholders, including 298 letters sent to local landlords and letting agents and 51 letters sent to residents' associations.

Presentations were given at two meetings hosted by local branches of the National Landlords Association and the Southern Landlords Association, which an estimated 100 landlords and lettings agents attended.

Two community meetings were held in areas of the city with high concentrations of HMOs, at Highfield Church Centre and at the Central Baptist Church, in the Polygon. A further public meeting was held at the Civic Centre. Although these meetings were not well attended (an estimated 50 people attended the three meetings), those attending had an opportunity to engage with staff from the council and give detailed feedback. Display boards with outlines of the proposals were put up at these meetings.

The public meeting in the Polygon was promoted as part of a multi agency targeted enforcement event held, known as Street CRED, which took place over three days. About 800 properties in the Polygon area received information about the public meeting and information about how residents could find out more and respond to the consultation.

Meetings were held with representatives from Southampton Solent University and the University of Southampton and a presentation and discussion took place at the Private Rented Accommodation Forum, which brings together landlords, housing agencies and others with an interest in housing homeless people and other vulnerable people in Southampton.

HMO licensing consultation response

The consultation documents consisted of a five page summary document written in plain English, outlining the proposals and their potential benefits. Further information, including evidence to support the proposals was published on the council's website.

Respondents were invited to complete a two page questionnaire (attached as Appendix A), which was designed to help structure responses and contained a space to capture general comments about the proposals. The questionnaire could also be completed online via the council's website.

4. RESULTS FROM THE QUESTIONNAIRE

231 questionnaires were completed online or in paper format and the responses are summarised in figure 1 below.

	Agree (%)	Disagree (%)
Licensing of all HMO landlords would improve Southampton's rented properties	66	31
The council should use its existing powers rather than extend its licensing scheme	42	46
Poorly managed HMOs have a negative impact on my neighbourhood	81	13
Well managed HMOs have a positive impact on my neighbourhood	66	20
Only landlords of larger HMOs should be licensed	26	65
All HMO landlords should be licensed	69	26
The council should be doing more to tackle issues associated with HMOs	79	13

Figure 1 Agreement or disagreement with the proposals

Two thirds of respondents agreed that licensing of all HMO landlords would improve Southampton's rented properties (66%). A very high percentage consider that poorly managed HMOs have a negative impact on their neighbourhood (81)%, but a significant majority agree that well managed HMOs have a positive impact (66%), so the issue appears to be with the management of HMOs rather than with HMOs in themselves.

A significant majority of respondents agreed that all HMO landlords should be licensed (69%) and most agreed that the council should be doing more to tackle issues associated with HMOs (79%).

Figure 2 below provides a further breakdown according to the type of respondent.

Figure 2 Breakdown of responses by respondent type

To what extent do you agree with the following?		Resident in Southampton					Business in Southampton		
		Owner occupier	Private tenant	HMO tenant	Student	All Residents	Landlord	Letting Agent	All Business
Licensing of all HMO landlords would improve Southampton's rented properties	Agree	82%	67%	60%	74%	79%	15%	33%	18%
	Disagree	17%	33%	40%	14%	19%	85%	67%	82%
The council should use its existing powers, rather than extend its licensing scheme	Agree	25%	53%	40%	46%	32%	85%	67%	82%
	Disagree	69%	29%	40%	26%	56%	13%	0%	11%
Poorly managed HMOs have a negative impact on my neighbourhood	Agree	91%	72%	80%	89%	89%	64%	44%	61%
	Disagree	6%	22%	20%	9%	9%	26%	56%	31%
Well managed HMOs have a positive impact on my neighbourhood	Agree	59%	78%	80%	94%	69%	74%	56%	71%
	Disagree	29%	11%	20%	3%	22%	19%	33%	21%
Only landlords of larger HMO properties should be licensed	Agree	17%	22%	20%	24%	19%	56%	78%	59%
	Disagree	81%	61%	60%	65%	75%	37%	11%	33%
All HMO landlords should be licensed	Agree	86%	56%	60%	88%	82%	21%	22%	21%
	Disagree	14%	33%	40%	0%	14%	79%	67%	77%
The council should be doing more to tackle issues associated with HMOs	Agree	89%	78%	80%	97%	89%	50%	56%	51%
	Disagree	7%	17%	20%	3%	8%	42%	22%	39%

HMO licensing consultation response

The questionnaire asked some further questions about the proposals for extending HMO licensing in Southampton. A full breakdown of the responses is given in figure 3 below.

A similar percentage agreed (44%) and disagreed (42%) with the proposals to phase the scheme in over five years. 11% of respondents to this question said that they did not know.

A significant majority (65%) agreed that the scheme should be funded through licence fees at no cost to the tax payer. 25% disagreed with this.

59% thought that the proposals will improve how HMOs are managed, 43% thought that the proposals would reduce noise, waste problems and other anti social behaviour and 61% thought that the proposals will make HMOs safer for tenants.

	Yes	No	Don't know	No reply
Do you agree with the proposals to phase in the scheme over five years?	44%	42%	11%	3%
Do you agree that the scheme should be funded by licence fees at no cost to the tax payer?	65%	26%	7%	2%
Do you think that the proposals will improve how HMOs are managed?	59%	29%	11%	1%
Do you think that the proposals will reduce noise, waste problems and other anti social behaviour?	43%	37%	18%	2%
Do you think that the proposals will make HMOs safer for tenants?	61%	26%	11%	3%

Figure 3 Agreement with proposals for extending HMO licensing

The questionnaire also asked how the Council should help landlords meet their responsibilities.

A very high percentage (72%) considered that the Council should provide training courses including on effective management and fire safety. It remains the Council's intention to do this in partnership wherever possible with landlords' associations, the fire and rescue service and other stakeholders.

52% agreed that there should be a voluntary accreditation scheme. The Council proposes to continue to support the SASSH accreditation scheme for student housing and to ensure that licensed properties automatically become eligible for accreditation, which could offer a marketing advantage to landlords. 73% considered that there should be better access to online information and 70% agree that there should be better integration between HMO licensing, SASSH and other initiatives.

HMO licensing consultation response

	Yes	No	Don't know	No reply
Training courses including effective management, fire safety etc.	72%	17%	7%	3%
Voluntary accreditation scheme	52%	34%	11%	3%
Better access to online information	73%	8%	14%	5%
Better integration of HMO licensing with other schemes, such as SASSH	70%	15%	9%	6%

Figure 4 How do you think the Council should help landlords meet their responsibilities?

The questionnaire listed some of the most complained about issues concerning HMOs and asked respondents to state to what extent they had been affected by these.

The results are given in figure 5 below.

<i>To what extent have these issues affected you?</i>	A lot	A little	Not at all	Don't know	No reply
Poor external appearance	43%	26%	29%	1%	0%
Noise nuisance, such as parties and loud music	23%	34%	39%	2%	2%
Dumped rubbish and litter around the properties	49%	22%	27%	1%	1%
Poor internal condition, such as disrepair, dirty, poor maintenance, unsafe	24%	15%	36%	21%	4%
Letting signs/boards up for a long period of time	41%	18%	38%	3%	1%

Figure 5 Extent to which HMO issues have affected respondents

5. SUMMARY OF RESULTS FROM DETAILED SUBMISSIONS

Eleven detailed written submissions were received from:

Hampshire Fire and Rescue Service

National Landlords Association

Southern Landlords Association

Residential Landlords Association

Chair or the local branch of the Southern Landlords Association

Member of the Executive Committee of Southern Landlords Association

Local builders and property management company

Private landlord

Friends of the Seven Streets (Residents Association)

Southampton University Students Union

A parent of a student privately renting in Southampton

The key points from these submissions are summarised below:

Hampshire Fire and Rescue Service (support)

- Facilitate closer partnership working and use of statutory powers by the Council and HFRS
- Improved information on smaller HMOs would enable more effective community risk reduction initiatives (including reducing arson)
- Increase safety of residents and of the public
- Fully consistent with HFRS strategic objectives and aligns with corporate objective of 'making life safer'

National Landlords Association (oppose)

- NLA represents 20,000 individual landlords from around the UK, with a local branch
- Consultation flawed
- Proposed scheme would be untargeted
- Additional costs to Council Tax payers
- Insufficient consideration of other courses of action
- Accreditation would better achieve objectives
- Additional costs would drive away good landlords which would limit supply and increase rents

Southern Landlords Association (oppose)

- Represents private landlords with a local branch
- Scheme would be unlawful as would not meet the requirements contained in the Housing Act 2004 and CLG guidance
- Consultation flawed
- Existing licensing hasn't worked

HMO licensing consultation response

- Insufficient, inconclusive or out of date supporting evidence, including survey conducted in 2008 and low numbers of other enforcement actions/prosecutions
- Accreditation would better achieve objectives
- Advocate use of existing powers
- Object to the proposed removal of the “surveyor route”

Residential Landlords Association (oppose)

- Flawed consultation as insufficient evidence provided
- Income generating scheme only
- Council already has adequate powers, which it should use
- Objectives need to be defined and how effectiveness will be monitored
- Training of landlords needs to be addressed
- Discount should be offered for members of landlord associations
- Inappropriate phasing
- Suggest opportunity to comment on later phases based on early experience

Chair of the local branch of Southern Landlords Association (opposes)

- Disproportionate
- Problem over-exaggerated due to vexatious complainants
- Flawed consultation
- Requirements for additional licensing not met in Southampton
- Housing conditions have changed since the 2008 survey, demand has increased due to the recession and university tuition fees and will be subject to further change due to welfare benefit changes
- Minimal enforcement action taken by the Council
- Existing powers should be used more vigorously, including Interim Management Orders
- If implemented, support “chartered surveyor route”
- A vibrant market is the best way to improve standards
- Licensing has not worked in Northern Ireland and this has adversely affected relationships between regulators and landlords
- Welfare benefit changes will result in additional supply pressures
- Better landlords will leave the market

Member of the Executive Committee of the Southern Landlords Association (opposes)

- Agreement should have been reached with SLA prior to public consultation, in recognition of previous effective partnership working
- Object to proposed withdrawal of surveyor route for property condition reports, as this benefits all parties
- Objection to not using the Local Government Association’s spreadsheet to calculate the proposed licensing fees (resulting in a significant and disproportionate increase)

HMO licensing consultation response

- Failure to consult on HMO amenity standards, which should take place and should not lead to “gold-plated” standards that increase rents
- The proposed scheme does not satisfy legal requirements, leaving the council open to legal challenge, which would be costly
- Danger that HMOs would be lost, increasing homelessness
- Licensing in Northern Ireland since 2004 and in Southampton since 2006 have been ineffective
- The additional licensing scheme in Oxford has only been in operation for a short time and should be evaluated prior to implementation in Southampton
- Improvements in HMOs are driven by the market and intervening in the market may disrupt this
- The sanction for dealing with landlords who cannot be licensed (Interim Management Orders) is ineffective and costly
- The council should use other, existing powers
- Licensing is excessively bureaucratic
- Existing arrangements for proactively targeting problem properties have not been implemented as envisaged
- The survey completed in 2008 is too out of date to be relied on, but in any case shows that standards in HMOs and non-HMOs are comparable and the private rented sector has less disrepair than the owner occupied sector
- Conditions have improved, as insulation has been fitted through grant schemes
- The ENTEC report “Fire Risk in HMOs” states certain shared houses are safer than properties occupied by a single household
- Council officers would not be properly trained or have sufficient experience to survey properties
- If approved, implementation of the scheme should be delayed
- The current mandatory licence application form should be retained
- A new large-scale stock condition survey should be carried out
- If approved, the scheme should be limited to the central and northern wards, not to the West and East of the city, where there are few HMOs
- HMOs with three people should be excluded from the proposals
- The Article 4 Direction should be repealed

Local builders and property management company (oppose)

- Conditions for licensing unmet
- Existing powers are sufficient and should be used
- Support RICS approved surveyors
- Increase in fees unjustified
- Supply of shared housing will be reduced, increasing rents

Private landlord (opposes)

- Unnecessary additional administration will not benefit landlords or tenants

HMO licensing consultation response

- Council should focus on other priorities and, in particular, economic development
- Standards can be improved by promoting the concept of “willing tenant, willing landlord” – tenants can choose to leave
- Use existing powers to investigate and deal with complaints
- No emphasis on “rogue tenants” and over-zealous, uncooperative council officers
- Empire building – concern costs and scope will increase

Friends of the Seven Streets Residents Association (support)

- Southampton has a high number of HMOs, clustered in certain areas of the city, and a significant proportion of these (42.7%) are not decent
- The poor condition of boundary walls and gardens, along with waste and other issues, has adversely affected the appearance and cohesion of neighbourhoods, with residents feeling disempowered
- The proposals will lead to landlords and tenants demonstrating an investment in and commitment to the areas in which HMOs are located
- Conditions will be improved for vulnerable, young and inexperienced tenants
- Support the proposal for the scheme to be funded by HMO landlords
- Voluntary accreditation is not considered to be a suitable alternative, as only the best landlords take part and even then self-certification has not worked with the SASSH scheme for student properties

Southampton University Students Union (qualified support)

- Overall, the proposals will help to ensure a large stock of high-quality HMOs in the city
- Sufficient frontline staff should be employed to ensure inspections are carried out regularly
- Concerned that the council will continue to fail to act swiftly when complaints about poor housing are made
- Lack of information about use of existing enforcement powers
- System of checking landlords are “fit and proper” must be robust
- Additional evidence needed to demonstrate how the proposals will reduce crime and anti social behaviour

Parent of a student renting privately in Southampton (support)

- Scheme must be adequately resourced to enable effective monitoring
- Scheme must be widely publicised
- Needed to improve quality of rented accommodation, which at the lower end of the market is “dreadful”

6. RESULTS FROM COMMUNITY MEETINGS

Notes from the Consultation event for extending HMO Licensing

Held at: Highfield Church Hall, Portswood.
Date: 3rd October 2012
Time: 5 until 8pm
SCC: Paul Juan, Claire Roberts, Deborah Vincent and Janet Hawkins
Attendees: 25 across the evening (members of the public including Cllr Vinson)

There were two presentations made and this generated much discussion and questions.

- Query about the definition of HMO, what if a Mum and Dad and their child lived in a property, would that count?
- Concern that the scheme will be relying on the honesty of Landlords coming forward to apply for a license.
- Does a landlord owning a property in the year 5 group automatically obtain C4 rights under the planning legislation?
- Query about planning appeals and housing legislation appeals, which decisions would take precedence?
- Are planning and housing definitions of HMO still different?
- Concern was raised about the costs of a license being passed onto students and their rents rising.
- Concern about being able to get to all properties to check if an HMO.
- Concern that 'good' landlords will make applications and 'rogue' landlords will not come forward.
- Query about how the additional powers will find properties where previous schemes have not worked for example registration and Mandatory Licensing.
- Concern raised about the funding of the scheme (for additional posts) are really just to provide extra income into the council on a 'nebulous premise'.
- Comment from a landlord who welcomed the scheme as would want her and her friend's children and grandchildren to live in safe rented housing.
- Comment that SCC and the Police are just passing their responsibilities and legal requirements (in terms of ASB) onto property owners.
- Comments made about the variable standard of letting agents, some are very good others less so.
- Concern raised about deposits for some tenants not being returned, suggested that membership of rent deposit scheme be included as a license condition.
- Comment made about students renting for the first time can be very naïve and don't always access advice and information from student unions.
- Reassurance sought from one person that the money would be spent on delivering HMO licensing not other SCC work.
- Query about why additional powers were needed as SCC already has powers to require the improvement of PRS home, why are they not using them?

HMO licensing consultation response

- Query about overcrowding in properties and who would be responsible for policing the number of people in a property and ultimately face prosecution?
- Query about what the sanctions would be for non compliance i.e. failing to make an application for a license.
- Concern about the changes to the Housing Benefit system and changes in the rules and the likely increase in the number of tenants of this type of housing.
- Query from a tenant who house shares with 2 other professionals whose experience was that they looked at and found ideal properties only to be told by the letting agents that they were not able to rent them because the owners were not going to be applying for a licence.

Notes from the Consultation event for extending HMO Licensing

Held at: Central Baptist Church
Date: 16th October 2012
Time: 10 until 8pm
SCC: Paul Juan, Claire Roberts, Deborah Vincent and Janet Hawkins
Attendees: variable across the day, around 12 all together excluding all Street Cred team briefed about the proposals prior to visiting remaining properties in the Polygon area.

There were 2 presentations scheduled for 4.00pm and 6.30pm however, the second did not take place as there was no one in the audience and the 4.00pm was only attended by 3 residents.

Residents were able to come any time between 10am and 8pm.

Discussion from the presentation and on an individual basis across the day:

Local resident from Kenilworth Road

- Supportive of the scheme
- Concerned about not being able to sell their property due to the planning restrictions (ratios of HMO and families perceived not to want to live there and HMO owners not able to convert so also will not want to buy)
- Has had experience of some good landlords i.e. they respond to issues positively.
- Wants to see the area improved and landlords take responsibility for their properties and tenants.

Local resident from Morris Road

- Very concerned about the planning changes that have been introduced due to fear of not being able to sell her home or if next door neighbour dies what would happen to that property, could it be converted into a student house without planning permission?
- Supportive of aims to improve the safety standard through licensing.

HMO licensing consultation response

- Has had to call the Police about incidents of ASB in the street outside property and has been troubled by noise from amplified music on several occasions over a number of years.
- Expressed a view that the improvement of these homes may increase the property values and rents and this would impact on the affordability of students to rent in the area, they may then go back to family homes?
- Poor student image is an issue.
- Believes that the universities have a role to play as well as landlords.

Other comments

- Recommend put notices in Sainsbury's (Portswood) and Libraries and in schools as area is overlooked, there are many HMO's in Lodge Road, Earls Road and Spear Road
- Issues with students queuing outside nightclubs and there are noise issues with going in and coming out.
- Issues with student areas, parties re ongoing, at one house one night and two doors down the next night etc.
- Some residents think that the area is like a student ghetto with no community feel
- Local residents re unable to sell, feeling vulnerable.
- Gardens are often unusable in the summer.
- Feel that there are 90% HMO in the Polygon area.
- Had problems with the Licensing panel and putting evidence across that people are moving from pubs to clubs and this has been recorded (video) but still not taken seriously.
- When asking tenants to quieten down at night they generally do but other areas with large gardens have parties ongoing all night and are sometimes not as responsive.
- Query about if planning is required for a 7 bed roomed HMO?
- Query if the number of HMO's is accurate as query if not nearer to 10,000 rather than 6,500 (across the city).
- Query about how SCC would go about finding out properties that are an HMO?
- Comment that some landlords would not want to have their details made available on a public register that could be accessed by HMRC.
- Question about if the scheme has been costed to ensure that it is deliverable?
- Comment that the fee is not high enough and should be linked to inflation to ensure that it can cover costs i.e. salary costs.
- Comment that we should maybe consider setting an annual fee instead?
- Question about the Council being able to remove a licence if the landlord is found after granting one to be not 'fit and proper'.
- Need to ensure that for any properties where a license is revoked that any tenants are not able to go onto the Housing Register as it is already under big pressure.
- Need to have a good system for fining and taking prosecutions for non compliance.
- Issues in the area with letting boards and the length of time they are up for.

HMO licensing consultation response

- Comment that sometimes the letting boards are useful as they provide the contact details of the managing agents if there are issues in the property.
- Concern about the standard of work/work quality accepted by landlords and would this be covered through licensing?
- Comment made that it is a short timescale for delivery.
- It would be a terrific improvement if the scheme is successful, good for tenants and residents
- Comment made that there are some good landlords and landlady's who are responsive and deal with issues that arise.
- Concern that some ASB cannot be controlled by landlords/landlady's in very difficult problem properties i.e. drug dealing/noise etc.
- Query if tenancy agreements are robust enough to solve problem tenants i.e. seeking possession if tenants do not abide by their requirements, what legally is there that can be done by the relevant bodies if they do not comply with tenancy agreements?
- Query about the effectiveness of the universities in resolving issues.
- Fear that some tenants are aware of their rights and some landlords are fearful of them.
- Eviction process can take a long time and cost money and so can make prohibitive?
- Query made about not putting a name and address on the consultation questionnaire could make the process open to abuse and there could be fraudulent submissions.
- Query about what other Local authorities are doing with additional licensing.
- Some residents do not have an issue with the students but with the property owners.
- In one part of the city there has been a community response to the issues of poorly maintained properties by having a Garden Gorilla scheme where they have completed work in HMO gardens to improve their appearance.
- The same part of the city also have a meet the street event at the start of every term and they then find it easier to approach students with issues such as noise.
- One resident commented that they would prefer to see Highfield included sooner rather than in year 2.
- Difficult to make comments about the fee levels but £500 would appear not to be very high for a 5 year licence.
- Question about the council being permitted to put the landlords email address on the public register?

Comments from a resident of Hill Lane and a local business owner

- License fee should be staggered as it will directly be passed onto tenants and 3 tenants would have to pay more than 6.
- Lets a property to an agent who sublets to 4 people, who would be responsible for applying for a license?
- Switching between family lets and letting to three people, how would this affect any license issued?
- What timescale would licenses need to be applied for?

HMO licensing consultation response

- Query if landlords would put up the rents immediately (need to check Oxford for their experience)
- Could base the fee on Council Tax banding as a sliding scale.
- Main problems:
 1. ASB poor education of tenants for consideration.
 2. litter
 3. Mattresses etc. dumped at the end of each year. Charge should be levied. Think that students are furnishing their own flat as a possibility.
 4. Rubbish collections are not sufficient and more bins are not the solution as the pavements are full. SCC should have an increased number of collections where it is necessary and a levy should be applied on student accommodation to pay for this.
 5. Do need a policing of issues heavily to start with to control and instil behaviour.
 6. Council has lost control of drinking policies and have allowed too many licensed properties selling alcohol and should stop giving licenses.
- Follow up years will also need to take on enforcement in previous years areas to ensure that any new HMO's are captured.

7. STREET CRED EVENT

Street Cred is an ongoing initiative involving council services and other agencies, such as the police and fire and rescue service. Small areas of the city are targeted for advice, information and, where necessary, enforcement action. These events, which typically last a day, have a focus on HMOs, crime and the environment.

Almost 800 properties in the Polygon area were visited by council officers and the police over three days in October 2012. The Blue Lamp Trust was also available to improve security, where appropriate.

The main focus of the event was to give students at the start of the academic year information about council services, such as arrangements for collecting waste and recycling, to encourage residents in the Polygon to show respect for neighbours by giving advice about how noise problems can be avoided and how they are dealt with, to give crime prevention advice and to collect information about property conditions.

Information was given out about the proposals to extend HMO licensing in Southampton and all residents, including students, were encouraged to fill in a questionnaire or to attend the public meeting. This information was included in a pack, which was left at properties when no-one was at home.

8. THE COUNCIL'S RESPONSE TO THE MAIN ISSUES RAISED DURING THE CONSULTATION

This section sets out the Council's response to the key issues that were most frequently highlighted in consultation responses.

- *The objectives for Additional Licensing need to be clearly defined*

The proposed scheme is designed to meet the following objectives:

- Keep occupants safe by ensuring the effective management of all HMOs
 - Improve living conditions by ensuring that appropriate facilities are provided
 - Improve housing standards and maintenance within HMOs, with a particular emphasis on security, fire safety and thermal comfort
 - Ensure that landlords exercise appropriate management and supervision of their properties to help reduce any adverse impact of HMOs on the neighbourhood and local communities
 - Build on and expand existing partnerships with landlords, managing agents, tenants, universities, community groups and others
 - Encourage and support owners and managing agents of HMOs to work proactively with the Council to achieve clearly defined standards and effective management
 - Facilitate stable and integrated communities through policy and the proactive targeting of risk-based and proportionate interventions
 - Reduce the number of complaints about HMOs received by the Council and its partners, such as universities and the fire service
 - Have no adverse effect on homelessness in the city
 - Ensure there is not an increase in the number of empty properties
- *The consultation was flawed*

All three Landlords Associations that responded considered that the consultation failed to meet the requirements set out in the Housing Act 2004 and associated guidance.

The Council's view is that the legal requirements to consult, as set out in detail in section 2 above, have been either met in full or exceeded by the approach detailed in section 3.

For example, consultation took place for a period of twelve weeks, which is in excess of the ten weeks required. The Council considers that it took "all reasonable steps to consult persons who are likely to be affected by the designation". The consultation was well publicised and information was available on the Council's website, was hand delivered to nearly 800

HMO licensing consultation response

properties, 350 letters were sent out to landlords and residents' associations and presentations were given at two landlords forums and three community meetings. In addition, meetings were held with other stakeholders, including the Private Rented Accommodation Forum, which includes housing agencies.

Consultation documents included a letter, a plain English guide setting out the proposals and their benefits, a questionnaire and a technical appendix could be downloaded from the Council's website. The Cabinet report authorising the consultation also contained additional information that was available on the Council's website.

Respondents had an opportunity to comment on the proposals in different ways, which have all been taken into account. These include – the questionnaire responses and comments; detailed written submissions; and comments made at landlords' forums, community and stakeholder meetings.

The Council has significantly amended its proposals in view of the consultation responses received and has published the results of the consultation.

- *The proposed scheme would be untargeted and would fail to meet the requirements for Additional Licensing set out in the Housing Act 2004*

In the light of consultation comments and following a further analysis of the information available on the number, condition and management of HMOs in Southampton, the proposals have been revised. It is now proposed that the four wards that make up the central and northern spine of the city, with the highest concentrations of HMOs, will comprise an initial designation.

The revised proposal reflects a more targeted approach advocated by some consultees and in the four wards proposed there is strong evidence that a significant proportion of the HMOs of that description in the area are being managed significantly ineffectively as to give rise, or to be likely to give rise, to one or more problems either for those occupying the HMOs or for members of the public. This is the key legal test contained in section 56(2) of the Housing Act 2004.

The Council is committed to evaluating the success of Additional Licensing in these four wards before making a decision on whether it would be effective in tackling problems associated with HMOs in other areas of the city, or across the entire city. A further consultation will be carried out, as appropriate, to inform any decision on whether to make any additional designations. The Residential Landlords Association in particular commented that this should be done.

- *Evidence base is out of date*

The Council completed a large-scale survey of housing conditions in privately owned and rented properties in 2008. This included a specific

report into conditions in HMOs, which has been taken into account. There are currently no plans to carry out a new survey and this is no longer recommended in government guidance.

The initial findings from the 2011 Census show that the size of the private rented sector has not changed significantly since the 2008 survey. Other sources of evidence, such as a record of the complaints that the council receives about HMOs have been considered, along with information on crime, anti social behaviour and fire.

The technical appendix containing a summary of the evidence has been updated with further information that was collected during the consultation period itself and this has been published separately.

Further details on the available evidence are given in section 9 below.

The Council considers that it is reasonable to rely on the evidence from the survey conducted in 2008, as this has been corroborated by more recent work and the initial findings from the 2011 Census.

- *Insufficient consideration of other courses of action – use of existing powers and, or, accreditation would better achieve the scheme’s objectives*

It is legal requirement that other courses of action are considered before designating an area as being subject to Additional Licensing and this has been considered in detail by an HMO Licensing Board established by the Council for this purpose. Various options have been evaluated and the outcome is summarised in the updated technical appendix, which has been published separately.

The Council disagrees that other courses of action would be more effective in dealing with the problems associated with HMOs in the designated area. Additional licensing would allow the Council to have a comprehensive approach to tackling problems, as it would have a complete database of properties, which would all be inspected during the period of the licence. The Council would have the ability to set specific licence conditions and to regulate those conditions, which would improve the management of HMOs where needed.

Crucially, the Council would have sufficient resources to regulate HMOs in the designated area, as the scheme would fund the staff required to inspect properties, ensure that licence conditions are complied with and take appropriate enforcement action swiftly, where necessary.

The Council has supported a voluntary accreditation scheme for HMOs occupied by students but remains unconvinced that accreditation provides an effective solution to improve management and conditions of properties in the worst condition. It is considered unlikely that non-compliant landlords will agree to join an accreditation scheme and, in any case, self-certification has not worked for the student scheme, where there are very

high failure rates when properties are inspected.

Some respondents have stated that existing mandatory licensing of HMOs has not worked and so additional licensing is also unlikely to work. Mandatory licensing applies only to an estimated 470 properties in Southampton, of which about 400 have been licensed. The vast majority of HMOs are not currently subject to any licensing requirements, including the estimated 4,500 properties in the four wards that form part of the revised proposal for the initial designation.

The Council's view is that its ability to license these properties, to ensure that an inspection is carried out to identify and deal with serious hazards, to ensure managers are "fit and proper" and to set and enforce licence conditions, will significantly improve standards in HMOs. In parts of the designated area, there would be whole streets of licensed HMOs, which would be patrolled by designated City Patrol Officers or HMO Wardens. The Council would have the legal resources, funded through the scheme, to support legal action where necessary to ensure minimum management and property condition standards are met.

- *Additional costs would drive landlords out of the market, would increase rents and homelessness*

The Council disagrees that the revised proposals to extend HMO licensing would have an adverse effect on the private rental market in Southampton and considers that the market will continue to be driven by a strong demand for HMO accommodation in the city.

The additional costs are considered to be reasonable and proportionate and, even if passed on in their entirety to tenants, are unlikely to result in any significant increase in rents. The Council considers that if landlords do chose to pass on the additional cost to tenants, then this is a price worth paying to improve standards in the sector overall and to live in a property that has been quality assured through the licensing process.

The Council is sensitive to the potential impact on homelessness and this will be kept under review by the HMO Licensing Board. Housing Agencies and the Council's Housing Needs Teams discussed this issue at a meeting of Southampton's Private Rented Accommodation Forum. It was acknowledged that agencies would be reassured by the fact that licensed properties would be verified as having attained a minimum standard for property conditions and management and this would assist when supporting vulnerable people seeking to rent privately.

An initial evaluation of Oxford City Council's Additional Licensing Scheme has not shown any adverse impacts on homelessness or rents. This is because other factors in the market influence rents, principally the number of first time buyers who rent because they cannot afford to buy. Although some HMO landlords chose to leave the market, their properties have been bought by other HMO landlords, so supply of this type of accommodation has not been reduced.

However, the impact of licensing on standards within HMOs in Oxford is significant. The decision to inspect every HMO prior to issuing a licence has proven valuable with very few HMOs being found to be fully compliant with national minimum standards. The House Condition Survey of 2005 estimated that 70% of Oxford's HMOs were non-compliant, but to date, over 90% of HMOs inspected there have required additional conditions on the licence to secure compliance. The primary cause for additional licence conditions is improving fire precautions to the minimum standards required by national guidance.

- *Comments about how the scheme would be run – concerns that it would be unnecessarily bureaucratic, that the “surveyor route” would be removed, that additional information would be required as part of the application process and that the costs would not be calculated fairly*

The Council aims for the proposed scheme to be administered as efficiently as possible and will build on the progress made with the mandatory scheme to make it streamlined and “business-friendly”.

Comments about the proposed removal of the “surveyor route”, where landlords are able to commission their own survey from an approved, independent surveyor, are accepted and the proposals have been amended to retain licence applicants’ ability to do this for a reduced fee.

The proposed fees have been calculated by the Council’s finance team and will be set at a level that is reasonably expected to cover the costs of providing the service based on estimated officer time and associated costs involved in processing the applications, inspections, monitoring and enforcement as well as relevant overheads. A higher or “penalty fee” is proposed for non-compliant landlords, in common with the current mandatory licensing scheme. Taking into account comments made during the consultation, a sliding scale of fees is proposed, with lower fees for properties occupied by three or four people.

Section 63(3) of the Housing Act 2004 states that the Council, “may, in particular, require the application [for an HMO licence] to be accompanied by a fee fixed by the authority.” No Regulations have been made under the Housing Act 2004 that specify the maximum fees that are to be charged. However, section 63(7) of the Housing Act 2004 will be complied with:

“When fixing fees under this section, the local housing authority may (subject to any regulations made under subsection (5)) take into account—
(a) all costs incurred by the authority in carrying out their functions under this Part, and
(b) all costs incurred by them in carrying out their functions under Chapter 1 of Part 4 in relation to HMOs (so far as they are not recoverable under or by virtue of any provision of that Chapter).”

The Council proposes to consult with interested parties on any revisions required to its HMO amenity standards.

9. DETAILED FEEDBACK TO SUMMARY COMMENTS SUBMITTED BY SOUTHERN LANDLORDS ASSOCIATION

Southern Landlords' Association's view	Southampton City Council's response
<ul style="list-style-type: none"><li data-bbox="231 405 794 448">• Not lawful <p data-bbox="231 481 794 627">It is our view that the requirements of the Housing Act 2004 have not been met by the proposed scheme, and that it is therefore unlawful.</p>	<p data-bbox="794 405 1361 627">The revised proposal to designate Bargate, Bevois, Portswood and Swaythling wards as being subject to additional licensing meets all of the requirements of sections 56 and 57 of the Housing Act 2004.</p> <p data-bbox="794 660 1361 963">In particular, the authority considers that a significant proportion of HMOs in those wards are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public [section 56(2)].</p> <p data-bbox="794 996 1361 1220">The authority has taken reasonable steps to consult persons who are likely to be affected by the designation and have considered representations made in accordance with the consultation [section 56(3)].</p> <p data-bbox="794 1254 1361 1601">The proposal is consistent with the authority's overall housing strategy [section 57(2)] and the authority will continue to seek to adopt a coordinated approach in connection with dealing with homelessness, empty properties and anti social behaviour [section 57(3)] through its HMO Licensing Board.</p> <p data-bbox="794 1635 1361 1836">The authority has considered other options available to it [section 57(4)(a)] and a summary of this Options Appraisal will be published in an updated HMO Licensing Report.</p> <p data-bbox="794 1870 1361 2058">The authority considers that making the designation will significantly assist them to deal with the problems identified with HMOs in the designated area [section 57(4)(b)].</p>

Southern Landlords' Association's view

- **Existing licensing hasn't worked**

Licensing and registration have been in operation in the Polygon and Freemantle since 1997. Almost nobody believes that this has made any difference whatsoever.

Southampton City Council's response

These schemes have not had the reach that the proposed Additional Licensing Scheme would have in the designated area.

The Polygon and Freemantle Registration scheme was a notification scheme and although approximately 800 properties were registered through the scheme, its coverage was hindered by the decision made in the landmark Sheffield City Council v Barnes case in 1995, which determined that students living in a property on a single tenancy agreement was not an HMO in law. (The Housing Act 2004 introduced a new definition of an HMO which now includes properties let in this way.) Landlords paid a fee of £40 to register their properties and the council did not have the ability to apply licence conditions nor the resources to complete a full survey of registered properties.

Mandatory licensing of HMOs introduced in 2006 by the Housing Act 2004 applies only to an estimated 470 properties in Southampton. The proposed scheme will have comprehensive coverage of HMOs in the designated area, which will enable the council to deal more robustly and effectively with problems associated with HMOs by inspecting them and setting and enforcing licence conditions. This would include specific patrols of areas with high densities of HMOs, which would all require a licence.

The proposed scheme will give the council sufficient resources to ensure that management and property standards meet the required levels. Mandatory licensing alone is not considered sufficient to achieve this.

Southern Landlords' Association's view

- **In 2007 CLG refused Southampton permission to go ahead with an additional licensing scheme**

The same evidence base as before is necessary, however, and the same detail as before is missing.

- **So many perceived problems – so few prosecutions**

We are told that there are many problems but over the years the council has decided that almost none of these problems are serious enough to prosecute. This strongly suggests that the problems now reported are exaggerated.

Southampton City Council's response

No application has been made by the council at any time to the Secretary of State or to the Department for Communities and Local Government for permission to go ahead with an additional licensing scheme.

Such permission is no longer necessary, following a General Approval issued in 2010, subject to a consultation with interested persons lasting not less than ten weeks (the council's consultation on the proposals took place for 12 weeks).

The council acknowledges that there have been too few prosecutions.

Its enforcement policy states that the council will work with landlords to secure improvements to management and conditions wherever possible and council interventions have secured some significant improvements in individual properties in this way.

The council is currently prosecuting a landlord for serious breaches of the Housing Act 2004. The landlord pleaded "not guilty" to these offences at a hearing on 17 January 2013 and the matter will proceed to a full hearing in March 2013.

A significant advantage of the proposed scheme is that it will fund a dedicated solicitor to work alongside Environmental Health staff which will enable the worst cases of poor management and conditions to be prosecuted swiftly.

Southern Landlords' Association's view

Southampton City Council's response

- **Counterproductive**

Licensing 7,000 properties will be a massive box ticking exercise and a distraction from targeting bad properties, bad tenants and bad landlords. Result: rogue landlords will be able to get away with unfit properties for longer periods and more tenants will be able to engage in anti social behaviour and remain unchallenged.

The council disagrees that the proposals will be counterproductive, but acknowledges that the scheme should deal with compliant landlords as swiftly and effectively as possible whilst focussing its enforcement resources on criminal landlords.

Where properties are identified as having serious failures of management or conditions, they will be passed to an enforcement contingent that will deal with the issues robustly.

Requiring all HMOs in an area to be licensed will make it easier to identify individual problem properties and, crucially, the scheme will give the council the resources it needs to effectively regulate this sector.

Discovering less responsible landlords is not easy because some tenants are worried about eviction and will not make a complaint, or do not know that they are able to make a complaint. Proactive licensing should resolve this.

- **Information base used to justify action is out of date (2008 Housing Survey)**

The most common reason (65.6%) for a 'category 1' (major) hazard in HMO is fire risk. Fire safety standard was based upon LACORS guidance which was published *weeks* before the survey fieldwork. *Implementation of this standard is now very high and a new survey would show this to be the case.*

The council considers that it is reasonable to use information obtained as part of its large-scale sample survey of privately owned and rented housing in Southampton carried out in 2008. There are currently no plans to repeat a survey of this nature.

Information recently published as part of the 2011 Census suggests that the size of the private rented sector has remained relatively constant since 2008. The Census reported that 24.9% of households rent privately, compared with a figure of 24% in the 2008 survey.

Southern Landlords' Association's view

- **Information base used to justify action is out of date (2008 Housing Survey)**

(continued)

Southampton City Council's response

Surveyors in 2008 took into account the requirements of the LACORS guidance, which adopts a risk-based approach to fire safety standards, which is consistent with the use of the Housing Health and Safety Rating System.

The council acknowledges that landlords of HMOs licensed under the mandatory scheme have worked with the council and Hampshire Fire and Rescue Service, where applicable, to ensure that the requirements contained in the LACORS guidance are met.

However, an analysis of service requests received by the Environmental Health Housing Team between 3 September and 26 November 2012 shows that the most commonly identified category 1 hazard in HMOs is still fire safety (54% of category 1 hazards identified – 14 out of 26).

The survey carried out in 2008 estimated that an average of 89% of HMOs failed to comply with HMO management regulations. In HMOs, during the period between 3 September and 26 November 2012, the Environmental Health Housing team identified 42 breaches of the regulation requiring a manager to take safety measures, 45 breaches of the regulation requiring a manager to maintain common parts, fixtures, fittings and appliances and 28 breaches of the regulation requiring a manager to maintain living accommodation.

The council considers that there is sufficient evidence, taking into account the 2008 survey and other sources, to satisfy the test contained in section 56(2) of the Housing Act

Southern Landlords' Association's view

- **Information base used to justify action is out of date (2008 Housing Survey)**

(continued)

- **Licensing does not tackle anti-social behaviour**

The vast majority of anti-social behaviour is neither committed on or near the curtilage of HMOs. Only more strenuous enforcement of existing legislation can tackle this problem.

Southampton City Council's response

2004, that a significant proportion of HMOs in those wards are being managed sufficiently ineffectively as to give rise, or to be likely to give rise, to one or more particular problems either for those occupying the HMOs or for members of the public.

HMO licensing is considered a useful tool to help deal with anti social behaviour. For example, licence conditions can require a landlord to issue a code of conduct for tenants. A disproportionately high number of complaints about noise nuisance in HMOs are currently investigated by the council's daytime and out of hours noise service.

A comprehensive database of licensed HMOs in the designated area will assist the council with taking appropriate action using existing powers, for example using the Environmental Protection Act 1990 as amended and the Management of Houses in Multiple Occupation (England) Regulations 2006, which place duties on both managers and tenants.

This database can also be used to effectively target advice and information to landlords and tenants on noise and anti social behaviour issues.

The council will have additional resources, funded through the proposed licensing scheme, to deal with allegations of anti social behaviour associated with HMOs. The council's City Patrol, will focus on licensed HMOs and will include an additional member of staff for this purpose, funded by the scheme.

Southern Landlords' Association's view

- **Bournemouth City Council decides additional licensing is not the solution**

Bournemouth have decided after consultation and 'lessons from other local authorities' that additional licensing is not the answer and will instead use more strenuous enforcement of existing legislation coupled with a voluntary accreditation scheme with a code of conduct.

Southampton City Council's response

Any decision to implement an additional licensing scheme has to be determined according to local circumstances and taking into account the results of consultation.

It would not be appropriate for Southampton City Council to critique Bournemouth's approach and decision on this matter.

The council operates a voluntary accreditation scheme for student accommodation (SASSH) in partnership with the universities and other agencies. Staff from the Environmental Health Housing Team carry out checks of 5% of accredited properties each year to determine whether the advertised standards are being met. For the academic year 2011/12, only one of the 24 properties inspected was deemed to meet the standards, as declared by the landlord.

Brighton and Hove City Council decided to implement an additional licensing scheme in five wards from 5 November 2012 for a period of five years, which requires all HMOs in those areas to be licensed. In many ways the problems faced in Brighton and Hove are similar to those faced in Southampton.

Oxford City Council has successfully implemented a scheme covering the entire city, which, following a recent evaluation, has not adversely affected rent levels, housing supply or homelessness.

More strenuous enforcement of existing legislation will only be possible in Southampton with additional staff funded through the proposed scheme.

Southern Landlords' Association's view

- **Proposed alterations to the Mandatory HMO Licensing Scheme for properties of three storeys or more are very unwelcome.**

In particular, abolition of the 'Chartered Surveyor Route' is a backward step. It means that properties which **had** to be free of hazards and disrepair **before** a Licence was granted (as confirmed by a Council approved Chartered Surveyor) would now have to be granted a licence even if there were significant hazards or disrepair present. As a consequence of this the Licence would be granted anyway, merely with conditions requiring problems to be rectified by some specified time in the future. This means that tenants will be required to live in a potentially unsafe property for a not insignificant period of time after it becomes licensed. In addition to this, property inspections would not now be carried out by a Chartered Surveyor with many years of qualifications and training to inform their findings, but instead by Council Officers, potentially with no background or experience in housing issues other than having attended a two day course on the Housing Health and Safety Rating System.

Southampton City Council's response

The council has taken on board the comments made about this and the revised proposal retains a landlord's ability to submit a report from an approved, independent surveyor as part of their licence application. It is the council's intention to inspect as many properties as possible prior to the issue of a licence, although it accepts that this may not always be possible, in which case it will adopt a risk-based approach. The legal requirement is to determine that a property is free from category 1 hazards during the life of the licence.

The council acknowledges the contribution that independent surveyors can make to delivering a successful licensing scheme, although there is currently limited capacity for this, as only two surveyors are currently approved for this purpose, although the number is expected to increase. The council acknowledges that some landlords value the ability to commission their own survey as part of a programmed approach to property improvement and maintenance.

All council staff undertaking licensing surveys will have the appropriate skills, knowledge and experience required and complex properties or those requiring enforcement action will be allocated to the most experienced officers. Systems and management controls will be in place to ensure staff adopt a consistent, risk-based and proportionate approach. The use of independent surveyors will continue to be subject to safeguards and, in all cases, the ultimate responsibility for ensuring the property is safe and well-managed rests with the licence holder.

CONSULTATION ON PROPOSALS TO EXTEND LICENSING OF HOUSES IN MULTIPLE OCCUPATION (HMOs) IN SOUTHAMPTON

Please read the consultation proposal document prior to completing the questionnaire.

The information collected will only be used for HMO Licensing Consultation.

Please tick the appropriate box or comment as appropriate.

1. Which of the following best describes you?

Resident in Southampton:

- Owner occupier
- Private tenant
- HMO tenant (shared house/bedsits)
- Student
- Other (please state) _____

Business in Southampton:

- Landlord
- Letting / Managing Agent
- Other (please state)

2. Please state your postcode:

Or the area(s) of the City in which your business predominately operates:

3. Below is a list of some of the most complained about issues with HMOs last year, to what extent have each of these affected you?

	A lot	A little	Not at all	Don't know
• Poor external appearance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Noise nuisance, such as parties and loud music	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Dumped rubbish and litter around the properties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Poor internal condition, such as disrepair, dirty, poor maintenance, unsafe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Letting signs / boards up for long periods of time	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. To what extent do you agree with the following?

	Strongly agree	Agree	Disagree	Strongly disagree	Don't know
• Licensing of all HMO landlords would improve Southampton's rented properties	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• The council should use its existing powers, rather than extend its licensing scheme	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Poorly managed HMOs have a negative impact on my neighbourhood	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Well managed HMOs have a positive impact on my neighbourhood	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Only landlords of larger HMO properties should be licensed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• All HMO landlords should be licensed	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• The council should be doing more to tackle issues associated with HMOs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

→ *If you agree or strongly agree what issues should be addressed?*

5. Thinking about the proposals for extending HMO licensing in Southampton:

	Yes	No	Don't know
• Do you agree with the proposals to phase in the scheme over five years?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Do you agree that the scheme should be funded through licence fees, at no cost to the taxpayer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Do you think that the proposals will improve how HMOs are managed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Do you think that the proposals will reduce noise, waste problems and other anti-social behaviour?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Do you think that the proposals will make HMOs safer for tenants?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

6. How do you think the council should help landlords meet their responsibilities?

	Yes	No	Don't know
• Training courses including effective management, fire safety etc.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Voluntary accreditation scheme	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Better access to online information	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Better integration of HMO licensing with other schemes, such as SASSH (Southampton Accreditation for Student Shared Housing)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Other (please state):

7. Please use this space to write any other comments you have about the proposals:

Thank you for completing this questionnaire. Please return to Regulatory Services, Southampton City Council, Floor 5 One Guildhall Square, Southampton, SO14 7FP. Or to hmo@southampton.gov.uk

APPENDIX 3:

PROPOSED HMO LICENSING FEES

SOUTHAMPTON HMO LICENSING SCHEME

		Properties subject to Mandatory Licensing	Properties subject to Additional Licensing
Type of HMO		HMOs occupied by five or more people and with three or more storeys	All HMOs [#]
Scope		City wide	Bargate, Bevois, Portswood and Swaythling wards
Applicable date		1 April 2013	1 July 2013 [%]
Cost of a five year licence	Three occupiers	Not applicable	£300*
	Four occupiers	Not applicable	£400*
	Five or more occupiers	£500*	£500*
Penalty fee for landlords who fail to apply for a licence, fail to provide required documents or fail to permit access etc.		£1,000*	£1,000*
Discount for landlords who submit a survey completed by an approved, independent surveyor with their application		£100*	£100*
Cost of pre-application advice, including a visit		£60 [†]	£60 [†]

Notes

[#] Section 257 HMOs (relating to certain converted blocks of flats) and buildings exempted by Schedule 14 of the Housing Act 2004 do not require a licence – for more information visit www.southampton.gov.uk/hmo or call 023 8083 3006 (option 5)

[%] Applications will be encouraged as follows during the first three years – Bargate Ward in 2013/14, Portswood and Swaythling Wards in 2014/15 and Bevois Ward in 2015/16. Appropriate action will be taken in these areas should landlords fail to apply for a licence.

* These charges are not subject to VAT

[†] Includes VAT at 20%

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DECISION-MAKER:	CABINET		
SUBJECT:	MOBILITY SCOOTER STORAGE POLICY		
DATE OF DECISION:	19 FEBRUARY 2013		
REPORT OF:	CABINET MEMBER FOR HOUSING AND LEISURE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Lee Simmonds	Tel: 023 8083 4472
	E-mail:	lee.simmonds@southampton.gov.uk	
Director	Name:	Dawn Baxendale	Tel: 023 8091 7713
	E-mail:	Dawn.baxendale@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY
NONE

BRIEF SUMMARY

The policy sets out the current situation in terms of the storage of mobility scooters in communal areas of Council housing stock and associated hazards and dangers that such storage can cause.

The policy reinforces the Council’s commitment to enabling older people to keep their independence whilst providing guidance on how and where mobility scooters can be stored and their batteries recharged and gives examples of options that tenants should consider in regard to mobility scooters.

The policy makes clear that the unauthorised storage of mobility scooters causes hazards in housing blocks and as well as being a risk to the health and safety of residents, staff, visitors and emergency personnel, is also a clear breach of the tenancy agreement.

The policy will be implemented over a period of six months during which interim measures will be discussed with Hampshire Fire and Rescue (HFRS), such as scooters all being on side of the corridor, whilst officers work with scooter users/ owners to look at options for individuals.

RECOMMENDATIONS:

- (i) That the policy is adopted.

REASONS FOR REPORT RECOMMENDATIONS

1. More and more people are purchasing mobility scooters to aid their independence as they become older and / or less mobile and the storage of these items in communal areas is a potential hazard especially around fire.
2. The Council is committed to enabling older people to stay independent for as long as possible and recognises that mobility scooters are a key part of this. The Council therefore wanted to ensure that guidance on the storage and recharging of mobility scooters is clear.

3. Hampshire Fire and Rescue have raised concerns that the Council did not have a formal policy in regard to the storage of mobility scooters and were clear that the Council needed to ensure that all communal areas in housing blocks were kept free from obstruction.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. That the situation be managed through reference to the Tenancy Agreement solely as the Tenancy does state that communal areas must be kept clear.
5. Due to the increasing number of older people wishing to purchase scooters, it was felt that a wider policy that includes proactive steps would be of benefit to all.

DETAIL (Including consultation carried out)

6. Southampton City Council is committed to supporting residents who have mobility issues and who wish to utilise scooters to increase their mobility, independence and therefore improve their quality of life.
7. This policy aims to highlight the positive aspects that owning and using a mobility scooter can bring to a person's life whilst also highlighting that the storage and charging of mobility scooters must be accomplished safely for ALL residents, staff and visitors
8. Furthermore, that the Council has a responsibility to protect and preserve the health and safety of all residents living within our accommodation, as well as staff and visitors.
9. In recent years mobility scooters have become increasingly prevalent especially in the Council's housing complexes for people over the age of 60 and higher numbers of scooters are being stored in communal hallways.
10. Currently, the issue of storage in communal areas affects six of the twenty four housing complexes for older people across the City and a recent exercise suggested that there are approximately 50 mobility scooters being stored and charged in communal areas that are not designated for such practices and where efforts would be needed to find alternative storage solutions.
11. In the other nineteen housing complexes, scooters can either be stored in resident's flats due to the accommodation size and layout or there are designated scooter parking and charging areas.
12. A number of these scooters that are currently stored in communal areas are being recharged via extension cables trailing into a person's flat and others from electric plug sockets along the corridors themselves.
13. Both the storage of the scooters and recharging of batteries via extension leads pose hazards in the communal hallways in regard to evacuation routes, access to the building by emergency services in the event of a fire and trip hazards for all users of the corridors.
14. The tenancy agreement and tenants handbook already states that all communal areas should be kept clear and officers could have chosen simply to rely on the tenancy agreement to try and prevent scooters being stored.

15. However, following discussions with the Supported Housing Tenants Forum as well as the Joint Staff and Tenant Working Group, it was felt that it would be difficult for officers to both highlight the positives that owning a mobility scooter can bring to someone's independence whilst preventing inadequate storage by simple reference to the tenancy agreement.
16. During the development of this policy, an article was included in tenants Link highlighting some of the issues around mobility scooters. The article highlighted questions that residents should ask themselves before purchasing one.
17. The article went on to state that a policy on the storage of mobility scooters was being developed and residents were invited to send comments and questions in.
18. It was following these discussions that the development of the wider policy was decided on and is designed to encompass the purchase, safe storage, battery recharging and driving of mobility scooters into one document.
19. Discussion with Hampshire Fire and Rescue took place and their comments are contained within the policy and reference to the Regulatory Reform (Fire Safety) Order 2005. This highlights the Authority's responsibility to keep all "sterile" areas (which includes communal hallways, entranceways etc) clear from hazards.
20. HFRS went on to highlight some of the potential dangers of mobility scooters being stored in communal areas including increased fire loading, potential source of ignition and trip hazards/ obstruction in the event of fire officers needing to enter the building in an emergency of residents needing to be evacuated.
21. HFRS have submitted a paragraph for the report which can be found on Page 5 of the Policy and have agreed for their logo to be used in the publicity of this policy and through the communication strategy that has been proposed.
22. It is recognised that this policy is designed to carefully balance the needs of those residents whose dependence on mobility scooters is key to their ongoing independence with the health and safety of all users of the buildings.
23. Work already carried out by supported housing staff has highlighted that a number of people who have mobility scooters may use them very infrequently or not at all (they may have been given one, they may no longer feel confident on using it etc).
24. Some residents who no longer use their scooter have not disposed of it as they do not know how to.
25. A key element of the policy is to work with all existing owners/ users of scooters to explore options that are available to them, such as storing the scooter in their flat, disposing of the scooter if they no longer using it etc.
26. This exercise proved particularly useful at Manston Court during the refurbishment works where staff were able to work with residents and appropriately reduce the number of scooters being stored from over 25 to 12.

27. This policy covers all aspects of the purchase, storage and driving of mobility scooters in Council property and once implemented should allow officers to manage the safe storage of mobility scooters much more successfully across the City.

RESOURCE IMPLICATIONS

Capital/Revenue

28. The provision of additional Mobility Scooter Storage facilities will be undertaken as part of the Housing Investment Programme for supported housing.

Property/Other

29. This policy will support the Council's ability to meet its obligations for Fire Risk Assessments under the Regulatory Reform (Fire Safety) Order 2005.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

30. Power to take action for non-compliance with this Policy is contained within the Tenancy Agreement and will be only used as a last resort

Other Legal Implications:

31. There is currently no national legal requirements around the ownership or insurance of all types of mobility scooter, however it is understood that this is currently being considered. This policy therefore places the Council in a positive position to respond to any potential future legislation or guidance.
32. The proposals in this report take into account the Council's duties under the Equalities Act 2010 and the need to have 'due regard' to the impact of the proposed policy on any person with protected characteristics. An equalities impact assessment has been undertaken in preparation of this report which sets out the potential impacts on affected groups and the full set of mitigation actions and measures that will be used to mitigate any potential impacts to ensure that the Council's actions are necessary and proportionate having regard to the wider safety concerns created by the inappropriate storage of mobility scooters in communal areas. The Council will work with all residents to identify appropriate solutions to individual needs.

POLICY FRAMEWORK IMPLICATIONS

33. Housing Revenue Account business plan

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	ALL WARDS
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SUPPORTING DOCUMENTATION

Appendices

1.	Draft Mobility Scooter policy
2.	http://www.southampton.gov.uk/Images/Tenants%20link%20Autumn%202012/tcm46-331475.pdf Tenants Link On Line- pg 10 for the article

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

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

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

Title of Background Paper(s)

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

1.	Equality Impact Assessment – Mobility Scooter Storage Policy dated 1st February 2013.	
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SOUTHAMPTON CITY COUNCIL
ENVIRONMENT & ECONOMY DIRECTORATE
TENANCY & ESTATE MANAGEMENT POLICIES

MOBILITY SCOOTERS

REVISION SHEET

Revision Number	Last Review Date	Planned Review Date	Key Changes	Comments
1	12/12/12		New Policy	Presented to Cllr Payne as draft
2	13/01/13		Updated following staff consultation	
3	20/01/13		Update	Presented at CMB for Councillor Approval

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INTRODUCTION

Southampton City Council is committed to delivering high quality services to meet our vision of enabling our customers to achieve the best possible outcomes for themselves, their family and their community.

Southampton City Council supports residents with mobility issues utilising scooters to increase their mobility, independence and therefore improve their quality of life.

This policy provides clarity and guidance on the use and storage of mobility scooters and promotes responsible scooter ownership and use.

Southampton City Council recognises and actively promotes a good quality of life for all residents and that mobility is often a key factor in a person's well being. Residents want to remain independent even when their health or mobility declines and mobility scooters can help in this respect. Without easy means of retaining links with their community, older people are at greater risk of social isolation.

The aims of the policy are:

- To highlight the positive aspects that owning and using a mobility scooter can bring to a person's life whilst also recognising that the storage and charging of mobility scooters must be accomplished safely for ALL residents, staff and visitors
- To protect and preserve the health and safety of all residents living within our accommodation, as well as staff and visitors.
- To ensure that all existing and new residents are aware of the options for scooter storage as well as other sources of information relating to scooter usage and ownership.
- To ensure we support residents in order to maximise their independence and understand their responsibilities as a scooter user.
- To ensure where possible we meet tenant's individual needs by accommodating mobility scooters.
- To support all Housing Staff in the management of scooter related issues.
- To encourage residents to purchase adequate scooter insurance, have their scooters serviced annually and maintain them in good working order.
- To ensure that residents are aware of SCC Housing policy in the event of damage to the building or grounds.
- To ensure residents, Housing staff and other strategic partners are involved in the monitoring and review of the policy.

This policy aims to recognise our residents' lifestyles, expectations and their aspirations in relation to scooter usage. The demographic trends signal very substantial increases in the numbers of older people and an associated rise in mobility vehicle use. Mobility scooters are becoming cheaper in real terms and people are choosing to purchase them as a means of accessing their community.

SCC recognises that the increasing popularity and affordability of owning mobility scooters is creating issues in our buildings, most of which were not originally built to accommodate scooters.

There is a need to identify storage and charging solutions that support the safe use of mobility scooters whilst recognising that different solutions may be necessary in terms of building design, financial considerations and building use.

Hampshire Fire & Rescue Service (HFRS)

Hampshire and Fire Rescue Service fully support this policy. The balance of supporting people to have a full and enjoyable lifestyle is balanced by the need to ensure both personnel and wider public safety to our local population. This policy supports the use of mobility scooters yet highlights issues that need to be addressed in the pursuit of safety. HFRS are clear that the unsafe or hazardous storage of scooters is extremely dangerous to all persons in the event of a fire.

CONSULTATION & COMMUNICATION

Southampton City Council is committed to full consultation in all areas of Housing Policy. However, there are certain areas where, as a responsible landlord, policy decisions have to be taken in line with Health and Safety consideration, legislation and guidance from bodies such as the Fire Service. The safe storage and charging of mobility scooters is one such area.

Discussions have been held with the Supported Housing Tenants Forum as well as the Joint Staff & Tenant Working Group but these have focused around the issues and concerns that we have. At both forums the position of Southampton City Council was that scooters **must not** be stored in communal areas as they are a hazard and that a policy *based* around that central premise would be developed and further discussed.

Communication will now focus on discussing with residents who already own mobility scooters about what options there are for them, placing an emphasis on finding a solution where residents can keep their scooters and maintain their independence wherever possible taking into account other Council policies, plans and resources. The council will also aim ensure that current residents who are thinking of purchasing a scooter understand the Council's policy and identify how best to inform potential residents of this policy.

DEFINING MOBILITY SCOOTERS

There are three types of 'invalid carriage and they are defined in 'The use of Invalid Carriages on Highways Regulations 1988':

Class 1 – Manual Wheelchairs

These wheelchairs are not electrically powered. You use your arms to move the wheelchair forward or you are pushed by another person.

Class 2 - Powered Wheelchairs and Scooters

Legally these scooters can travel up to 6.4kph (4mph) on pavements and are allowed on the road to cross from one side to another. Within the category of class 2 some are more suited to indoor use as they are smaller and more compact.

Class 3 – Powered wheelchairs and other outdoor powered vehicles including scooters.

These vehicles generally have features similar to Class 2 but tend to be larger and can be used on the roads where they can travel up to 12.8kph (8mph). Class 3 vehicle users do not require a driving licence but should obey the Highway Code at all times.

(See Appendix 3 for more detailed information)

LEGISLATION

The Council is committed to meeting its duties under the Equality Act 2010. There is a need to promote the independence of residents and ensure equal access. Understanding and responding to the diverse individual needs of our residents is fundamental to our values in Housing Services.

However, there will be a need to impose restrictions due to lack of storage facilities or potential breaches in health and safety regulations.

Storage of mobility scooters in communal areas such as corridors and community lounges heightens the risk to people in the event of a fire. This might either be a fire caused by the scooter itself or the obstruction caused to other residents as they escape. There is also a risk to emergency services when entering our buildings if communal areas are not kept clear, as highlighted in the HFRS statement earlier in this policy.

A full equalities impact assessment has been carried out and can be found in Appendix 4.

Fire Safety/Risk

The Regulatory Reform Order (Fire) 2005 imposes obligations on the Council as the responsible person for the common parts of buildings to ensure that the emergency routes and exits are clear at all times in order to safeguard the safety of residents. It is an offence for any responsible person to fail to comply with that obligation where that failure places one or more persons at risk of death or serious injury in case of fire. The measures proposed in this policy will assist the Council in discharging its obligations under the Order.

If a communal hallway forms part of the designated means of escape from the building in the event of a fire, it should be kept clear and unobstructed at all times.

Portable Appliances

All mobility scooters should have either a 'CE Mark', product manufacturers' claim that it meets the requirements of European Safety Regulations or the British Standard 'Kitemark'.

All scooters in designated scooter storage areas will be tested on an annual basis. Although the Council will fund this work, any scooter failing the test will have to be repaired within an agreed timescale or the scooter will be removed from the storage area (see Disposal Notice).

Tenancy Agreement; Section 3 Use of the Property

The tenancy agreement already states that communal areas must be kept clear of obstructions and hazards and also that residents can be charged for the costs of putting any breaches of tenancy right, such as the removal and storage of a mobility scooter.

The council has a duty to eliminate potential fire risks or hazards to residents and property. If a tenant breaches the tenancy agreement then the tenant could be asked to remove the mobility scooter from the building permanently. Should the tenant fail to comply then a Notice of Seeking Possession and ultimately repossession proceedings can be commenced.

PURCHASING & HIRING

Before a resident purchases a mobility scooter they must seek guidance from Housing staff. **All tenants will need written permission to have a scooter stored within their property or a designated storage area.**

The allocation of a space within a designated area will take place on a first come/first serve basis. Priority will be given if a request is made on medical grounds with an Occupational Therapist recommendation or if the tenant is in receipt of the mobility element of Disability Living Allowance (Personal Independence Payment from April 2013 for those between 60 and 64 years of age). It will be the responsibility of the resident to provide sufficient evidence to support their request for a space.

If a resident has been given permission to keep a scooter in their home we would recommend the smaller collapsible models which can be easily stored.

No mobility scooter can be stored or charged in any internal communal space unless an area has been specifically designated and set aside for this purpose. The council will continue to seek to provide as many of these areas as possible as part of its housing investment programme.

STORAGE & CHARGING

Inside the resident's accommodation with permission

The resident may be able to store and charge small scooters inside their property, but this is dependent on the layout and whether there is level and wide enough access through communal entrance areas but this is not guaranteed..

If no communal recharging facilities are available to enable recharging inside the resident's property, a suitable socket may need to be installed to recharge the scooter within a resident's own home. The Housing Investment Team should be contacted for advice as to whether or not this is an option.

Any permission granted for the installation of such a socket will specify for the work to be undertaken by a suitably qualified electrician and any work must be funded by the tenant. This will avoid misuse of communal electricity supplies and avoid trailing leads.

It is advisable for the resident to contact HFRS for their comments on the storage of large objects and appropriate charging of such items. SCC staff are able to assist residents in undertaking this advice.

Externally protected by a waterproof cover

This will depend upon there being suitable space immediately outside the resident's accommodation for any scooter to be stationed for recharging and which does not cause an obstruction to others. Any power supply must not cause a trip hazard or raise any other Health and Safety concern and abide by all regulations.

Whilst residents have the choice of a number of covers for a scooter on the market they are of varying weather-tightness and durability. All are likely to give only limited security and protection. SCC are not responsible for any theft/ damage to equipment as a result of this storage option.

In a manufactured scooter store unit

This may be an option for residents in ground floor properties who can afford to purchase a storage unit. Small secure units are available on the market with a built in charging unit. Details can be found on <http://www.site-safe.co.uk>

Residents must have written permission from their local housing office in advance of any storage unit being positioned on Council land. The Council would not normally give permission to run power to external sheds/units due to Health and Safety concerns over trailing leads. If required, scooter batteries could be charged within the resident's own property.

Communal Areas

Mobility scooters cannot be stored or charged in communal areas unless there is already designated scooter storage/charging area. Where there are designated storage areas, residents must comply with Health & Safety

regulations and relevant Building Regulations. Scooters will not be allowed to be charged overnight.

TRAINING

It is advisable for the resident to go on a training course especially if the user is not used to driving. We would recommend that all mobility scooter users undergo training on the usage and control of the scooter they are purchasing, whether a Class 2 or Class 3 scooter.

SPEED LIMITS

Scooters must be ridden safely and in a responsible manner within the building and grounds taking due care and consideration of other people and surroundings. All scooters must be set to the lowest speed setting whilst driven inside. E.g. tortoise

LIFTS

If using a mobility scooter in a lift, users must ensure that they take due care and attention to the property and other lift passengers. Large Class 3 scooters must not be transported in lift due to the difficulty of turning around in a confined space and/or backing out of a lift when arriving at the required floor.

Mobility scooter users should ensure that they can reach the lift call button without their scooter touching the lift doors to prevent any damage to property. If users cannot successfully undertake this action, they must not use their scooter in the lift.

Mobility scooter users should also ensure that they can safely manoeuvre their scooters for lift entry and exit especially on upper floors where there may be open stairwells and landing barriers.

It should be noted that any damage caused to a lift can potentially render it 'out of service' for a period of time. Lifts are sensitive to damage and any small knock can potentially put it out of service. Residents in supported housing accommodation rely heavily on lifts and any period of time that a lift is out of order is likely to cause significant inconvenience to a large number of residents.

INSURANCE

SCC strongly advocates that all scooter users should have adequate insurance to cover against theft, injury to themselves and others, including SCC staff, and also damage to property.

Southampton City Council's tenant contents insurance can cover the above requirements for an additional premium.

There are many companies also offering insurance and advice can be found through the Disability Living Foundation. Reputable insurers can be checked

as they should be registered with the British Insurance Brokers Association – www.biba.org.uk

The comparison websites are also a source of information.

ALTERATIONS & IMPROVEMENTS

Under SCC's Adaptations Policy, an adaptation for a wheelchair/ scooter would only be considered if the person is eligible for an NHS wheelchair and needs to use either a wheelchair or scooter outside.

If such an adaptation is agreed, and permission granted, the storage and safe charging of the scooter remains the responsibility of the tenant of the accommodation in question.

If the resident does not meet the criteria for an NHS wheelchair, the Council will not be responsible for offering any solution for access/storage of the scooter and this will need to be taken into consideration prior to purchase.

Some properties will not be suitable for scooter storage even if a resident is eligible for assistance with adaptations to their property. Any alterations or improvements to a property will need the prior written consent from the Housing Investment Team.

Residents are strongly advised to fully consider storage solutions PRIOR to making any purchase of a powered scooter/wheelchair.

Not all properties are able to have major structural adaptations undertaken due to build and design of the property. Decisions on the structural viability of an adaptation will rest with Housing Investment Team.

ALLOCATIONS AND LETTINGS CONSIDERATIONS

Choice Based Lettings will include information with regards designated scooter areas so that accommodation can be allocated appropriately.

Where permanent adaptations have been made to properties this must be recorded as well as properties where there is no solution.

If, following the implementation of this policy, no adequate scooter storage is available and a current resident with high mobility needs can no longer store their scooter, the tenant may be given additional welfare points to enable them to move to more suitable accommodation. Each case will be considered individually and will be dependant on the individual's circumstances as well as the future of the property that they currently reside in, i.e. whether additional scooter storage and charging is planned.

DISPOSAL OF ITEMS IN A COMMUNAL AREA

The Council as a responsible landlord has an obligation to ensure the safety of its residents and visitors, including Council staff.

The Regulatory Reform Order (Fire) 2005 states it is not acceptable for any items to be left/stored in the communal areas/fire escape route.

The communal areas of all Southampton City Council flats are inspected on a regular basis.

Users who store mobility scooters in communal areas contrary to this policy may have their scooter removed and disposed of under the Local Government (Miscellaneous Provisions) Act 1982 s.41.

Should the council need to take this action, then the user will be charged for all associated costs of removal, storage and disposal in accordance of the above Act.

COMMUNICATION TO RESIDENTS

.This policy reaffirms what is already contained in the tenancy agreement and assists officers in making decisions about mobility scooters.

Officers will be working to this policy from xxxx onwards and to ensure residents are aware, information has already been placed in Tenants' Link, information sessions held with the Supported Housing Tenants Forum and the Joint Tenant and Staff working Group, the intention is to promote this policy in the following way:

1. Send a letter to each tenant in Supported Housing complexes, tower blocks and anyone living in SCC managed accommodation who is known to have a powered scooter/wheelchair stored in their property both explaining the Council's policy regarding items stored in communal areas and asking people to highlight to support staff or tower block wardens any difficulties this may cause to them.
2. Publish a further information in Tenants' Link
3. Display information on community notice boards

Staff will then work with individuals who may find they have difficulties complying with the policy and will seek to explore available options with them, placing an emphasis on maintaining the maximum independence for residents.

All current affected tenants and new tenants to supported housing complexes will receive a copy of the Guidance Sheet (Appendix 1) and Permission Sheet (Appendix 2) for their information.

APPENDIX 1

GUIDANCE SHEET

We would recommend you consider the following before purchasing a scooter.

1. **You will need written permission to keep a scooter.** Please check if your property is suitable for a scooter or if there is a waiting list for the designated scooter storage area.
2. **Where will you store and charge your scooter?** If kept within your own home you must be able to store it safely and not cause any damage to any doors/door frames whilst entering and leaving your home.
3. If you are planning on storing a scooter in your home, please make sure it is safe to do so and that it will not cause an obstruction in the event of evacuation such as in a fire.
4. You will need to ensure that the charging point/ socket is appropriate to your scooter
5. You must check if you can take your scooter in the lift in your block.
6. Seek professional advice before buying a scooter, either from an occupational therapist or a reputable dealer or possibly look on www.dfl.org.uk
7. Make sure that you know what all the switches and levers are for on your scooter.
8. **You will need written permission to make any adaptations or install external storage BEFORE you do the work.**
9. Recharging or storage of a scooter is not permitted in any communal areas, unless there are dedicated storage and charging bays which are clearly labelled as such.
10. Does your disability affect you getting on and off your scooter? If so how will you manage this?
11. If there is designated scooter storage/charging area in your block consider how you will travel to and from this area as you will not be

permitted to drive your vehicle to and from your front door.

12. How far will you travel in your scooter?
13. Can you get the scooter into your car?
14. What is the cost for adequate insurance, to cover accidental damage, third party liability? Can you afford to run a mobility scooter? Are you able to afford not only the initial purchase of the scooter, but all other associated costs such as insurance, maintenance and storage costs?
15. You must agree for a portable appliance tests to be completed on an annual basis on your scooter if you store it in a designated storage bay. Any resulting repairs or servicing required will have to be completed within four weeks, at the cost to the owner, however, during this time you will not be permitted to charge the scooter in the SCC provided facilities

Some useful web addresses and contacts:

www.dftl.org.uk – Disability Living Foundation

www.bhta.com – British Healthcare Trades Association

www.direct.gov.uk/en/TravelandTransport/Highwaycode

www.ageconcern.org.uk – Factsheet no.26 Travel and transport

www.motability.co.uk

APPENDIX 2

PERMISSION TO KEEP A MOBILITY SCOOTER

1. Tenants and leaseholders must apply for written permission to store a scooter. To apply contact your Housing Management Officer or Housing Support Co-ordinator if the accommodation is a Supported Housing Complex.
2. New tenants who already have a mobility scooter will not automatically be given permission to keep a mobility scooter and will be subject to the same assessment criteria as existing tenants.
3. Unless written permission has been granted from Housing Services **NO** mobility scooter is to be stored within the communal areas of the Council owned property.
4. Scooters kept in designated areas will be subject to a yearly portable appliance test. Any scooter failing this will have to be repaired within an agreed timescale; otherwise permission to store will be withdrawn.
5. Any damage to the Council's property caused by a mobility scooter may be charged as a Maintenance Recovery Charge.
6. Failure to comply with your tenancy agreement may lead to you being served with a Notice of Seeking Possession and possession proceedings being started for your eviction. You will also be required to remove the mobility scooter from the building permanently.
7. Where written permission is granted the resident must agree and comply with all conditions placed upon the storage and usage of the vehicle. The Council reserves the right to withdraw permission at any time should the conditions of the permission be broken or the needs of the block change.

APPENDIX 3

Class 2 vehicles can be divided into subsections:

Micro scooters

- Small and compact
- Designed to fit easily into a car boot
- Indoor and outdoor use
- Short distance range

Indoor/Outdoor Scooters

- Three or four wheeled vehicles
- Indoor use
- Limited outdoor use on even surfaces
- Short/medium distance range
- Can be collapsed/dismantled for transporting

Outdoor Scooters

- Three or four wheeled vehicles
- Not for domestic use
- Outdoor use on uneven ground
- Medium/long distance range
- Can be dismantled for transporting

Buggies

- Four wheeled vehicles (car shaped)
- No indoor use
- Outdoor use including rough ground
- Medium/long distance range
- Cannot be dismantled.

Class 3 vehicles can be divided into:

Scooters

- Three and four wheeled vehicles
- Not for domestic and indoor use
- Outdoor use including uneven ground
- Covers long distances

Buggies

- Four wheeled vehicles (car shaped)
- Covers long distances
- Cannot be dismantled

In addition Class 3 vehicles also include:

- Speed selector – two speeds for road and pavement use
- Lights, indicators, horn, rear view mirror, rear reflectors – required by law

If using a Class 3 mobility scooter you must also comply with relevant eyesight requirements and not driving under the influence of alcohol or drugs. Class 3 vehicles are not allowed on motorways, bicycle tracks or bus/cycle lanes. Although legally allowed on dual carriageways this is not recommended.

Powered wheelchairs and scooter which have a speed over 5pmh and the unladen weight is over 113.4kg must register with the DVLA. To register and licence a mobility scooter a V55/4 form has to be completed if it is a new vehicle or a V55/5 if it is a used vehicle. A nil duty tax must be displayed. Information can be found at www.direct.gov.uk/dvla/local

WAITING LIST FOR SCOOTERS

NAME OF SCHEME:

Name of Resident	Flat No:	Date of Application	Remarks

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DRAFT

DECISION-MAKER:	CABINET
SUBJECT:	CITY CENTRE FORUM
DATE OF DECISION:	19 FEBRUARY 2013
REPORT OF:	LEADER OF THE COUNCIL
STATEMENT OF CONFIDENTIALITY	
None	

BRIEF SUMMARY

The purpose of this report is to seek authority to participate in and support a City Centre Forum, suggested in the City Centre Master Plan and which is now being proposed by key business organisations to facilitate City Centre development proposals.

RECOMMENDATIONS:

- (i) That the Director, Environment and Economy be authorised to enter into any necessary arrangements to facilitate and support proposals for the City Centre Forum.

REASONS FOR REPORT RECOMMENDATIONS

1. Future proposals for the regeneration of the City Centre contained in the City Centre Master Plan/City Centre Action Plan need to be owned by a wide range of stakeholders including the business community.
2. The proposed establishment of a City Centre Forum is a means of strengthening links with business and securing their involvement and assistance with the implementation of development proposals and delivery of the overall regeneration process.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. Not to set up the Forum: not responding to business and not establishing a Forum rejected as this would dilute ownership and involvement of the Business Community with the implementation of City Centre proposals.

DETAIL (Including consultation carried out)

4. The City Centre Master Plan (consultation report) states that the Plan needs to be owned by a wide range of stakeholders to include local people, key landowners, the business community etc. In particular, the Master Plan proposes the establishment of a City Centre Forum as a means of strengthening links with business and securing their involvement with implementation.
5. Business Solent and the Hampshire Chamber of Commerce (Southampton) strongly endorse this proposal and with the support of the City Council, wish to establish a City Centre Forum. Discussions and consultation between these two bodies and other members of the business and wider City Centre Community concerning the need for broad engagement and the inclusion of all relevant stakeholders within the overall remit of the proposed City Centre Forum are on-going. The suggestion is that the Forum would involve City Council members and officers as well as business and community representation.

6. It is proposed that the Forum could focus on the themes set out in the Master Plan/City Centre Action Plan:- a great place for business and to shop, an inspiring place to visit, a great place to live, a distinctive and greener centre and easier to get about in. The Strategic City Centre Forum Board could attend to high level goals, long term monitoring and review as well as identifying actions for existing business groups dealing directly with the themes, operating as task and finish groups and reporting back to the Board. A Secretariat would be provided by Capita Symonds with assistance from Business Solent, the Chamber of Commerce and the City Council (see Appendix 1).
7. The business sector, through the Forum, could facilitate development proposals both by acting as a sounding board and promoting proposals and also by initiating development interest through the use of contacts and networks to attract developers, investors and landowners. In addition, the Forum in bringing together business organisations could present the “business view” to Government, Solent LEP etc to facilitate proposals and contribute to development policy through responding to consultation on discussion papers, development briefs and formal planning documents etc. Individuals can also contribute to implementation through membership of the design panel, task and finish groups etc.
8. Draft terms of reference for the proposed City Centre Forum are set out in Appendix 2. This could involve taking a proactive over view of private sector investment, liaising with relevant groups and adopting a facilitating role in pursuit of development proposals. When appropriate, the Forum could liaise with the Solent LEP and facilitate development through maximising involvement by land owners to secure timely development opportunities.
9. Consultation has been carried out with Planning, Transport and Sustainability, Skills, Economy and Housing Renewal, Leisure and Culture, Legal and Democratic Services, Finance, and Property. In addition, external consultation has taken place with Business Solent, Hampshire Chamber of Commerce (Southampton) and Southampton Connect.

RESOURCE IMPLICATIONS

Capital/Revenue

10. Resources to support a City Centre Forum are contained within existing revenue streams. There are no other known financial implications.

Property/Other

11. None

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

12. Section 1 Localism Act 2011

Other Legal Implications:

13. None

POLICY FRAMEWORK IMPLICATIONS

14. The proposed forum is in line with the Council’s draft City Centre Action Plan with regard to “Delivering the Vision”. This states that the vision will be delivered by a wide range of partners – the Council, landowners, and private sector business amongst other partners. In addition reference in the plan is made to some of these partners having a strategic and ongoing role and business organisations with the commitment to provide support and advice on key issues, including the involvement of the Hampshire Chamber of Commerce and Business Solent.

AUTHOR:	Name:	Tim Levenson	Tel:	023 8083 2550
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KEY DECISION? No

WARDS/COMMUNITIES AFFECTED:	Bargate
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SUPPORTING DOCUMENTATION

Appendices

1.	Proposed City Centre Forum
2.	Draft Terms of Reference

Documents In Members’ Rooms

1.	None
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Equality Impact Assessment

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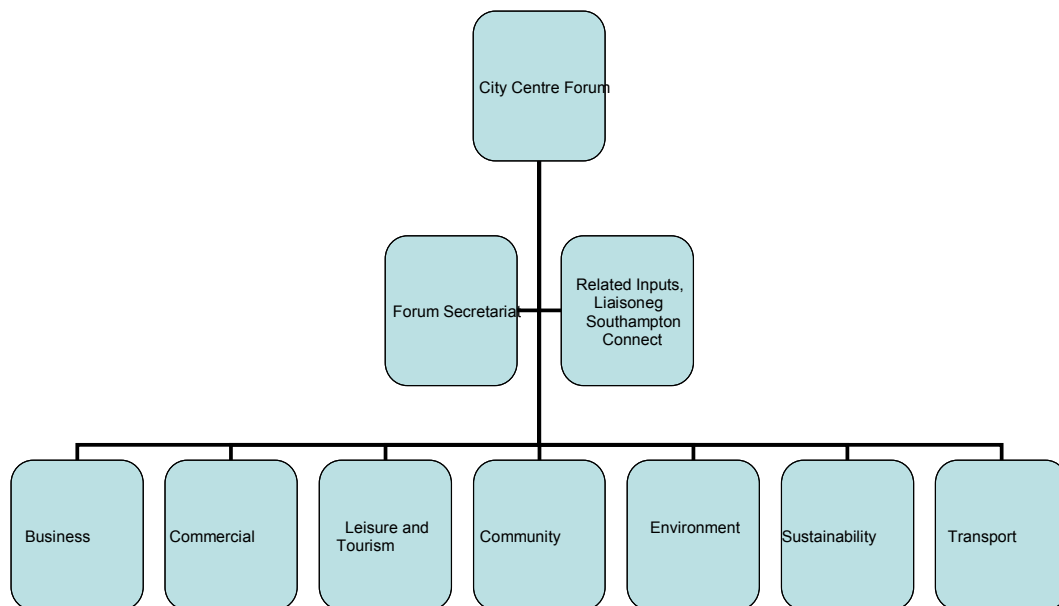
Other Background Documents

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

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

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PROPOSED CITY CENTRE FORUM



1. **Business** (Theme: a great place for business) incorporate funding and inward investment. The Business Solent/Future Southampton Group, the Hampshire Chamber of Commerce/Planning and Transport Committee (Southampton) and the Southampton Property Association should be invited to put forward proposals to operate and manage this group from within their existing resource base.
2. **Commercial** (Theme: a great place to shop). The successor organisation to the former City Centre Management the City Centre Partnership should be invited to put forward proposals to operate and manage this group from within their existing resource base, engaging with the Business Solent/Future Southampton Group, the Hampshire Chamber of Commerce/Planning and Transport Committee (Southampton) and other commercial sector stakeholders as appropriate.
3. **Leisure and Tourism** incorporating music, arts and culture (Theme: an inspiring place to visit). Marketing Southampton in conjunction with Culture Southampton should be invited to put forward proposals to operate and manage this group from within their existing resource base.
4. **Community** (Theme: a great place to live). Potential arrangements have been discussed with Southampton Connect and the intention is to involve resident's associations, education and skills, community health, employment and other public service organisations as appropriate.

5. **Environment** incorporating built heritage (Theme: attractive and distinctive). The Business Solent/Future Southampton Group should be invited to put forward proposals to operate and manage this group from within their existing resource base.
6. **Sustainability** (Theme: a greener centre). The Business Solent/Future Southampton Group and the Hampshire Chamber of Commerce/Planning and Transport Committee (Southampton) should be invited to engage with Future Solent and Sustainable Solent and put forward proposals to operate and manage this group from within their existing resource base.
7. **Transport** (Theme: easy to get about). The Hampshire Chamber of Commerce/Planning and Transport Committee (Southampton) should be invited to put forward proposals to operate and manage this group from within their existing resource base, engaging in particular with the City Council Transport Policy Team, Transport for South Hampshire and the Hampshire Chamber of Commerce/Planning and Transport Committee (Southampton).

NB: Organisational Leads for each of the proposed Groups 1 to 7 above would be tasked with ensuring that other relevant likeminded business and community bodies and stakeholder associations are offered the opportunity of proactive involvement and engagement with the proposed City Centre Forum as appropriate.

Draft Terms of Reference

Key Purpose: The Forum brings together the Council and all significant business and community interests and stakeholders to discuss progress with the implementation and delivery of the City Centre Master Plan and Action Plan; and to facilitate and support the consistent application of high level strategic policy goals and objectives, the programming of key actions/events and the necessary long term monitoring and review. This includes maintaining a proactive overview of:

- Private sector investment;
- Access proposals and involvement by transport operators to ensure that city centre proposals are viable and meet overall objectives;
- Liaising as necessary with other groups including local amenity societies, walking and cycling bodies etc to ensure that city centre proposals are consistent with key policy objectives;
- The application of the highest standards of design through the use of competitions, supporting the role of Design Champion, working with the Design Panel and responding to reviews of existing design guidance to ensure its continued relevance;
- Facilitating an on-going co-coordinated approach to development and related activities within the city centre by public sector partners and infrastructure providers;
- Liaison and proactive engagement with the Solent Local Enterprise Partnership and its partners to ensure that delivery of the City Centre Master Plan and the Action Plan proposals is undertaken in conjunction with the objectives and implementation framework of the sub-regional partnership; and
- Maximising involvement by land owners to secure timely development opportunities.

The Forum seeks to improve the quality of life and community activity within the city centre through collaborative working to realise the vision of 'Southampton: International Maritime City – Gateway to the World'

The Forum seeks to address the key challenges facing the city centre through delivery of the policies and proposals set out in the Master Plan and the Action Plan and by facilitating and supporting the work of the Forum Action/Task Groups.

The Forum will:

- Take direct responsibility for the key city centre challenges and drive a collaborative, partnership approach to addressing them;

- Provide views on the strategic direction for implementation of the Master Plan and Action Plan policies and proposals;
- Collaborate with stakeholder and community representatives to deliver the Master Plan and Action Plan proposals and encourage all relevant organisations to support and engage in these; and
- Ensure that the collaborative efforts of the Forum and the Action/Task Groups add value and prevent duplication of effort.

Membership: The Forum has a core membership (to be determined) comprising of the following organisations and post-holders:

[Details to be agreed and added]

Membership is to be kept under annual review to ensure that appropriate representation is in place. A much wider range of partner organisations is encouraged to be involved actively through the relevant City Centre Forum programmes and projects so that the sum of the Forum is far greater in range, content and engagement than the core membership alone.

Chairing: The Chair is elected annually from a participating organisation. Southampton City Council permanently holds the Vice-Chair position.

Standing Invitation: The Leader of the Council, or a deputy of their choosing, has a standing, non-voting invitation to attend all City Centre Forum meetings. In addition, the Forum may invite colleagues, professionals, working groups, partnerships and agencies to attend items as appropriate.

Proposed actions: Actions will be arrived at by consensus and recorded in the meeting notes.

Meetings: Every quarter and on other occasions as required.

DECISION-MAKER:	CABINET
SUBJECT:	SCOUTS PREMISES - FREEHOLD SALES TO SCOUT GROUPS
DATE OF DECISION:	19 FEBRUARY 2013
REPORT OF:	CABINET MEMBER FOR RESOURCES
STATEMENT OF CONFIDENTIALITY None	

BRIEF SUMMARY

The report seeks approval to the disposal of up to thirteen Scout site freeholds to the tenant scout groups at a nominal £1. This is the preferred alternative to renewing leases.

RECOMMENDATIONS:

- (i) To approve the principle of the disposal of the freeholds of the scout premises listed in appendix one to this report to the tenant scout groups.
- (ii) To delegate authority to the Senior Manager, Property, Procurement and Contract Management to approve all the disposals of the scout sites for purposes authorised by s.2 Local Government Act 2000 at figures less than best consideration.
- (iii) To delegate authority to the Senior Manager, Property, Procurement and Contract Management after consultation with the Cabinet Member for Resources to approve the detailed disposal terms to the Scout groups and to subsequently negotiate and carry out all ancillary matters to enable disposal of the sites in consultation with the City Services Senior Manager.
- (iv) That the Head of Legal, HR and Democratic Services be authorised to enter into any legal documentation necessary in respect of the sales
- (v) To authorise the Head of Legal, HR and Democratic Services to advertise the proposed disposal of those sites held under the Public Health Acts in accordance with Section 123 Local Government Act 1972, and to report any objections to the Cabinet before taking these sites forward.

REASONS FOR REPORT RECOMMENDATIONS

1. Cabinet approval is required to approve disposal of land at less than best consideration.
2. Cabinet approval is required to authorise the Head of Legal, HR and Democratic Services to advertise the proposed disposal of the Porchester Road Scout Hut (held under the Public Health Acts) in accordance with Section 123 Local Government Act.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. Do nothing: this would leave the Scouts without long term certainty of occupation and with potential failure to attract grant monies for improvements.

4. Renew Leases: this has proved very protracted over the years and even where leases are granted these will be a compromise and unlikely to fully protect both the council's and Scouts' interests.

DETAIL (Including consultation carried out)

5. Leases to Scouts Groups form part of the social property portfolio which is property let to third parties to support a social or service objective rather than to generate income. It is the third party who provides a direct service to the community in support of Council objectives and services. This category is sometimes referred to as "Indirect Service Property", as it supports the delivery of a Council service but is delivered in-directly through a third party. They are managed with that purpose in mind.
6. Scout Groups property is administrated by City Services within the Housing and Leisure portfolio with support from the lettings team and is subject to a strategic overview by Resources portfolio. Receipt of rental income payable would go to the Parks and Open Spaces account codes however, there are none in the case of scout sites. The portfolio responsible for Scout sites is Cabinet Member for Housing & Leisure Services / Cabinet Member for Children's Services .
7. A number of the Scout groups have been holding over in occupation following expiry of their leases. Although the principles of renewing leases has been generally agreed with the Scouts, the discussions have been protracted and often foundered in the attempts to finalise detailed terms.
8. As an alternative to granting leases, the disposal of the freeholds to the tenant Scout groups should present advantages to both sides. It is simpler and quicker than agreeing detailed lease terms. Freehold ownership will allow Scout groups to raise funds for long term investment in the premises whereas occupation by leases may restrict this.
9. To protect the council's interest on the nominal value freehold sales, it will be necessary to reserve pre-emption or "buy back" rights whereby the council will be entitled to buy back the scout sites for £1 in the event there is no longer a scout or other similar community use for the premises. The Scout Groups representative will accept pre-emption rights.
10. Scout groups have never paid rents to the council. The assumption has always been that the sites would remain in Scout use for the long term. Where leases have expired they have generally held over in occupation pending a policy on lease renewals. Currently premises would only revert back to the council, not at the end of leases, but only in the event of a Scout group folding and no replacement being established e.g. Leaside Way, Swaythling. Financially there is no difference to the council whether it grants a lease or proceeds with an outright sale.

11. The proposal to sell freehold to the Scout groups is fully in line with “Community Right to Bid” legislation, as part of the Governments commitment to Community Empowerment, within the Localism Act 2011. The Draft Assets of Community Value (England) Regulations which came into force on 12th October 2012 entitles a “community or voluntary body”, (which includes Scouts) to nominate public or private assets of community value which they may bid for to buy the freehold.
12. By agreeing disposals by negotiation there will be no need to invoke the extensive procedures in the “Community Right to Bid” legislation.
13. A number of Scouts premises have been improved following agreement to licence to Early Years Education and Childcare Services (EYEC). Under the terms of grants from the Department for Education (DFE), the council must guarantee provision of EYEC for 25 years. If demand for EYEC provision ceases at any time in the first 25 years, then the council and the Scout group are not liable to repay the improvement grant. However should demand re-materialise then the premises must be made available again for EYEC provision subject to the premises being in a suitable condition and reasonable terms being agreed. If the EYEC materially breach the Licence terms and as a consequence the Scouts, acting reasonably, terminate the EYEC Licence, then on the understanding that an alternative provider is sought neither the council nor the Scouts will be liable to repay any part of the grant. The disposal terms for the scout sites will include provision to allow the council to nominate pre-schools to occupy such premises under reasonable terms subject to the approval of each Scout Group Executive.

Consultations:

14. **Senior Manager Streetscene and Community Safety:** Supports freehold sales provided the safeguard to the council as described in paragraph 9 above
15. **Children’s Services:** approves of sales provided safeguards to the council as described in paragraph 13 above.
16. **Planning:** this does not involves a change of use of the premises so no comments
17. **The Southampton Scout Groups** provide adventurous activities and personal development opportunities for around 2500 young people aged 6-25, in Southampton. This includes a significant amount of outdoor activities and skills such as basic camping and survival skills, sailing, canoeing, archery, climbing, shooting, local, national and international camps and expeditions. If it were not for scouting, these opportunities would simply not be available or affordable to the communities served. Some groups have brought scouting to their community for over 100 years.
18. The various Scout Group headquarters are generally situated in deprived areas, in communities where often very few other activities are available. The involvement of the parents of these children and other adults, as leaders and as administrators, means that these communities are given the opportunity to meet regularly and work together. The buildings provide much needed facilities for other community functions, such as family

celebrations, club meetings, charitable events and pre-school. Therefore Scouting in Southampton directly assists in providing community infrastructure and is the embodiment of the principles of the Big Society i.e. “to encourage people to take an active role in their communities”.

19. All this is achieved at virtually no cost to the Council. The Groups are completely run by volunteers from the community who serve to offer the children the benefits of scouting. The cost benefit of this voluntary work in Southampton is estimated to be £995,000 pa. This is based on the equivalent voluntary rate value of £10/hour for youth work.
20. The proposals for the freehold disposals are welcomed by the scout Districts as they will give much needed security of tenure, which will facilitate grant applications and other fundraising to help maintain the buildings which are vital for scouting to operate.
21. The quoted valuation does not include any cost benefit that may be accrued from providing young people with this outlet for their energies and the pastoral care that is offered that could contribute to ensuring society is not burdened with additional antisocial behaviour. Nor does it take into account the benefits to society from providing the young people with a moral code that will see them through the rest of their lives.
22. **Girl Guides:** The paper does not seek approval to disposal of the three girl guides sites in council ownership but similar moves towards disposal of these could happen after the Scout disposals are completed.

RESOURCE IMPLICATIONS

Capital/Revenue

23. There are no Capital or Revenue implications, as the rents received are currently a peppercorn and the disposals are proposed at nil consideration, and buy back would also be at nil consideration.

Property/Other

24. To protect the council’s interest on the nominal value freehold sales, it is necessary for the council to have the benefit within each transfer of rights of pre-emption or “buy back” clauses whereby the council will be entitled to buy back the scout sites for £1 in the event there is no longer a scout or other similar community use for the premises. The Scout Groups representative will accept a pre-emption right.
25. Under the terms of leases and statute, the Scouts as tenants have full health and safety and compliance duties. However as voluntary / community groups there is always a greater risk that they could fail to meet their full compliance obligations. Currently as landlord the council runs a risk by default of being at least partly accountable in the event of the tenants’ non compliance with their lease obligations. The sale of the sites to the scout groups removes this potential liability.
26. These are disposals at less than best consideration. Therefore in accordance with the RICS document “Local Authority Asset Management Best Practice” it is advisable to state the best consideration that would otherwise be receivable. This is contained with the schedule at Appendix 1

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

27. Under Section 1 Localism Act 2011 the Council has a general power of competence to do anything that individuals generally may do; however that general power is subject to other statutory limitations. Section 123 Local Government Act 1972 provides that the Council must dispose of land for best consideration, save for cases where the consent of the Secretary of State has been obtained for any disposal at less than best consideration. Under the General Disposal Consent (England) 2003, such specific consent is not required for any disposal where the difference between the unrestricted value of the interest and the consideration accepted, is £2M or less. In determining whether or not to dispose of land for less than best consideration the Council should have regard to a number of factors including its accountability and fiduciary duty to local people, its community strategy, all normal and prudent commercial practices, clear and realistic valuation advice on the asset in question and EU State Aid rules

Other Legal Implications:

- 28.. For those scout sites held under the Public Health Acts and designated as “open space” land, the Council is further obliged under Section 123(2A) Local Government Act 1972, before taking any decision to dispose, to advertise its intention of disposal and Cabinet should then consider formally any objections received before making any final decision to dispose.
29. Any pre-emption or buy back right would need to be protected by a restriction entered on the scout`s title.

POLICY FRAMEWORK IMPLICATIONS

30. The recommendations contained in this report are in line with the Council’s Policy Framework.

AUTHOR:	Name:	David Reece	Tel:	023 80832796
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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

Appendices

1.	Schedule of Scout Sites
2.	Location Plan of Scouts sites, former Scouts sites and Guides sites

Documents In Members' Rooms

1.	None
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Integrated Impact Assessment

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

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

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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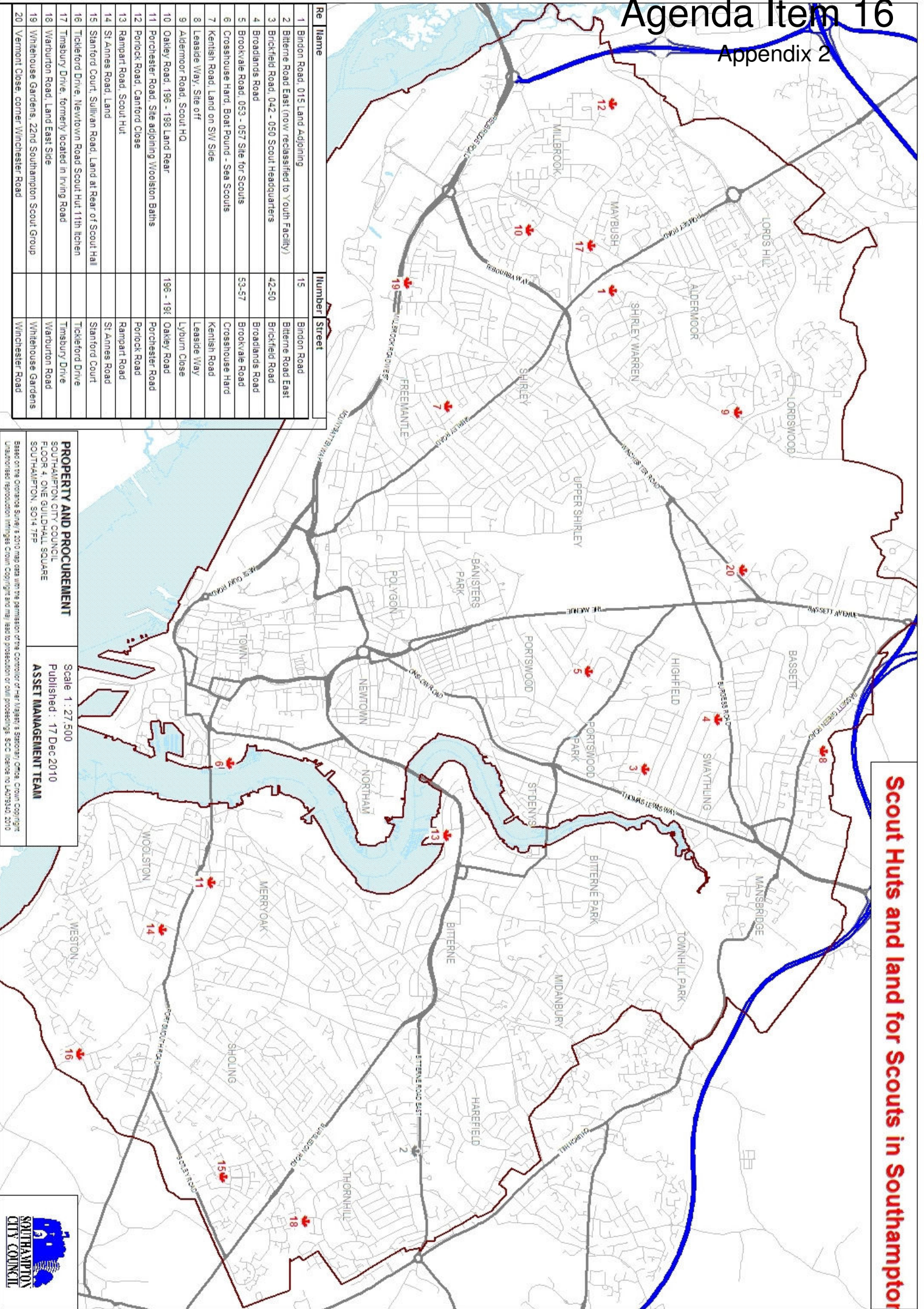
1.	None	
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Scouts Premises 2013

Address	Map Ref	Site Area ha (acres)	Building Area sq m (sq ft)	Building Condition	Tenure	Occupational lease	Scouts own building	Currently shared with pre-school	Holding power	Est mkt capital value assuming community use
Adj 15 Bindon Road, Shirley Warren, SO16 6DA	1	0.058 (0.144)	103.36 (1,113)	Single storey timber building with pitched asbestos cement roof. Average condition	Freehold	Security of tenure holding over at peppercorn rent	Yes	No	S10 T & C Planning Act 1944	£30,000
Scout Hut, Brickfield Road, Portsmouth, SO17 1QH	3	0.09 (0.23)	127 (1,369)	Concrete prefab average condition	Freehold	Security of tenure holding over on peppercorn rent	Yes	No	Housing Act 1985 PT 2 (Garage block) and Education Act 1944-48 (Main building)	£40,000
53-57 Brookvale Road, (Copse) Bassett	5	0.058 (0.144)	150 (1,640)	An area of woodland leased to the scouts of approx 1342 sq m	Freehold	Holding over from June 1977 £15pa for woodland	Yes	No	Town and Country Planning Act 1962	£13,500
Crosshouse Hard	6	0.024 (0.06)	N/A	Boat Pound and Container store on site	Freehold	Lease to Sea Scouts expires 22nd June 2019	land only	No	T & C Planning Act	£17,000
11th Southampton Scouts, Kentish Road, Freemantle,	7	0.08 (0.2)	175 (1,883)	Traditional brick cavity building average condition	Freehold	Holding over on peppercorn lease expired 1995 Landlord & Tenant Act applies	Yes	No	Randolph Street CPO	£75,000
Alder Moor Road, Coxford, Southampton	9	0.11 (0.26)	186 (2002)	Traditional building good condition 5 years old	Freehold	Lease expires 7th December 2013 security of tenure excluded	Yes	No	Town and Country Planning Acts	£70,000
Rampart Road/Quayside Road Scout Hut, Bitterne Manor,	13	0.045 (0.11)	95 (1,021)	Timber scout hut average condition	Freehold	Lease expires 16 Dec 2015	Yes	No	Town and Country Planning Acts	£30,000
Stanford Court Sullivan Road	15	0.146 (0.059)	N/A	Amenity land of 240 sq m used by adjacent scouts			land only	No	Housing	£2,500
Warburton Road,Thornhill	18	0.06 (0.16)	120 (1,291)	Prefab concrete building average condition	Freehold	Holding over on lease expired 1993	Yes	No	Housing Acts	£30,000
22nd Scouts Whitehouse Gardens, Millbrook	19	0.14 (0.35)	26 (280)	Prefab concrete building average condition	Freehold	lease end 03/11/31	Yes	No	Town & Country Planning Acts	£40,000
Vermont Close, Bassett	20	0.041 (0.101)	111 (1,196)	Prefab concrete building average condition	Freehold	Holding over on peppercorn lease 2001 Landlord & Tenant Act applies	Yes	No	Local Government Act 1976 S19	£500
The Scout Hut, Porchester Road, Woolston, SO19 2JD	11	0.057 (0.14)	150 (1,614)	Traditional refurbished brick cavity building average condition	Freehold	Lease till 2020 at £1 pa Security of tenure		Yes	Public Health Act 1875 (baths)	£43,500
11th lichen Scouts, Tickleford Drive, Weston	16	0.123 (0.303)	127 (1,367)	Traditionally built average condition	Freehold	Peppercorn lease till 25th Aug 2012		Yes	Housing Act Part V	£40,000
Canford Close, Millbrook		0.38 (0.95)	170 (1,830)	Timber building Average Condition	Freehold	Lease expires May 2016		Yes	Local Govt Misc Provisions Act 1976 - S19	£90,000
Prory Hard		As building	45.68 (491)	3 garages	Freehold	5 yrs 1986 - 1991 (holding over)	Yes	No	Appropriated to Leisure 18/04/1990	AV £ nil

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Scout Huts and land for Scouts in Southampton



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DECISION-MAKER:	CABINET
SUBJECT:	ESTATE REGENERATION – WESTON LANE SHOPPING PARADE REDEVELOPMENT
DATE OF DECISION:	19 FEBRUARY 2013
REPORT OF:	LEADER OF THE COUNCIL

<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	DANIELLE FRIEDMAN-BROWN	Tel: 023 8091 7646
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STATEMENT OF CONFIDENTIALITY

Confidential Appendices contain information deemed to be exempt from general publication by virtue of Category 3 of paragraph 10.4 of the Council's Access to Information Procedure Rules. It is not in the public interest to disclose this because doing so would prejudice the commercial confidentiality of the bidders and selection process.

BRIEF SUMMARY

This paper provides an update on progress relating to Weston Lane Shopping Parade since July 2011 when redevelopment was approved by Cabinet. The report seeks authority following a procurement exercise using the Homes & Communities Agency's Delivery Partner Panel (HCA DPP) framework, to approve a preferred bidder and enter into a Development Agreement to undertake the redevelopment of Weston Lane Shopping Parade.

Furthermore, the report seeks authority to make a Compulsory Purchase Order (CPO) in order to acquire land and rights at Weston Lane Shopping Parade not already in Council ownership and authority for officers to proceed with the necessary enabling works to redevelop the site in a timely manner.

RECOMMENDATIONS:

- (i) To approve, in accordance with Financial Procedure Rules, the virement of £300,000 in 2014/15 from the Estate Wide Programme to the Weston Shopping Parade Redevelopment Programme.
- (ii) To, approve, in accordance with Financial Procedure Rules, additional expenditure of £300,000 in 2014/5 on the Weston Shopping Parade Redevelopment Programme.

- (iii) To approve, in accordance with Financial Procedure Rules, expenditure of £1,325,000 phased £700,000 in 2013/14, £375,000 in 2014/15 and £250,000 in 2015/16 on the Weston Enabling Works Programme provision for which already exists in the unapproved section of the HRA Capital Programme.
- (iv)
 - a. To approve the appointment of Bouygues (UK) Limited as preferred bidder for the redevelopment of Weston Lane Shopping Parade site.
 - b. Subject to the Land becoming vacant land and falling within the terms of section 32 of the Housing Act 1985 under General Consent A of the General Housing Consents 2012 to approve the sale of the site at the price set out in the confidential Appendix 2 which is at less than best consideration due to the delivery requirements being imposed on the developer by the Council through the proposed development agreement which will create an undervalue.
- (v) To delegate power to the Head of Legal, HR & Democratic Services to amend, finalise and sign the Development Agreement with the preferred bidder for the disposal of the site in accordance with the financial terms outlined in Confidential Appendix 2 (exempt) and to enter into the associated Delivery Partner Panel Framework Agreement.
- (vi) To delegate authority to the Senior Manager Property, Procurement and Contract Management to
 - a. Negotiate and acquire by agreement any legal interests or rights held in respect of the parcel of land shown edged red in Appendix 4 not already owned by the Council (being within Weston Lane Shopping Parade site) using such acquisition powers as the Senior Manager Property, Procurement and Contract Management advises;
 - b. To agree the payment of appropriate compensation for the acquisition of the rights and interests in the land to be compulsorily purchased
- (vii)
 - a. That subject to reasonable attempts to negotiate the acquisition of each of the interests in the areas shown on the map at Appendix 4 having failed, to authorise the Head of Legal, HR & Democratic Services to make a Compulsory Purchase Order to acquire any rights and interests in the land and flats and buildings thereon shown on the attached map in Appendix 4 under section 17 of the Housing Act 1985 for the purpose of erecting housing and facilities which serve a beneficial purpose for the future occupiers of the housing.
 - b. To approve the Statement of Reasons for making the Compulsory Purchase Order as set out in Appendix 3 and that power be delegated to the Head of Legal, HR & Democratic Services to make amendments to the statement of reasons as the scheme progresses.

- (viii) To authorise the Head of Legal, HR & Democratic Services to do anything necessary to give effect to the above recommendations including but not limited to undertaking all procedural steps required to
 - (a) make, advertise and secure confirmation and implementation of the CPO,
 - (b) Acquire interests in the land either by agreement or compulsorily
 - (c) Enter into agreements with land owners setting out the terms for withdrawal of objections to the Order (to include the payment of compensation), including where appropriate seeking exclusion of land from the Order
 - (d) to represent the Council in any Inquiry into the confirmation of the CPO
- (ix) To approve (once vacant possession and planning permission has been obtained) the service of a Final Demolition Notice on secure tenants at the estate regeneration site under the provisions of the Housing Act 1985 and the demolition of the buildings and structures on the land edged red in Appendix 4.
- (x) To delegate authority to the Director for Environment and Economy, in consultation with the Senior Manager for Finance to accept, in accordance with Financial Procedure Rules, any grant funding towards the costs of the redevelopment of the Weston Lane Shopping Parade.
- (xi) To authorise the Manager, Estate Regeneration Projects responsible for managing the Weston Lane Shopping Parade project in consultation with the Planning & Development Manager and the Highways Manager to make the necessary stopping up or diversion applications for orders under the most appropriate legislative powers available to the Council under section 116 of the Highway Act 1980, section 247 or 257 Town & Country Planning Act 1990 in respect of Kingsclere Close, the precinct footpaths/ walkways linking Weston Lane to Kingsclere Avenue and a spur footpath linking to Ashton House all within the Weston Lane Shopping Parade site and identified in the plan at Appendix 4.
- (xii) To authorise the City Parking and Patrol Manager to proceed with the public consultation process for a Traffic Regulation Order under Section 32 of the Road Traffic Regulation Act 1984 Act to close the public car park at Weston Lane Shopping Parade.

REASONS FOR REPORT RECOMMENDATIONS

1. Redevelopment at Weston Lane Shopping Parade offers the opportunity to deliver improved modern housing and local facilities to meet the needs of residents. Redevelopment will provide a mixed tenure environment and good quality accommodation, together with significant improvements in the public and private realm on site, to ensure a cohesive and sustainable community and to help to tackle the economic deprivation and social disadvantage concentrated in these areas.
2. The report recommendations enable the timely redevelopment of the Weston Lane Shopping Parade site as above and delivery of the Estate Regeneration objectives and to safeguard the Homes & Communities Agency (HCA) grant

funding available to the Registered Provider for the affordable housing allocated to the project.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. The updated Housing Strategy 2011-15 and Housing Revenue Account Business Plan 2011-2041 confirms estate regeneration as a key priority for the Council.
4. This report requests authority for processes which would enable delivery of the Weston Lane Shopping Parade project within a programme of Estate Regeneration occurring across the city. The option of doing nothing would not achieve the Council's objectives of creating successful communities on our estates.
5. The option of doing nothing at Weston Lane Shopping Parade would result in significant ongoing repairs and maintenance work being required at the site. The cost to the Council was estimated in 2011 at £2.25M, based on carrying out urgent works over a ten year period. These estimated costs further excluded any improvement works to the commercial units, all of which would be significant additional costs which have not been estimated. On the basis of the revised and higher estimated costs of gaining vacant possession for the properties at Weston Lane Shopping Parade site, it is still considered that the cost/benefits approach of regeneration outweigh the cost/benefits of continuous maintenance.
6. Furthermore there has been considerable community consultation with local tenants and residents at Weston which has raised community hopes and expectations of implementing change at the site. The community desire to redevelop the site to improve the gateway into the Weston estate, and to do so in the near future, is still considered to be strong.
7. Should the above recommendations not be approved the alternative option would mean seeking a different route to redevelop or improve the site, which would take considerable time to implement in addition to identifying the resources to carry that out.

DETAIL (Including consultation carried out)

8. On 4th July 2011 Cabinet approved the principal of redevelopment of Weston Lane Shopping Parade site. This preliminary work has been progressing since the approval.

PROCUREMENT OF A DEVELOPMENT PARTNER

9. In order to be able to procure a developer quickly the Council signed up to the Homes & Communities Agency's Delivery Partner Panel (HCA DPP), Framework. The Panel includes a good range of developers with the necessary experience to deliver both private and affordable housing. The HCA DPP allows for Local Authorities (signing up to use the framework) to establish a mini competition process with the developers on the relevant panels, all of whom have been pre-qualified, have demonstrated capability of delivering regeneration projects and have been assessed on the basis of how they would deliver such projects.

10. The Information & Development Brief for the site was issued to the 17 Southern Cluster Panel Members on the HCA DPP Framework in January 2012.
11. There are three stages to the call-off process under the HCA DPP Framework. The first stage invites expressions of interest. This began in February 2012 and produced four expressions of interest.
12. The second stage is what it refers to as a sifting exercise to reduce the number of bidders in a relatively efficient way. As only four of the 17 Southern Cluster Panel Members had expressed interest in bidding, the decision was taken to skip this sifting stage and move straight to the third stage, namely to invite Tenders from those four Panel Members. The Tender Invitation was issued to three bidders in April 2012, as one bidder had in the intervening time withdrawn from the process, and bids were requested by 11 July 2012.
13. In May 2012 notification was issued to bidders requesting them to suspend work on their bids due to a request by the new Council administration to consider making changes to the delivery requirements for the project.
14. Once the revised requirements had been resolved upon a notification was submitted to all 17 Southern Cluster Panel Members advising that the tender would additionally require the provision of a new Library & Community Facility and inviting them to advise if based upon that change of requirement they would now wish to bid. None of the Panel Members who had previously declined to express an interest changed their position by expressing an interest based upon these new requirements.
15. In July 2012 a revised Stage Three Tender Invitation was issued to the three developers who had been invited to tender in April and were still interested in the project. The tender return date was set for Friday 26th October 2012.
16. Between the Invitation To Tender and Tender Submission date, two of the three developers withdrew from the process.
17. The general reluctance to bid was consistent with an increasingly perceptible general market sentiment of not wishing to get involved in costly and lengthy procurement processes where the potential prize is not attractive enough to offset the potential planning and private sales risks involved. Delivering higher density accommodation in this location, particularly the private accommodation, is higher risk than for example building lower density 3 bed family homes. Despite this, it is still considered that the decision to use the HCA DPP Panel was appropriate given that for this project its use would have reduced the procurement timescales and costs for both the Council and Bidders.
18. The other difficulty which affected this was the continuing uncertainty in the market as to what the affordable housing regime will be post-March 2015. Registered Providers (housing associations) cannot predict what housing grants may be available from the Homes and Communities Agency and on what type of housing tenures they will be allowed to let/sell properties in the future. Two Registered Providers have grant funding available to support the provision of affordable housing on this project as part of the 2011-2015

HCA grant allocation but the rules require that the affordable housing must be completed by March 2015.

19. This time constraint has led the project's programme for getting on site and continues to be the main driver for getting on site as quickly as possible. Any further delays in procuring a developer would result in Registered Providers being unable to support any bid for the site which in turn would mean that developers would not be able to commit without some form of guarantee from the Council to meet any shortfall should the value of the affordable housing be reduced by changes post March 2015.
20. Furthermore, another constraint to the project has been that HCA grant funding to cover the enabling costs for the project, has not been available to the Council directly, but instead through the Registered Providers. In contrast, direct grant funding had been available to previous Estate Regeneration projects and assisted with funding site enabling costs
21. One bid submission was received on 26th October 2012 from Bouygues (UK) Limited, working with Leadbitter, their main contractor (who were also on the HCA DPP framework but clearly chose not to bid direct), and supported by Spectrum Housing Association.
22. Despite only one bid being received through the procurement process, Officers proceeded to assess its content both to ensure that it met all the requirements of a compliant bid and indeed to assess that content generally against the published evaluation criteria.

Evaluation Results

23. The bid has been assessed in accordance with the evaluation criteria and methodology set out in the tender documents. The report on that assessment from Capita Symonds as the Council's procurement agent is attached (at Confidential Appendix 2 - exempt).
24. The evaluation process analysed the proposed scheme for the site, the delivery risks and the financial nature of the bid. The evaluation process included engagement with the Estate Regeneration Programme Board and the local community and Estate Regeneration Stakeholder Group as consultees, The evaluators documented this consultation feedback within their scoring and reported it to the Tender Evaluation Board.
25. The evaluation process has confirmed that the bid received is acceptable according to the evaluation criteria and can be recommended as a preferred bid. The bid achieves the majority of the key estate regeneration objectives set out in the Information & Development Brief for the site.
26. The recommendation therefore is to appoint Bouygues (UK) Limited as preferred bidder. The proposed scheme which is expected to start on site in early 2014, and be delivered by summer 2015, is attached at Appendix 1. The scheme will be subject to further necessary detailed design changes as it progresses through the planning process.
27. The preferred bidder will need to conclude the Development Agreement or relevant contracts in a form which is consistent with the content of their winning bid within a reasonable time after appointment, particularly given the need to begin work on site by early 2014. There is very little scope to

negotiate or vary the terms of such agreements from such form (both on account of public procurement constraints and the practicalities of time pressures) and any difficulties in relation to that process would need to be carefully managed. The preferred bidder will also need to enter into the HCA's Framework Agreement with the Council.

COMPULSORY PURCHASE ORDER (CPO)

28. In July 2011 Cabinet delegated authority to the Head of Property and Procurement to negotiate and acquire by agreement any legal interests or rights held in respect of the properties not held by the Council, using such acquisition powers as the Head of Legal and Democratic Services advised. In each case that was subject to confirmation from Capita, acting as the Council's valuers, that the price represented the appropriate Market Value.
29. Since then the site has vacated quickly and as at the start of January 2013 the site is 95% vacant with one Council tenant remaining to be re-housed and one leasehold property remaining to be acquired. The rapid site decant has brought forward discussions on early demolition of the vacant blocks on the site that would more readily enable the redevelopment of the site and reduce the opportunities for continual vandalism and the ongoing costs to the Council of securing and maintaining the site, whilst it is hoped it would also maintain some amenity for the residents living closest to the site.
30. Demolition of properties can only happen once vacant possession is achieved. At present Ashton House is vacant but leases and leasehold interests still remain at Somborne House, the dwellings at Kingsclere Close and the shops at the parade. Negotiations are continuing in order to purchase the remaining properties which are not held in Council ownership.
31. Should no agreement on acquisition of these interests be reached, and to ensure the redevelopment of this site can be guaranteed, and commence on site as soon as possible, it is necessary for authority to be obtained for a Compulsory Purchase Order to authorise the acquisition by the Council of any interests and rights in the land, flats and buildings thereon shown on the attached map in Appendix 4 under section 17 of the Housing Act 1985 for the purpose of erecting housing and facilities which serve a beneficial purpose for the future occupiers of the housing.
32. The Statement of Reasons for making the Compulsory Purchase Order is set out in Appendix 3. Authority is sought for the Head of Legal, HR & Democratic Service to be able to amend this as the compulsory purchase procedure progresses in accordance with the recommendations above.

HIGHWAYS CONSENTS

33. In order to be able to commence redevelopment, a number of highway rights which currently exist across the site would need to be extinguished. These include stopping up the publicly maintainable highway into Kingsclere Close, the precinct footpaths by the shops and the walkways linking Weston Lane to Kingsclere Avenue and a spur footpath off that linking to Ashton House.
34. The Council has power to make an application to the Magistrates court for an order authorising the stopping-up of public highway as Highways Authority under section 116 of the Highways Act 1980 where the public

highway is no longer necessary or there is another more commodious route. Alternatively public highway (for vehicular traffic, footways and verges) can be stopped-up or diverted by application to the Secretary of State for an order using section 247 of the Town & Country Planning Act 1990, to enable a development to proceed, once the planning permission has been granted. Section 257 of the Town & Country Planning Act can be used for footpaths (e.g. no vehicular traffic) so that the Council with authority from the planning panel can make an order and confirm it itself provided there are no objections.

35. The public car park at Weston Lane which provides 13 car parking spaces for customers of the shops at the parade would also need to be closed. This would need to be done through a Traffic Regulation Order (TRO) to remove the public's right to park, TROs are advertised to the public and any objections received are addressed by Highways engineers and reported back to the Highways Manager who has delegated authority to decide to make this order, which was formerly decided by Cabinet.
36. In accordance with the Council's development requirements the proposed scheme, which will be the subject of a planning application, will provide for 20 car parking spaces to support the new shops and Library and community facility thereby replacing the current parking provision at Weston Lane

CONSULTATION - PROCUREMENT OF A DEVELOPMENT PARTNER

37. Consultation has been undertaken with a range of bodies in the development of the estate regeneration programme including the Homes and Communities Agency both in their role as framework providers and as grant funders to the Registered Providers for the affordable housing. The cross-party Estate Regeneration Stakeholder Group, which also includes Council housing tenant representation, as well as the Estate Regeneration Programme Board have all played an important advisory role in the project.
38. A programme of initial consultation on the idea of redevelopment at Weston Lane Shopping Parade took place from March – June 2011. This followed submission of a petition by local residents to the Council in 2010 calling for regeneration at the site. All residents and businesses directly affected were visited individually to ensure that they understood the proposal to regenerate their areas. A Report on the consultation was appended to the Cabinet report in July 2011 and is available in the Members Room. The idea of redevelopment received a high level of support by residents. Further analysis of the public input into the project brief is at Appendix 5.
39. From May to July 2012 Officers met with the local community to explain the draft site Information & Development Brief and review the consultation that had taken place in 2011. The series of meetings also enabled a discussion about how the Library & Community Facility would be managed and what design elements should be included in the performance specification.
40. A further programme of consultation took place in January 2013 to show the public the proposals submitted by Bouygues. This involved three consultation events held in Weston which were managed by an independent facilitator:
 - Thursday 24th January 2013, 7.30pm – 9pm at Weston Court

- Friday 25th January 2013, 11am – 1.30pm at Weston Library
- Saturday 26th January 2013, 10am – 1pm at Weston Court

The community were able to express their thoughts about the proposals which has been set out in a report to feed back to the developers. Details of how that was addressed in the evaluation are contained within Capita Symonds' report at Appendix 2 (Exempt). Details of the consultation feedback are at Appendix 5.

41. The consultations were well attended with 44 questionnaires completed from the first two events alone. The proposals were thought to propose improvements to the site and the Weston area but there were a number of queries and concerns which are to be addressed further, including confirmation that a continuous Post Office service can be provided in Weston during the construction works.
42. In October 2010 the Government announced the introduction of a new social housing tenure called Affordable Rent as part of the Comprehensive Spending Review. Affordable Rent is not subject to the national rent regime but is subject to other rent controls that require a rent of no more than 80 per cent of the local market rent. This applies to new build (and some relets of existing Housing Association owned social rented housing). Affordable Rent therefore is a key part of the funding regime to provide new social housing development. Housing Associations (now known as Registered Providers) have, from 2011, bid for resources to develop social housing based on the fact that these developments would be at Affordable Rent. Social Housing Grant has been secured for the Weston project on this basis and this has been made clear during consultation from the start of this project. The introduction of Affordable Rent tenure is a resourceful way of achieving more with less, but the new rent levels are significantly higher.
During the consultations it was explained to the public that the new properties at the site would be owned and managed by a Registered Provider (housing association) and that the rents were going to be charged at 80% of the local market rent (Affordable Rent) and as such will be higher than the rents charged at the site by the Council, which has been made clear during consultation from the start of this project, especially for the residents who were decanted from the site and may wish to return to the redeveloped site. The new properties will be let through the Council's Homebid scheme.
43. Consultation has taken place with the Council's services functions also affected by the proposals. Weston Local Housing Office is closed to the public, but the office is still used by staff. It is proposed that once the unit is required for demolition the staff will be based at other Council premises.
44. Weston Library will be replaced by the new shared Library and Community Facility which will be managed by the Library Service. For the interim period re-location options in the Weston area are being considered and discussed with managers of the Library Service to ensure a suitable continuous provision of the service for the local community.

CONSULTATION - COMPULSORY PURCHASE ORDERS (CPO)

45. Capita Symonds have been continuing negotiations to acquire the leases and leasehold interests remaining at the site. These negotiations will continue throughout the Compulsory Purchase Order process.
46. Discussions have taken place with the Estate Regeneration Programme Board and Stakeholder Group regarding proposals to seek a CPO.

RESOURCE IMPLICATIONS

Capital/Revenue

Capital

47. The total developers' costs will be met by a variety of funding streams. Grant funding will be sought from the Homes and Communities Agency by the Registered Provider (housing association) for the element of the schemes which it is proposed that they will own and manage as affordable housing. The balance of the funding will be provided by the developer and the Registered Provider, who will also be managing the shared ownership and private sale dwellings.

Capital - General Fund

48. The replacement of Weston Library will be funded by the developer. It is expected that there will be minimal requirement for new furniture for the new Library and Community Facility. The Library Service has confirmed it intends to re-use furniture it has in the existing Weston Library within the Library part of the new facility.

Capital - Housing Revenue Account (HRA)

49. For the July 2011 Cabinet decision, a provisional budget was prepared. This forecast was based on estimates of the costs for relocations and the Council's enabling costs and forecasts total capital spending of £1.955M. This budget estimate only forecasts making statutory compensations where leases which had rights to renew under the Landlord & Tenant Act required such compensation. As the project has developed and timescales for getting on site can be more reliably made, a better assessment of CPO compensations has been possible. These higher costs have been estimated based on a worst case scenario from advice from Valuers. This has resulted in an estimated £300,000 increase to the Weston Shopping Parade Redevelopment Programme.
50. In addition, now that the Council is taking back the Library & Community Facility into its own management there will need to be monitoring costs to ensure the facility complies with what was specified in the tender documents. These cost estimates have been based upon the costs incurred for similar work at Hinkler Parade.

51. Demolition works had not been included in the original project budget estimate as it was anticipated that the Developer would undertake those works. The cost estimates for demolition have been prepared by Capita based on carrying out a single phase of demolition at the site. In addition to the demolition costs a payment will need to be made to the developer and there will be costs associated with highways works.
52. As previously reported at Cabinet in 2011, it had been the intention to seek to recoup this outlay from a combination of grants and capital receipts so that there is no net capital cost to the HRA at Weston Lane Shopping Parade. Over the course of the procurement process, with the change to HCA grant funding not being directly available to the Council, and due to the feedback from developers, it has been reluctantly accepted that there would be the need for the Council to cover enabling costs to ensure the development takes place. This means that there is a net capital cost to the HRA.
53. The HRA capital programme approved by Council on 13th February 2013 makes provision for this spending within the Weston Enabling Works Programme, phased as £700,000 in 2013/2014, £375,000 in 2014/15 and £250,000 in 2015/2016.
54. Unless the receipts from private market house sales exceed expectations, and trigger the overage provisions within the Development Agreement, there will be no additional receipts to the Housing Revenue Account.

Revenue - Housing Revenue Account

55. The proposals include plans to remove one local housing office unit which will reduce operating costs to the Housing Management Service.
56. The revenue budgets previously approved by Council in February 2011 made allowance for the revenue impact of the scheme at Weston. The loss in income from dwellings, shops etc. is approximately £223,000 in a full year. The annual revenue savings are approximately £48,000 and the saving on capital expenditure equates to approximately £181,000 per annum over 10 years, although most of this would have needed to have been spent in the next few years.

Revenue – General Fund

57. Retaining a Library at Weston and including it in the new parade will incur an ongoing revenue cost for its management, similar to the existing costs currently paid to maintain the Weston Library, as well as service charges which may be payable to the new landlord. There is no rental requirement for this new facility. As the Library and Community Facility is intended to be shared with other organisations, there may be costs for all the partners to share.

Compulsory Purchase Order

58. The cost of staff time to prepare the CPO will be met from existing resources or charged to the capital scheme, as appropriate.

Property/Other

Property – Site Assembly

59. The interests and rights in the land and properties are required for the purpose of erecting housing and facilities which serve a beneficial purpose for the future occupiers of the housing.
60. Demolition of properties can only happen once vacant possession is granted. The current position on acquisition to date is set out earlier in the report
61. Negotiations are continuing to purchase the remaining properties which are not held in Council ownership. Details of the current position have been given earlier in this report.
To ensure the redevelopment of these sites can be guaranteed, and to enable works to commence on site as soon as possible, authority is sought by this report to make a CPO under s17 of the Housing Act 1985 should it become necessary.
62. There still remains one Council tenant with a secure tenancy on their residential property at the site, as at 31st January 2013. If needs be the possession proceedings can be commenced to obtain possession of the property under the Housing Act 1985. The secure tenancy can be acquired as part of the CPO process.
63. The commercial tenants will be compensated in accordance with statutory valuation procedures which will be specific to each tenant as their occupation agreements and rights differ. The Estates Regeneration Team has produced and distributed information leaflets for residential tenants and property owners which set out statutory compensation arrangements.
64. Lettings of shops on Council estates are categorised as “social property” which recognises that the prime purpose for holding this type of property, and the way in which it is managed, is to support the service and community. It is anticipated that the existing non-commercial (community) tenants who currently occupy shop units at Weston Lane Parade would in future share the use of the Library and Community Facility. A management and use agreement would need to be drafted and which can be taken forward in due course.
65. An aspiration of the redevelopment was for continuous provision of the shops on the site during construction. This has not been possible as it threatened the timescales and increased cost. Some provision will however be made as the operator of the convenience store is currently proposing to temporarily relocate to an existing vacant retail premises in the vicinity of the site during the construction period, a period presently estimated to be between 18 and 24 months.
66. Due to the delivery requirements being imposed by the Council including the provision of a high density development, retail re-provision and provision of more affordable housing than normally required under current planning policy, the proposed disposal price is deemed to be at less than best consideration. A lower density housing scheme with no requirement to deliver a Library and Community Facility, less retail facilities, less affordable

housing and less retail/library parking would be anticipated to achieve a modest positive land value as explained in the Evaluation Report at (Appendix 2 exempt).

67. However, based on the specific scheme proposed it is considered that the proposed bid is reasonable and allows the Council to benefit from future uplift if the profitability of the scheme improves by way of an overage arrangement.
68. The Council has powers to dispose of vacant land at any price determined by the Local Authority under section 32 of the Housing Acts under General Consent A of the General Housing Consents 2012 and the recommendation for disposal is conditional upon the land becoming vacant following acquisition of all interests and the subsequent demolition.

Property – Council Services

69. This paper covers potential property disposals at a Council owned site, which is also the location for some local Council services including the Weston Library and the former Weston Local Housing Office.
70. Consultation and discussions have been ongoing since 2011 with Housing Management Service in respect of the proposals and to ensure that they agree with the proposals that are being developed for the Weston Local Housing Office to merge with the Peartree Local Housing Office.
71. In addition, consultation and discussions have been ongoing with the Library Service since 2011 on provision of Library services in the Weston area. There are limited suitable places in the area for the service to relocate to during construction, especially places that will enable public computer use. A mobile service is being considered, as are other options that will ensure that continuity can be provided. This was a particular concern for the local community.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

72. The Council has powers under various pieces of legislation to undertake these estate regeneration proposals:
 - The Housing Act 1985 Sections 17 and 32
 - The Local Government Act 1972 (section 120)
 - Sections 25 and 30 of The Landlord and Tenant Act 1954 to end commercial tenancies at the parade
 - The Land Compensation Act 1973 (as amended)
 - Land Acquisition Act 1981
 - Section 13 of the Local Government (Miscellaneous Provisions) Act 1976 to purchase any new rights over land adjoining the site
73. The Compulsory Purchase Order is to be made in accordance with section 17 of the Housing Act 1985 for the purpose of erecting housing and facilities which serve a beneficial purpose for the future occupiers of the housing.

74. The Council's powers in relation to stopping-up of Highways and closure of the car park are as set out in the report
75. In order to extinguish the Right To Buy completely, a Final Demolition Notice (FDN) has to be served on any remaining secure tenants within five years of the service of the Initial Demolition Notice at which time the Council must have concrete arrangements in place to purchase property which is not in its ownership. The Cabinet report of July 2011 authorised officers to serve an Initial Demolition Notice which was implemented in September 2011.

Other Legal Implications:

76. In recommending the making of CPOs the rights of third parties that may be affected (including the property rights of the current property owners of the sites) have been balanced against the public interest in acquiring the land. It is recommended that the Council can be satisfied that the proposed CPOs are necessary and proportionate having regard to the provisions of the Human Rights Act 1998 and is in the public interest having regard to both the need to provide good quality, energy efficient homes in areas where people wish to reside now and in the future and the need to regenerate this estate.

POLICY FRAMEWORK IMPLICATIONS

77. These proposals will help deliver the new homes including affordable homes required in both the Housing Strategy 2011-15 and as part of the Council's partnership with PUSH. The regeneration of Southampton's council estates will play an important part in delivering a number of corporate policy objectives for regeneration.

KEY DECISION? Yes/No

WARDS/COMMUNITIES AFFECTED:	Woolston Ward
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SUPPORTING DOCUMENTATION

Appendices

1.	Summary of the Developer Proposals – public consultation information
2.	Tender Evaluation Report - CONFIDENTIAL
3.	Statement Of Reasons For The CPO
4.	Draft Order Map For The CPO
5.	Consultation Feedback & Analysis: The Independent Facilitator's Report Analysis Of Public Consultation Input Into The Project

Documents In Members' Rooms

1.	Summary of Consultation, Weston (2011)
2.	EIA / IIA for Weston Shopping Parade Project
3.	Communication Summary For The Weston Shopping Parade project

Equality Impact Assessment

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

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

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None	
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Agenda Item 18 Appendix

Modern Shopping Parade

A total of 3 new shops are proposed within the development reflecting modern day shopping patterns.

We are working in partnership with The Co-op to provide a large convenience store within the new development.

We have also had positive negotiations for the provision of a new food retail store to be included in our redevelopment of Weston.

We will provide an additional shop which will cater for local demand. Our new development will aim to include a Post Office within one of the shop units.

Our new proposed development includes new retail servicing arrangements, minimising disruption to local residents will also be included.

Continued Retail Throughout the Redevelopment
During construction, we cannot ensure retail provision on site. However, in partnership with The Co-op, we are investigating the opportunity to provide a continued Co-op store in an existing shop unit on Archery Road for the duration of the construction work. This could also provide a continued Post Office facility.

These steps will retain existing jobs in the area and ultimately boost local employment with a larger store.

Large Multi-Use Library and Community Hub for Weston

Including space for community and youth activities to engage with young people in a positive environment.

Modern Housing for All Generations

A total of between 68 and 72 new homes (each with their own parking space) designed for all ages, including 25-26 three bedroom family properties.

30-32 affordable homes are provided (including 2 wheelchair accessible homes) for local residents in housing need.

The development provides traditional street scenes with a contemporary edge.

All properties are designed to 'lifetime Homes' standards which ensures ALL homes meet the changing needs of residents.



Proposed Analysis Key

- 1 bed affordable flat
- 2 bed affordable flat
- 3 bed affordable flat
- 2 bed private house
- 3 bed private house
- 3 bed private house
- Private car spaces
- 30 x affordable car spaces
- 20 x commercial car spaces
- 5 x visitor spaces
- Private amenity space
- Public amenity space
- Homezone amenity / courtyard



Community Library and Flats



Retail Store and Flats

Regeneration of Weston Lane Parade

WESTON LANE PARADE

community engagement

Accessible Weston

25 visitor and retail/community parking spaces (including 2 designated disabled parking bays) are provided in the new development, catering for the increased local demand for access to retail and the new community and library facilities.

Off road retail serving arrangements in a suitable sized loading bay and extra servicing to the rear of buildings.

Continued access to 24-38 Kingsclere Avenue has been carefully considered and will be respected throughout the development process.

Traffic calming measures will be incorporated into Weston Lane.

Safe and Secure Neighbourhood

The development will include a new and improved community hub, encouraging local residents to engage in the redevelopment of Weston.

We have designed the development to have active street

frontages throughout, ensuring all areas are naturally overlooked creating a safer, more appealing streetscape.

Community Involvement

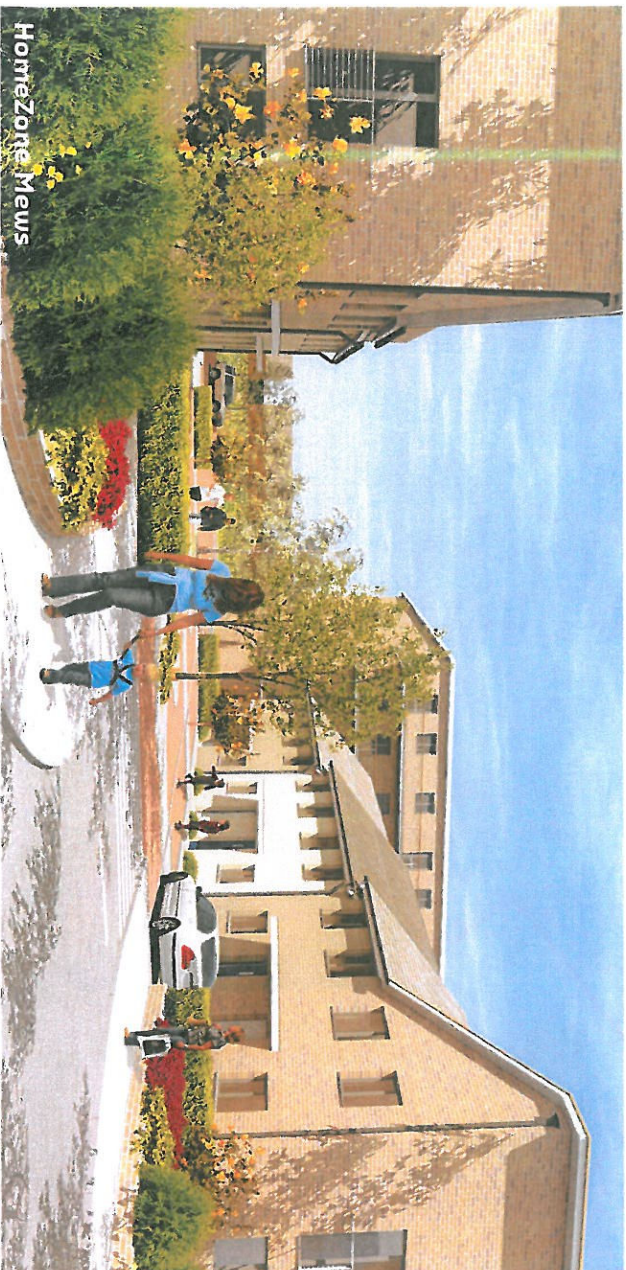
We want to share the journey of regeneration with the local residents of Weston. We propose comprehensive community engagement from day one, including activities such as:

Public Exhibitions before we submit our planning application. These will be interactive events and you can raise any questions you have about the development with us.

Our **Community Engagement Officer** will be onsite one day per week for the duration of the construction, engaging with community groups and local schools.

A competition to name the **new local community park** in the development.

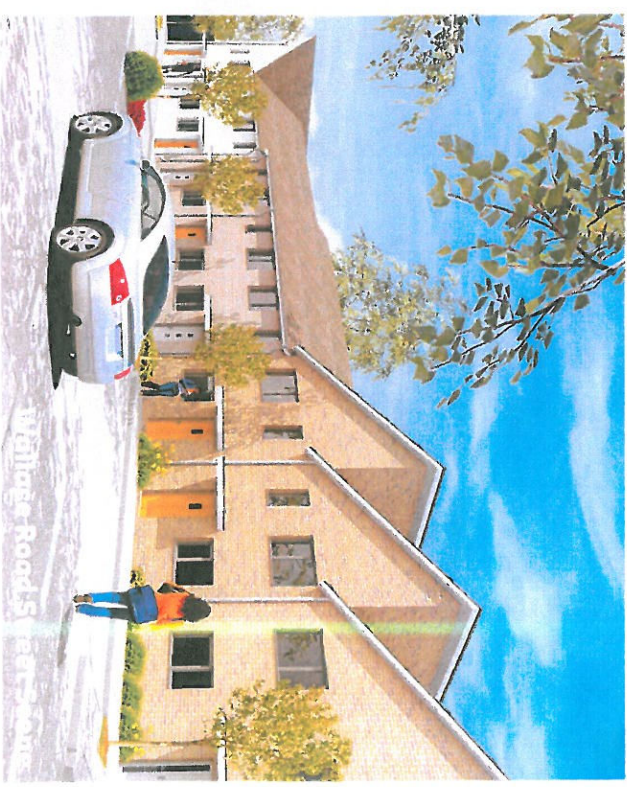
We look forward to working in partnership with the local community of Weston to bring this development forward, creating a sustainable community for generations to come.



Regeneration of Weston Lane Parade



Community Park Terrace



Village Road Street Scene

WESTON LANE PARADE
community engagement

Document is Confidential

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Southampton City Council **(Weston Lane and Kingsclere Avenue) Compulsory Purchase Order 2013**

STATEMENT OF REASONS

1.0 Description of the Land, Location and Present Use

1.1 The Land to be acquired

The Order covers 4 individual parcels of land (being the remaining leasehold and other interests) which are not in the Authorities' ownership in the centre of the Weston estate on the junction of Wallace Road, Weston Lane and Kingsclere Avenue, Southampton shown coloured pink and numbered 1, 2, 3 and 4 on the Order map (collectively referred to as "the Order land" in this statement)

The freehold of the Order land is owned by the Authority and forms part of the area known as Weston Lane Shopping Parade forming a local shopping parade and Council housing but now largely vacant pending redevelopment.

Currently the buildings at Weston Lane Shopping Parade are laid out as 10 shop units and 66 flats/ maisonettes together with garages, sheds, service and open areas. The parade of shops and Library previously served the needs of local residents.

Full details of the properties to be acquired appear in the Schedule to the Order but in summary comprise:-

- All interests except those already owned by the acquiring authority in approximately 55 sq m (Gross Estimated Area, GEA) of land situated at 24 Somborne House, Weston Lane, Weston coloured pink and numbered 1 on the Order map. This property is a 1-bedroom flat within a block of flats known as 1-32 Somborne House, Weston Lane and is occupied by a tenant of the acquiring authority
- All interests except those already owned by the acquiring authority in approximately 180 sq m (GEA) of land situated at 74-76 Weston Lane, Weston, known as McColls Newsagents coloured pink and numbered 2 on the Order map and held on a commercial lease.
- All interests except those already owned by the acquiring authority in approximately 70 sq m (GEA) of land known as 1 Kingsclere Close, Weston, including sheds and land and held on 125 year lease. The property is within a block known as 1-20 Kingsclere Close, Weston and coloured pink and numbered 3 on the Order map.
- All interests except those already owned by the acquiring authority in approximately 358 sq m (GEA) of land situated at 80 Weston Lane & 1 Wallace Road, Weston known as the Co-Op coloured pink and numbered 4 on the Order map and held on a commercial lease

1.2 Location and Present Use

The Weston area is a part of the City with very high levels of deprivation particularly as regards education, skills and training, employment and crime. The estate is located on the south - east edge of the City. The estate bounds Southampton Water and woodland to the east at the city boundary with housing and open spaces to the north and west.

Overall the estate has a well-maintained suburban feel although the area to be redeveloped is of poor aesthetic appearance and less well-maintained. Approximately 2878 people live in the Lower Super Output areas covering the Weston estate, which includes the Order Land, in 1530 homes. The area has a relatively high proportion of older people and children and lone parent families.

Within the Weston lettings area, which is larger than the Lower Super Output Area, the acquiring authority owns approximately 2208 properties, of 2556 in the area as a whole.

There are 150 properties classified for older persons (60 for people over 60 years of age with floating warden support, 32 which are supported by a dedicated warden and 58 for people over 50 years of age with floating warden support).

There are a total of 54 void properties in the Weston lettings area as at 31st January 2013. 40 of these will be redeveloped in another Estate Regeneration project due to commence on site in February 2013. No properties are being held vacant for major repairs or works nor are classified as sub-standard.

This shopping parade is in the heart of the community and together with the associated housing, forms a local centre for the immediate neighbourhood. The existing buildings are in poor condition and the shopping parade has a design which is not to contemporary standards in terms of designing out crime and anti-social behaviour, which have been a continuing issue in the area.

2.0 The Purpose of the Authority

The purpose of the Authority in making the Order is to assist in achieving the key Government housing policy goal of ensuring that everyone has the opportunity of living in a decent home, which they can afford, in a community where they want to live. Local planning authorities are advised to help achieve this by reusing land that has previously been developed and which is underused.

The authority seeks to acquire the Order land to facilitate a redevelopment of the Order land (together with other parts of the Weston Estate owned by the acquiring authority) for the purpose of erecting housing and facilities which serve a beneficial purpose for the future occupiers of the housing, as described in Section 3 below. The Order land and the other land to be redeveloped (“the Redevelopment Area”) is shown edged red on the plan attached as appendix 1 to this statement and marked Weston Lane Shopping Parade Regeneration Plan. This will regenerate the area and deliver a mixed use scheme of housing, retail and community facilities which will create a distinctive character to the area relating well to its surroundings and will support a sense of local pride and civic identity. The Council is satisfied that the scheme will improve the quality of housing

within the site and will increase the quantity of housing provided in the Weston area as a whole.

Southampton City Council's Housing Strategy (2011-2015) has been developed to deliver the Government's localism and housing goals and has the following key objectives help to deliver:

- Maximising homes for the city
- Improving homes – transforming neighbourhoods
- Extra support for those who need it

On the 19th February 2013 Cabinet of the Authority resolved to authorise the making of the Order for the reasons set out in a draft of this Statement of Reasons

3.0 Proposals for the Land

The project is phase 3 in a series of estate renewal initiatives planned for Southampton known as the Weston Lane Shopping Parade regeneration. It comprises the redevelopment of the Redevelopment Area being a local shopping centre and associated housing and land to provide a renewed local centre, community facilities and new homes

Consultation with the local community has played a major part in the redevelopment to date and will continue to do so. The consultation process started in March 2011 when the acquiring authority commenced a 12-week period of statutory consultation with its tenants (as Section 105 of the Housing Act 1985) with letters being sent to the tenants and residents at the site and over 3000 leaflets and posters publicising the consultation drop-in events that followed.

Over 138 residents filled in questionnaires and told the Acquiring Authority their ideas for the parade's future. There was significant support for comprehensive redevelopment. An independent facilitator, Solent Centre of Architecture and Design, ran a design festival in May-June 2011 and a feedback session in July 2011 which informed the site Information & Development Brief for the scheme which was used in the procurement process.

The executive for the Acquiring Authority approved the principle of redevelopment of the Redevelopment Area on 4th July 2011 following the public consultations.

In October 2012 one bid was received in the procurement process and was shown to the community at three public consultation events held in Weston in January 2013 where approximately 60 people gave their opinions. Overall the local public considered that the proposal for redeveloping the Redevelopment Area was good and would improve the site and the Weston area as a whole.

The community has been kept up to date with the project by newsletters, updates on the Council's website, and press releases since the initial public consultations began in March 2011.

The preferred bidder is national developer Bouygues Development UK working with regional housing association Spectrum Housing Association who are preparing more detailed designs and undertaking further pre-application consultation in advance of a planning application submission in April / May 2013. A disposal of the Redevelopment Area to this developer was approved by the Acquiring Authorities cabinet on the 19th February 2013.

The redevelopment is subject to the completion of a development agreement between the Acquiring Authority and Bouygues Development UK which is programmed for completion by the end of August 2013.

The redevelopment will see 72 dwellings built on the site, 40 of the 72 dwellings will be houses, 32 will be apartments. Each property will have one allocated car parking space.

32 dwellings will be affordable housing and 40 dwellings for private sale. All the dwellings will be transferred to Spectrum Housing Association who will sell the private sale homes and manage the affordable homes.

Of the affordable homes 24 will be general needs rent which will be let through the acquiring authority's choice based lettings system. Council tenants who used to live at the site will be offered the first opportunity to bid for the new affordable properties if they are eligible for them based on their housing needs. 8 of the affordable homes will be for shared ownership.

25 (35%) of all the new homes meet the Local Planning Authority's Family Homes Policy (policy CS16) of having three or more bedrooms.

The new homes will be required to meet the Code For Sustainable Homes Level 4 standard, furthermore two homes will be required to meet a "wheelchair live-able" standard, defined as:

"Dwellings built to a standard that would allow people using wheelchairs full access to, and use of, the entire house or flat. To that end, the dwelling would normally have adjacent parking, a level entrance, adequate circulation space, all rooms designed for easy access and use by people who use wheelchairs, and full access to, and use of, all levels of the building"

There will be 3 retail units to meet the contemporary needs of the community including a food retail store and a Library and Community Facility to serve the Weston area.

4.0 Justification for CPO

The implementation of the scheme requires the acquisition of outstanding leases as set out in Section 1. Since 2011 the Acquiring Authority has entered into discussions and negotiations with the holders of these land interests for their acquisition by agreement and will continue these negotiations.

Single ownership is required to enable redevelopment to proceed at an early date by providing certainty for programming which will enable the Acquiring Authority to achieve its objectives in a timely manner. Nevertheless, the Acquiring Authority has attempted and will continue to attempt to purchase the Order land by agreement.

The Southampton City Council Lettings Policy 2010 and Decants Policy 2011 applies to residential secure Council tenants and they have been granted additional housing points on their choice based lettings applications. Both Housing Management Officers and Housing Needs Officers are supporting the remaining tenant to bid for alternative premises in areas of the tenant's choice. The tenants at the site have all been offered home loss compensation and disturbance allowance payments.

The individual leaseholders have been treated equally and have been offered compensation the services of an independent Chartered Surveyor have been provided and paid for by the Council for the leaseholders to ensure the purchase price offered is fair and reasonable. Housing advice has been given to the leaseholders advising them of their various housing options.

One of the present commercial tenants (Co-Op) have been offered first refusal within the new development at a commercial rent. The commercial tenants not planning to trade in the new development have been supported to find alternative premises and disturbance costs have been met by the Council or they have been offered adequate compensation to close their business. McColls details have been passed to the preferred developer to facilitate contact but the Acquiring Authority understands they have not been offered a commercial unit in the new development.

The Council is satisfied that the Order is necessary and in the public interest and that the Order Land is suitable and required in order to meet the pressing need for the Scheme, as described in Section 2.

The Council considers that Section 17 of the Housing Act 1985 is the most appropriate power for acquisition of the Order land as the land is currently held within the Acquiring Authority's Housing Portfolio and the disposal of it will be as vacant land at less than best consideration. Further the purpose of the redevelopment is to erect modern and suitable housing and facilities which serve a beneficial purpose for the future occupiers of the housing and surrounding area.

The Council has considered whether the powers it seeks to exercise are compatible with the European Convention on Human rights, in particular Article 1 of the First Protocol of the Convention. It has concluded that there is a compelling case in the public interest for the acquisition of the Order land, as this will bring benefits to residents and businesses in the Weston area of Southampton that could not be achieved by agreement, and this outweighs the loss that will be suffered by those with an interest in the Order land. This compulsory purchase order follows existing legislative provisions in respect of the making and confirming of CPOs and the payment of compensation and, as such, the Council considers it to be compatible with the Convention.

5.0 Planning Position - Government Policies

Whilst a detailed planning application has not yet been submitted, the Acquiring Authority considers that it is expedient to acquire ownership of the Order land in order to be able to dispose of it to its appointed developer to ensure that the appropriate redevelopment comes forward in a timely manner and, as the developer has had regard to the provisions of the Development Plan in preparing the planning application, planning permission should be forthcoming. The following policies are of relevance to the forthcoming planning application.

The National Planning Policy Framework advises Local Planning Authorities to make effective use of land by reusing land that has previously been developed (NPPF paragraph 17, point 8)

Section 6, paragraph 50 of the NPPF states that local Planning Authorities should deliver a wide choice of high quality homes; widen opportunities for home ownership and create sustainable, inclusive and mixed communities, including planning for a mix of housing based on current and future demographic trends, delivering housing size and type according to local demand and setting targets to deliver affordable housing.

The Development Plan for the city comprises the policies of the Local Development Framework Core Strategy Development Plan Document which was adopted in January 2010 and some preserved policies of the Southampton Local Plan review.

The City Council's Local Development Framework Core Strategy contains the following relevant policies:

Policy CS 4 (housing delivery) - requires an additional 16,300 homes to be provided within the City of Southampton between 2006 and 2026. The Secretary of State has confirmed that the evidence underlying the preparation of this figure remains valid and therefore the target of 16,300 homes remains within the development plan

Policy CS 13 (fundamentals of design) - requires redevelopment proposals to meet the robust design process which should be analysis-based, context driven and innovative.

Policy CS 15 (affordable housing) - requires the provision of 35% affordable housing.

Policy CS 16 (housing mix and type) - requires redevelopment proposals for the site to include at least 30% of new dwellings as family homes with a threshold of 15 dwellings (larger units with appropriate sized gardens or private amenity space).

The Acquiring Authority intends to demolish the vacant buildings on the site in order to be able to dispose of the Redevelopment Area to the preferred developer as vacant land at an undervalue, as without such disposal at an under value, the scheme with its community facilities would not be viable. An application for planning consent for the demolition is due to be submitted in March 2013.

The redevelopment is also subject to Bouygues Development UK, the Acquiring Authorities preferred developer, securing full planning permission for the redevelopment. The application will be submitted in April / May 2013.

6.0 Special Considerations

There are no ancient monuments or listed buildings within the Order land. The Order land is not in a conservation area. There are no issues concerning special category land, consecrated land, renewal area, etc.

7.0 Known Obstacles To The Redevelopment

The freehold title is subject to easements. There are rights of drainage and rights in respect of water, gas and electricity supply services. Any changes to these easements will be negotiated and agreed with the affected utility companies

No further new rights are anticipated to be required for the redevelopment.

In order to be able to commence redevelopment, a number of highway rights which currently exist across the Order Land would need to be extinguished. These include stopping up the publicly maintainable highway into Kingsclere Close, the precinct footpaths by the shops and the walkways linking Weston Lane to Kingsclere Avenue and a spur footpath off that linking to Ashton House. Once planning permission for the redevelopment has been secured an application under section 247 Town and Country Planning Act will be made to the Secretary of State for an order to authorise the stopping up or diversion of these highways as it is necessary to do so in order to enable development to be carried out.

The public car park at Weston Lane which provides 13 car parking spaces for customers of the shops at the parade will need to be closed. A Traffic Regulation Order (TRO) to remove the public's right to park will be made. Reprovision of this parking will be made as the redevelopment will provide for 20 car parking spaces to support the new shops, Library and community facility.

8.0 Delivery

The Council has made huge steps towards enabling the redevelopment to happen, working closely with the local residents and community who are supportive of redevelopment and making available its land for the scheme at minimal return, together with relocating 95% of residents and the 80% of commercial tenants. A funding package has been assembled for this project with the majority of funding coming from the private developer and housing association grant funding from the Homes & Communities Agency. The acquiring authority has funded the enabling costs of the development including securing vacant possession of the site and compensation payments.

There is a pressing need for the scheme to go ahead, many residents have already moved out of their homes to facilitate the scheme, and it will provide important construction

activity during the downturn and a range of regeneration benefits in a deprived area of the City.

9.0 Views Of Executive Agencies / Government Departments

The Homes and Communities Agency an agency of the Department of Communities & Local Government and regulator of social housing providers in England, supports this project; it has been consulted at every stage of the redevelopment and during the selection process for the successful developer.

10.0 Relocation Proposal For Residential Tenants

The Secure Tenant at 24 Somborne House has been given approximately 13 offers of accommodation that meet her housing need, as at 31st January 2013. None of these offers will remain open to the tenant although other offers of suitable accommodation will be made when it becomes available. The Acquiring Authority continues to work towards resolution of this tenant's housing issues.

The leaseholder at 1 Kingsclere Close has been made an offer of market value for their property but does not consider this will enable their family to remain in owner occupation, which is their desire. Continuing attempts will be made by the Acquiring Authority's agents to engage with the Leaseholder in the acquisition process with a view to reaching agreement on their housing options.

11.0 Relocation Proposal For Business Tenants

McColls Newsagent at 74-76 Weston Lane has not been offered premises in the new parade and the Council expects to agree compensation on the basis of extinguishment of the business.

Co Op have been offered premises in the new parade at a commercial rent, although this is not agreed, and negotiations are continuing regarding the surrender of their lease and relocation arrangements.

Further information can be obtained from the Authority's agent:

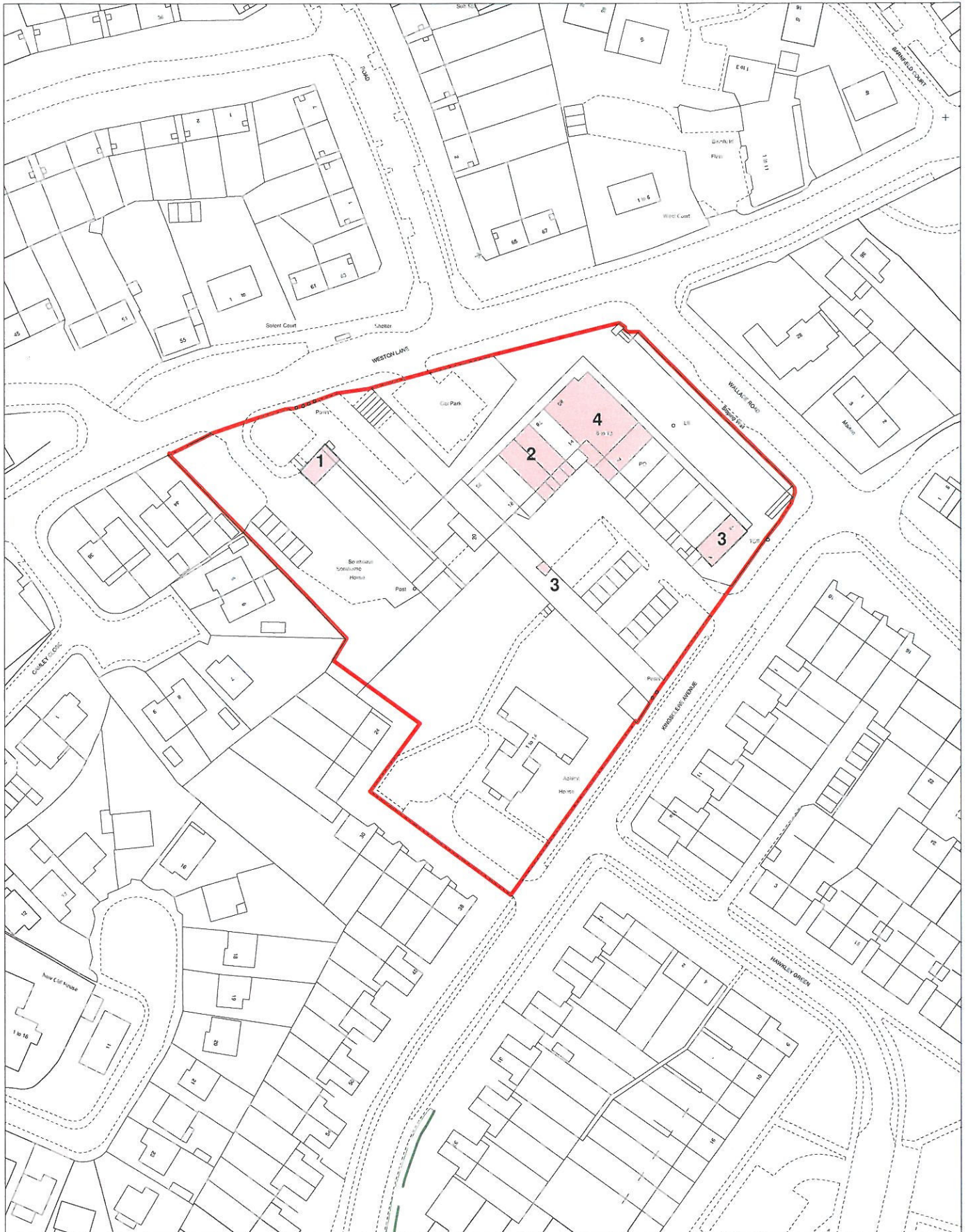
Ali Mew
Capita Symonds
3rd Floor One Guildhall Square
Above Bar Street
Southampton
SO14 7FP

12.0 Related Applications, Appeals, Orders etc.

None other than as mentioned previously in section 7.

13.0 Documents, Maps or Plans for the Public Inquiry

If a public inquiry is convened, a list of documents etc will be provided in due course and arrangements will be made for them to be available for public inspection.



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PROPERTY SERVICES SOUTHAMPTON CITY COUNCIL ONE GUILDHALL SQUARE, ABOVE BAR, SOUTHAMPTON, SO14 7FP.		SCALE (1:) 1250	DATE 31.01.2012
PLAN NO V3423	TITLE Weston Lane - Kingsclere Close & Somborne House, Weston		

Appendix 5: Weston Lane Shopping Parade –Analysis of public consultation inclusion in the project brief

Comments from Spring 2011 consultations (From Solent Centre for Architecture & Design Report)	Action – Incorporation into Development Brief?	How the bid responds to the Development Brief	Consultation comments from January 2013	Further action?
Shopping parade and surrounding buildings needed to be redeveloped. There should be sensitive redevelopment to improve the area	The redevelopment of the parade was acknowledged from the outset of the brief with design standards set out to ensure this was done sensitively respecting the existing character of the area. (Also noting the need to balance this with wanting to create a modern approach into the design of the site.)	The proposed design has sought to address the criteria specified in the brief. The brief set out criteria for legibility of the site, open space, where the retail use should be located, accessibility and massing of the site, active frontages and amenity space standards.	Overall people considered the proposals would improve the site and lift the area as a whole.	Project Manager to feedback consultation comments to developers and their architects to maximise the benefits of the redevelopment to enhance the area
Rear deck access is unsatisfactory	Design standards were set out in the brief for active frontages along all Weston Lane, Wallace Road and Kingsclere Avenue	The proposals set out no rear deck access across the site.	No specific comments were made about this during the consultations.	Secured By Design assessment will be needed to minimise potential for anti-social behaviour within the proposals.
Poor building quality on the existing site	Design standards sought the use of high quality materials	Detail on the proposed materials is not sufficient as yet	No specific comments were made about this during the consultations	More detail to be sought from the developers and to be confirmed during the planning process.
Redevelopment of the site should reflect the rest of the Weston area, as more	Design standards were set out in the brief for active frontages along all Weston	The proposals set out active frontages along Weston Lane, Wallace	The majority of comments made considered that the proposals did respect the	Refer back to the developers regarding overlooking concerns

Comments from Spring 2011 consultations (From Solent Centre for Architecture & Design Report)	Action – Incorporation into Development Brief?	How the bid responds to the Development Brief	Consultation comments from January 2013	Further action?
suburban in feel and traditional streets with front doors opening onto the street, with the redeveloped Hinkler Parade as a model	Lane, Wallace Road and Kingsclere Avenue	Road and Kingsclere Avenue with building heights stepped down to 2 storeys at Wallace Road, Weston Lane abutting the bungalows close to Camley Close and Kingsclere Avenue but at 3-5 storeys along Weston Lane.	suburban feel of the site. Some comments also considered the proposals would not improve the site, some considered the heights too high, although Somborne House is 6 storeys in height.	raised at Wallace Road / Weston Lane.
Removal of space for loitering and better surveyed spaces (such as the garages, car parking areas and precinct by the shops)	Design standards were set out in the brief for active frontages and to have overlooked open space	As above.	Concerns about overlooked open space in the middle of the development.	Refer back to architects and review with the Police as regards to Secured By Design.
A mix of houses and flats	<p>The target density set for the proposals was 60-75 dwellings per hectare with a minimum density set at 50 dwellings per hectare.</p> <p>50% of the homes to be private market sale and 50% to be affordable</p> <p>5% of the affordable housing being wheelchair liveable</p> <p>30% of the new homes meeting the planning policy</p>	<p>A proposal of 68-72 dwellings is set out, 38 houses (15* 2-bedroom and 23*3 bedroom) all private market sale, 32 flats (4* 1 bedroom, 15* 2 bedroom and 2* 3 bedroom all affordable) plus 8 further 2 bedroom shared ownership flats) A further 2 wheelchair liveable flats are to be provided.</p> <p>34% are family homes 56% private market sale to 44% affordable with 73% of the affordable homes being</p>	<p>Comments that the new properties will not be owned and managed by the Council and that there is a net loss of affordable homes on the site.</p> <p>Comments that the flats need to be accessible to those with mobility problems.</p>	Refer back to the developers and the housing association to confirm if there will be lifts in the apartment blocks.

Comments from Spring 2011 consultations (From Solent Centre for Architecture & Design Report)	Action – Incorporation into Development Brief?	How the bid responds to the Development Brief	Consultation comments from January 2013	Further action?
	criteria of being family homes (3+ bedrooms).	affordable rent to 27% being shared ownership. Density proposed is between 68-72 dwellings per hectare.		
People wanted a less derelict-looking parade, fewer shops, maybe 3-4 would be acceptable	The brief set out having a minimum of 3 shops with a total of 600 square metres of floor space. A Library and Community Facility at 150 square metres of floor space was required in the brief.	3 shops with a total of 600 square metres of floor space is proposed in addition to a library and community facility at 150 square metres	Comments were made with regards to insufficient community space provided.	Potential for community uses in the spare retail unit – although rent will be payable for this unit. The management arrangements for the Proposed Library & Community Facility have yet to be developed.
More car parking was needed for the doctor's surgery, and this could be addressed by the redevelopment of the site	1 parking space per dwelling plus 10% visitor parking spaces and 20 car parking spaces for the shops was requested – this exceeds maximum planning policy requirements	1 car parking space per dwelling is proposed plus 5 visitor spaces and looking to reach 20 car parking spaces to support the shops.	Residents at 24-38 Kingsclere Avenue have asked about the car parking and access arrangements close to them. Comments that what has been proposed is not sufficient.	Refer to developers with regards to the car parking and access arrangements at 24-38 Kingsclere Avenue.
Footpaths could be better maintained	No specific requirements were made with regards to footpath maintenance		No specific comments were made about this during the consultations.	Discussions ongoing as to the future ownership and maintenance of the

Comments from Spring 2011 consultations (From Solent Centre for Architecture & Design Report)	Action – Incorporation into Development Brief?	How the bid responds to the Development Brief	Consultation comments from January 2013	Further action?
				new paths in and around the redeveloped site
The corner of Wallace Road and Weston Lane is tight and dangerous	No specific requirements were made with regards to this part of the highway	The zebra crossing is to be re-sited as is the bus stop along Weston Lane to allow for lay-by car parking where the existing bus stop is located. Weston Lane to be traffic calmed to slow traffic speeds.	There are still concerns that this junction will be dangerous.	Refer back to the architects and the developer's civil engineers for further assessment.
Include green space within the development and better connections to Mayfield Park	Criteria for use-able open space at the site was set out as was a Home Zone area within the site designed to be an amenity area for residents. Improved connections to Mayfield Park were identified.	The green space between what is now Ashton House and Somborne House is proposed to be made more use-able by residents and overlooked by a terrace of 4 houses. Improved connections to Mayfield Park as part of site specific highways works have been identified.	This open space is considered not to be sufficiently over-looked and needs to be better surveyed and more use-able. Can there not be open space visible from Weston Lane and Wallace Road? There had been a comment that Mayfield Park needs to be improved with a better offer for young people to play.	Refer back to the architects as the use of this open space needs to be re-considered Check what likely planning contributions will provide in terms of play and improvements at Mayfield Park.
Remove the electricity sub station	No specific requirements were made with regards to removal of the electricity	This will remain on the site, but it may be the case that it will be re-clad / housed	Comments were made about the electricity sub-station being unsightly	Check back with the developers and SEB about re-cladding /

Comments from Spring 2011 consultations (From Solent Centre for Architecture & Design Report)	Action – Incorporation into Development Brief?	How the bid responds to the Development Brief	Consultation comments from January 2013	Further action?
	sub-station.	as part of the development.		housing of the sub-station.
<p>New shops on the new parade could include:</p> <ul style="list-style-type: none"> Convenience store Post office Fast food / hot food outlet Library Provision for young people Pet shop Hairdresser Café 99p shop DVD rental shop McColls / Martin the newsagent Jobcentre / Link Job Club Co-Op <p>People also wanted continuity of provision during construction.</p>	<p>A Library and Community Facility at 150 square metres of floor space was required in the brief.</p> <p>No specific requirements were made with regards to the operators of the shops, although use classes for the shops were set out as were space requirements for the retail requirements.</p>	<p>A convenience food store is proposed at 400 square metres plus two retail units at 100 square metres. Discussions with Co-Op have taken place with regards to the convenience store and there have been other tentative discussions with an operator for a hot food unit. The third unit has no current end user identified. Discussions with Co-Op and the developer have taken place as to Co-Op operating from the unit they currently have a lease on at Archery Road.</p>	<p>Comments were made about whether Co-Op had to be the convenience store operator, they are seen to have a monopoly in the area and pricing is not considered competitive.</p> <p>A continuous post office provision was also wanted during construction.</p>	<p>Co-Op have been asked about their pricing – they have said this is consistent with their convenience store pricing.</p> <p>Mobile grocer service is being looked into.</p> <p>Discussions are continuing with the post office operator about how to provide a continuous post office during the construction works. A potential location for it has been identified.</p>

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Paul Grover – Urban Consultant

January 2013

Estate Regeneration Programme Community Consultations at Weston Parade, 24-26 January 2013



Introduction

Following submission of design proposals for the Western Parade shopping area, Paul Grover (PGUC) was engaged to follow up the community consultation carried out in May/June 2011. At that time the community were canvassed as to their opinions about the shopping parade and the immediate area around it (see appendix A). The results of this initial consultation were analysed by SCC officers prior to a development brief being prepared.

The community consultation was carried out over three events between 24 and 26 January 2013, at Weston Court Community Room and at the library in Weston Parade. As before, people living locally had been contacted by letter and a leaflet and this meant that there was a good turnout, especially on the evening of Thursday 24 and morning of Friday 25 January. The final morning at the Weston Centre on the Saturday morning saw fewer people, which was perhaps understandable as it was the weekend. In total, over the three days, around 60 people came to view the developer's ideas for the redevelopment.

Process

SCC had prepared two A1 sized boards from the developer's submission, the first detailing the site plan and general arrangement of new provision along with 3d views of the apartment block facing onto Weston Lane. The second focussed on 3d views of the proposed houses on Wallace Road, the home-zone, and the area fronting the community park.

People attending the consultation events were invited to view the drawings and PGUC and SCC staff were on hand to explain them if people had difficulties in understanding (often the case with architectural plans).

General Summary

Overall (especially with regard to the housing), the response was highly positive. Of 58 questionnaire's filled out 41 (71%) agreed that the scheme displayed would enhance the area and help create a decent neighbourhood. Of the remaining respondents only 6 (10%) disagreed and 11 (19%) were either unsure or expressed no view.

One of the most expressed views was that the housing looked modern and fresh, with clean lines. The houses were especially popular and whilst the apartments were less overwhelmingly supported, it was generally understood that different tenures and accommodation choice was understandable. One point worth making is that whilst it is understandable that this was a sketch scheme and subject to development and changes, there was great difficulty for people (even

those with architectural training) to understand how the level changes will work in the new development. This was easier to explain on the Wallace Road frontage, much harder on the Weston Lane elevation. A couple of sections through the site from Weston Lane to Kingsclere Avenue would have aided better understanding by the community, surely the purpose of the exercise. There were a number of concerns that the provision of affordable housing units had been halved from its current provision. Explanation about the viability of the scheme being predicated on a greater number of private houses for sale was generally met with resigned understanding.

If the majority of respondents were positive about the type and layout of the housing, there was a little more equivocation concerning community space provision and open space layout. The main points here concerned the amount of space that will be made available to community uses and despite the inclusion of a community library (unanimously supported) in a space twice the size it currently occupies, it was felt by some that this would not be enough space for other current community activities taking place on the site to continue. This issue needs to be developed and discussed in more detail. These 'soft' social benefits to the area, often informal or surviving precariously are part of a delicate societal eco-system: their loss might not be noticed at first but they act as social adhesive – it would be foolhardy to create a situation where they were unable to continue, especially in an economic climate where further LA budget cuts seem almost inevitable. Moreover, it is not just a question of moving their base as many of these offers are taken up precisely because they are 'local', developing respect and trust that it is easy to lose should they move elsewhere.

A few people felt there was a need for more shops in the new development. The reasoning behind the reduction in the number of shops might therefore need to be reasserted. At the initial consultation carried out in June 2011 it was obvious that the parade (or any redeveloped shopping area in the location) would not be able to support more than a few shop units. It is understandable that some people might look back with 'rose-tinted glasses' to a time when small shops were the norm, where people did their shopping on a daily basis, and did it in local shopping parades. But one of the key reasons why Weston Parade has suffered the way it has in recent times is due to the changes in national shopping trends – larger supermarkets have changed the economic viability of small parades almost completely. Despite the fact that in a place with Weston's demographic one would expect greater reliance on local shops, the hard fact is that it would be almost impossible to fill a larger number of shop units and the current situation would be likely to recur. This notwithstanding, a common concern (again perhaps representative of the local demographic) was that there would be a long period when the convenience store and post office would be closed. The current situation seems to be that SCC and the Co-op are investigating the possibility of providing a continued service during construction. It should be impressed on all concerned with the project that this is a real issue of concern for local people.

Whilst almost certainly an issue with the accuracy of site plan drawing, there were many people who picked up upon the traffic conditions onto Weston Lane. More specifically the area identified for the loading bay in front of the proposed convenience store seemed to conflict with the street crossing currently in this position. More clarity here would have been very helpful and would have prevented many (quite understandable) concerns.

Finally, and although there seem to be policy reasons lying behind the decisions taken, the community park was questioned by a number of people concerned that this would act as a magnet for anti-social behaviour. One of the key concerns identified during the first consultation in June 2011 was the amount of anti-social behaviour occurring in the immediate area. From a purely 'urban design' standpoint the utility and amenity of the community park would benefit from further thought, if necessary asking questions of a city-wide open space policy that might not be sophisticated enough to prevent negative impact in areas such as this. If policy is 'driving design' rather than vice versa, this should be made very clear.

Indicative Responses (from questionnaires)

Housing Provision

- It will bring a brighter and fresh appearance to the area
- The area needs change as it is getting very untidy
- Concern about overlooking from apartments facing Wallace Road onto registered nursery at rear of 82 Weston lane (Rosegarth day Nursery)
- This project is not just about future residents. It's also about the current residents of Weston who have reason for wanting something that makes a difference to the whole community
- Large amount of private housing as opposed to affordable/rented houses
- The level of affordable housing for residents of Weston – the most deprived estate in Southampton – has been halved, with only 32 units being provided compared to what was currently available before the flats were cleared.

Convenience store/Shops

- Post office in Co-op – reduce amount of food on offer and increase queues.
- Fear of monopoly by Co-Op in the area will lead to increased prices
- The ATM in Co-Op really important
- Want post office, fish and chips/Chinese, decent convenience store, library
- Concern over hot food outlet as this often encourages late night anti-social behaviour and mess
- Nice to have a proper bakery
- Could the 'spare shop' become a launderette?
- More shop units to give greater choice
- Continuous provision of post office during re-development
- Concern that Archery Road site is difficult for some people to access – could provision of post office/convenience store be made in a mobile unit?

Community Space

- Reduction in community space by 50%?
- Need a community places for groups which help Weston
- Concern too much emphasis on youth for community space rather than more amenities for adults/ older people
- Nowhere/nothing for kids – will continue to hang around causing trouble

- Provision elsewhere locally for projects not suitable for planned library/ community space – i.e. Dad's breakfast club

Parking

- Not enough parking spaces
- Decent parking spaces for shops
- Needs enough parking spaces to prevent overspill on to surrounding areas
- Parking provision outside 24-32 Kingsclere? Could SCC confirm arrangements with residents (possible parking permits?)

Traffic

- Zebra crossing location
- Replace zebra crossing with pelican crossing – safer
- Possible pedestrian crossing over Wallace Road at junction with Weston Lane?
- Loading/unloading
- Where is the bus stop going?
- Possibility of a route out onto Kingsclere Avenue from proposed Co-op to reduce flow going out onto Weston Lane?
- Noise/dust during demolition – will this be kept to a minimum and at reasonable hours during the day?
- Traffic calming on Kingsclere Avenue?

Open Spaces

- Can the large wheelie bins be hidden away better?
- Mayfield Park needs to be re-developed too
- Concern about the open space (community park) being tucked away and a magnet for anti-social behaviour.
- Despite policy on open space provision – need to challenge this as benefits of redevelopment (removing much of the problem areas) are in danger of being undermined

- Electricity sub-station is an eyesore – can something be done about this?



**Estate Regeneration Programme
Community Consultations at Weston Parade May/June 2011**
Solent Centre for Architecture + Design



Introduction

In May 2011 The Solent Centre for Architecture + Design was engaged to run a public consultation process with residents of Weston in Southampton to gauge opinions of the proposed redevelopment of the area which has been chosen because it is regarded as having come to the end of its useful life. The area to be considered was the Weston Parade (shops with flats over, and included Somborne House and Ashton House).

Prior to SCA+D's engagement Southampton City Council sent all residents and shop-keepers to be directly affected notice of its intention to consult with them about possible regeneration in the area which suffers from poor design and layout and with a retail and related content which is unlikely to be economically viable in the longer term.

SCA+D's brief was to consult with both residents and users of the area and to feed the information, concerns, and ambitions from this into a development brief to be prepared following Cabinet's meeting in July 2011. This work follows the successful programme of consultation run by SCA+D at Hinkler Parade in Thornhill and subsequently at four other areas: Exford Parade, Cumbrian Way, Meggeson Avenue and Laxton Close.

Consultation Process

SCA+D have experience in running consultation programmes like this with tenants and residents and have developed a process that centres on two public events: a Design Festival to encourage people to focus on what the current issues in the area are, and follow-up meeting whereby SCA+D report back to people what conclusions they had drawn from the Design Festival and to check whether these conclusions were shared by residents. There is a danger when engaging in community consultations that professionals take away erroneous assumptions from people's comments – the follow-up meeting gives people a chance to check what has been reported on their behalf. The wider population of the area were informed that the consultation was taking place and prior to the Design Festival flyers were sent to stakeholders inviting them to the events. Posters and flyers advertising the events were also produced and displayed in prominent local community locations.

Building for a brighter future

How do you think Weston Shopping Parade should look in the future?

In July councillors will use your comments to decide whether or not to regenerate Weston Shopping Parade.

Drop-in event: Tuesday 24 May, 8am-12pm at Weston Library

Come and take part in the Design Festivals taking place: Wednesday 1 June, 9am-6pm, at Weston Supermarket, 60 Foxcote Close, and Saturday 4 June, 10am-5pm, outside Weston Local Housing Office

Find out further information at:
 Email: estate.regeneration@southampton.gov.uk
 Estate Regeneration Tel: 023 8081 7643
 Gateway Tel: 023 8026 3885
 Visit: www.southampton.gov.uk/estateregeneration

SCAD SOUTHAMPTON CITY COUNCIL

A questionnaire was also given to stakeholders asking a number of questions centred on the nature of their use of the shopping parade and housing, the importance they attached to certain issues, the ranking importance they gave to the individual shopping units and their general feelings about how the area could be improved in the future.

Weston Shopping Parade questionnaire for residents and shoppers

8. It would be useful to know where you live so we can separate out comments according to where people live when we report back to the councillors in July 2011

What is your postcode?

Please confirm if you are: (Please tick the relevant box)

Local resident living in Weston Visitor/shopper to Weston Shopping Parade

Please confirm if you: (Please tick the relevant box)

Own your home Rent your home

9. Do you have any other comments you would like to add? (Please state below)

This questionnaire will help us get an idea of the facilities that are important to you. We will use your feedback when the proposals are discussed further to make sure that your needs are considered. Thank you for taking the time to complete it.

1. On average how often do you visit Weston Shopping Parade? (Please tick the relevant box)

- Every day
 2-3 times a week
 Once a week
 Once a month
 Hardly ever
 Never (Go to Q6)

2. If you use Weston Shopping Parade, how do you travel there? (Please tick the relevant box(es))

- Walk
 Bus
 Car
 Cycle
 Other please state

www.southampton.gov.uk/estateregeneration



Version 1
 Designed, printed & produced by Southampton City Council 02.11.2008/6

INVESTOR IN PEOPLE

Design Festivals

Weston Surestart 1st June, 5.00-8.00pm
Weston Parade 4th June, 10.00am-1.00pm

The Design Festivals were held in a two locations at different times in the week in order to allow people with varying work/life arrangements to attend at least one event. On 1st June this was at the Weston Surestart building on a weekday evening; on Saturday 4th June in a gazebo tent on the parade itself.

SCA+D arranged the events to centre around a large Ordnance Survey plan of the area. On 'walls' surrounding this were placed large sheets of paper with the following titles:

Housing Mix and Type
Local Amenities
Public Space and Green Space
Transport Parking and Access
Crime and Anti-Social Behaviour

Each subject had a colour code that related to coloured 'post-it' notes. Participants were encouraged to fill in the post-it notes with their thoughts on the particular subjects and then to place their comments on the map where they felt it was geographically located. People were not restricted in terms of the number of comments they had or the subject matter of their comments. Throughout the event, when the map became congested, the comments were re-pasted onto the sheets on the surrounding walls.





SCA+D, Southampton City Council and other volunteers engaged participants in discussions using the map as a means to encourage both specificity and clarity. People came and went throughout each event and it was noticeable that the nature of those using the area on the Saturday changed as the morning progressed. The event at the Surestart building suffered perhaps by being located off-site and whilst only a handful of people came to this, this was more than compensated for by the number of people attending the event held at the Parade itself on the Saturday. People were very animated in their views – in almost all cases agreeing that the site needed to be re-developed whilst retaining shopping and other amenities in the future.

In all, 158 people filled in a questionnaire or engaged in conversations with the event staff. There was consistency in people's comments and in particular concern that whilst people unanimously agreed that the current environment was indeed very poor, that the amenities were well used and needed to be replaced rather than removed.

Feed-Back Meeting

There is always a danger with consultation events that the comments people make are either misconstrued or taken out of context. It is therefore best practice to hold a feedback session whereby one can test whether the conclusions made are agreed with participants. Unlike our previous engagements where we have held the feedback session before reporting back to the Council, the timetable has meant that this will be held after the report has been submitted. This notwithstanding, SCA+D plan a feedback session at the Weston Parade later in June or early July 2011. In this way we feel that as many stakeholders as possible will be given the opportunity to express their views about the redevelopment plans.

For the feedback session SCA+D will prepare a powerpoint presentation focussing on each of the five subject areas and will ask whether the priorities they had drawn from the participant's comments are correct.

Participant Priorities

Below are listed the priorities of those stakeholders who participated in the consultation process.

Housing Mix and Type

There was general consensus that the Weston shopping parade and surrounding buildings had become an eyesore and were felt to be beyond 'saving' through refurbishment.

Rear deck access to the maisonettes above the shops was considered especially unsatisfactory. There were numerous accounts of anti-social behaviour occurring behind the shops, on the walls to the housing and, since the collapse of a walkway last year, a real sense of fear that these could fall down and cause injury.

People living above the shops and in Somborne House reported clear problems with damp and of the poor condition of the building fabric.

Those people who were aware of it, thought that something along the lines of the re-development at Hinkler Parade might work well here, especially an emphasis on creating more traditional street layout.

The large areas of publicly accessible space in front of and behind the shops were felt to encourage loitering and the anti-social behaviour that comes with this, especially in the evenings. Their removal (again along the lines of Hinkler Parade) was felt would offer a better environment.

People understood that any redevelopment would need to include a mixture of houses and flats in order to make a scheme economically viable.

Most people felt that the wider Weston area was a good place to live and that the current status of the shopping parade seriously let the area down. Re-developed sensitively the area would receive a great boost.



Local Amenities

People agreed that the parade had more shops than could now be expected to be supported. People were happy for a new development to retain far fewer units (3-4) as this would solve the problem of the area looking derelict for most of the time when only a few of the shops are open.

The provision of a convenience store, post-office and a fast food outlet were most popular, followed by the desire for the library to stay and some provision for young people.

Many people felt that the Cooperative was expensive and hoped that a cheaper, though no less comprehensive convenience store would be provided.

The pet shop was also cited by many people as being desirable in any re-development



Some people spoke of the lack of youth club provision in the area and suggested a community hub/youth centre to be included in the area, though not so as to create problems of anti-social behaviour.

Transport, Parking and Access

People felt that pathways need to be properly maintained and repaired and that lighting should be improved to increase a sense of security at night.



Parking was felt to be a real issue in Weston (especially by people who currently use the surgery).

The corner of Wallace Road is very tight and felt to be dangerous. It would be good if the re-development could address this issue.

The large open space in front of the shops was felt by many to be redundant and a magnet for anti-social behaviour. Many felt that in a re-development it should be reduced substantially (with just enough space in front of new shops for a few benches and for people, especially the elderly who walk there, to spend a little time).



The electricity sub-station was felt by some to be an eyesore and should be moved if possible.

Public Space and Green Space

In the evening and after the shops are shut there are problems with people loitering in the area in front of the shops, often drinking alcohol – it feels threatening to many and puts people off walking through the area.

Some people expressed the wish to have some form of green space built in to a new development scheme, but there was an understanding that the emphasis should be on housing. Connections to Mayfield Park could be improved to give access to this large, local green space.



Crime and Anti-social Behaviour

People felt the area was threatening in the evenings (especially in front of the shops and around the garages).

Because there are no 'eyes on the street' to the rear of the shops, there are frequent cases of mischief and anti-social behaviour occurring here, especially around the garages and the rear walk-up decks to the housing.



The derelict nature of the site was felt to be a major cause for further anti-social behaviour. The area has become a place where young people 'hang out' and naturally mischief takes place (broken bottles, windows and graffiti).

Some people thought there should be more weekend patrols in the area.

Key Findings

It was clear from our consultations that there is overwhelming support in principle for the redevelopment Weston Shopping Parade and the surrounding buildings. Everyone, it would seem, agrees that the current situation does a major disservice to the wider area, bringing down an otherwise good place to live. Furthermore the inability of the parade to be economically viable in its current form has led to its derelict-looking condition to compound the problem.

The main points can be summarised as follows:

- The existing number of shop units does not reflect modern shopping patterns and the redevelopment of the area should be made up of many fewer units (3-4).
- The most popular amenities to be included in a re-development are a convenience store, post office and fast food outlet (followed by the library, pet shop, youth provision and possibly a hairdresser).
- Whilst flats were acceptable to people as part of the mix these should attempt to reflect the wider area which is predominantly 'suburban' in feel with a more traditional network of streets.
- Housing units should not be accessed via decks and should have front doors opening onto the street. Those who knew it thought Hinkler Parade was a good model to follow.
- Parking was considered to be one of the overriding issues that would need to be addressed by the re-development of the site.
- Some form of youth provision in the area was seen to be desirable.
- Better lighting and maintenance of shared areas was seen as a priority for many to engender a sense of security and to counter a 'fear' of crime and anti-social behaviour that can be just as corrosive as actual cases.
- The large areas of publicly accessible space were seen to be counter-productive in trying to improve the image of the area.

Agenda Item 19

DECISION-MAKER:	CABINET MEMBER FOR CHILDREN'S SERVICES COUNCIL
SUBJECT:	PROPOSALS TO EXPAND THREE PRIMARY SCHOOLS IN THE CITY
DATE OF DECISION:	19 FEBRUARY 2013 20 MARCH 2013
REPORT OF:	HEAD OF INFRASTRUCTURE

<u>CONTACT DETAILS</u>				
AUTHOR:	Name:	James Howells	Tel:	023 8091 7501
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	E-mail:	Clive.webster@southampton.gov.uk		

STATEMENT OF CONFIDENTIALITY
None

BRIEF SUMMARY

Southampton has experienced a large increase in the number of children in the City in recent years and as such, the Local Authority is required to increase the capacity of primary schools in order to fulfil our statutory duty of being able to offer a school place to all those children in the city that require one. The central strip of the city, running from Bassett down to Bargate is the area where there is greatest demand. As a result, proposals to expand three schools in this area were put out for consultation.

Subject to Full Council agreement to underwrite the £1.55M funding required to deliver the 3 schemes set out in recommendation (ii) to Cabinet, should insufficient DfE Basic Need Grant not be received in 2104/15:

RECOMMENDATIONS:

CABINET

- (i) To consider and take into account the outcome of statutory consultation as set out in **Appendix 1**.
- (ii) To approve the implementation of the enlargement of the following two schools from 1 September 2013 (subject to obtaining the necessary planning consents):
 - The enlargement by 30 places (1FE – form of entry) per year group of Bassett Green Primary School, with implementation from 1 September 2013, beginning with Year R and continuing incrementally until all seven year groups have been expanded. This would have the effect of enlarging the school from 2FE (60 places per year group) to 3FE (90

places per year group), and increasing the net capacity to 630 by September 1 2018. Please note that Bassett Green admitted 90 pupils to year R in September 2012 for one year only. This proposal is to expand the school on a permanent basis.

- The enlargement by 30 places (1FE – form of entry) per year group of Bevois Town Primary School, with implementation from 1 September 2013, beginning with Year R and continuing incrementally until all seven year groups have been expanded. This would have the effect of enlarging the school from 1FE (30 places per year group) to 2FE (60 places per year group), and increasing the net capacity to 420 by September 1 2018. Please note that Bevois Town admitted 60 pupils to year R in September 2012 for one year only. This proposal is to expand the school on a permanent basis.

To approve the implementation of the enlargement of the following school from 1 September 2014 (subject to obtaining the necessary planning consents):

- The enlargement by 30 places (1FE – form of entry) per year group of St Johns Primary & Nursery School, with implementation from 1 September 2014, beginning with Year R and continuing incrementally until all seven year groups have been expanded. This would have the effect of enlarging the school from 1FE (30 places per year group) to 2FE (60 places per year group), and increasing the net capacity to 420 by September 1 2020.

- (iv) To add, in accordance with Financial Procedure Rules, a sum of £1.55 million to the Children’s Services Capital programme, from the ring fenced DfE basic need grant.
- (v) Subject to the approval of Council to add £400,000 to the Bassett Green Primary project on the 13th February, to approve, in accordance with Financial Procedure Rules, capital expenditure of £3.65 million in 2013/14 and £1.3 million in 2014/15 from the Children’s Services Capital Programme for the expansions of:
 - Bassett Green Primary £1.4 million
 - Bevois Town Primary £1.45 million
 - St Johns Primary and Nursery £2.1 million
- (vi) To note that assumptions have been made about the likely level of Basic Need Grant to be awarded in future years. If the final award is less than anticipated any shortfall in funding will need to be met from Council resources.

COUNCIL

- (i) Should insufficient DfE Basic Need Grant funding be received to fully fund the additional £1.55M capital funding required as per Cabinet recommendation (iv) above, Council agree to underwrite and fund the shortfall from Council Resources.

REASONS FOR REPORT RECOMMENDATIONS

1. The rapid rise in the number of pupils requiring a school place over the last three to four years, has meant that severe pressure has been brought to bear on the school estate. Forecasts indicate that this pressure is not likely to recede in the foreseeable future and demand may well increase beyond current levels in 2015/16.
2. Extra places have already been put in at schools across the City as a result of the Primary Review Phases 1 and 2, however rising demand for places, specifically in the central spine of the city, means that additional places will be required.
3. Bassett Green and Bevois Town Primary school's both expanded for one year only in September 2012 in order to cope with higher than expected demand in the central strip of the city. These schools were selected because they were in areas of the city where demand was high, they were able to accommodate an additional class and had the potential to expand all year groups in the long term. As a result the planning of the capital projects for these schemes are at a more advanced stage than they are for St Johns.
4. St Johns is the only school in the heart of the city centre and demand for places at the school is high as a result of the significant residential property developments the city centre. The school has a fairly small site and has only recently expanded from an infant to a primary school. However, a council owned building near the school has been identified as the space which could accommodate the additional children at the school. This building is the Eagle Warehouse and currently houses the Archaeology Collection.
5. The expansions of these three schools would provide us with 3,090 year R place school places, compared to an anticipated cohort of 3,040 pupils in 2014/15. In 2015/16 the demand for year R places will jump significantly to around 3,240. We do not expect demand to remain at this level so are looking at a number of temporary, one year expansions for 2015/16.
6. If we are to maintain and improve the school experience we offer to our children we must ensure that their learning environment is conducive to a quality education.
7. As a local authority we have a statutory obligation to provide every child who wants one with a quality school place. Failure to do so would mean we would be failing in one of our basic duties.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

8. Under the Regulations Cabinet may either:
 - (a) approve the recommendations, or
 - (b) reject the recommendations, or
 - (c) approve the recommendations subject to one of a number of limited statutory conditions, or
 - (d) approve the recommendations with modifications (minor modifications only)
9. SCC could take no action, but if so the Local Authority would not fulfil its statutory obligation to provide every child who wants one with quality school place. Failure to do this would mean we would be failing in one of our basic duties.

10. Other schools were visited (Portswood Primary, Swaythling Primary) when the Local Authority was looking at schools that could expand for 1 year only in September 2012 and in the longer term. However these were discounted due to space restrictions on both sites.
11. The Local Authority could proceed to expand St Johns on the existing school site however this would significantly reduce the outdoor play space at the school. There are also a number of areas of archaeological importance on the site so building on it, whilst not impossible, would be difficult and costly.
12. If the Eagle Warehouse were vacated but were not used to expand St Johns Primary and Nursery School, it could be sold to an external organisation, thus creating a capital receipt for the Local Authority. A report commissioned in March 2009 concluded that the "Market Value of the freehold interest in the property in its existing condition, assuming vacant possession, is £195,000 (One Hundred and Ninety Five Thousand Pounds)." Children's Services preference is for the building to be converted for school use, as opposed to selling it on the open market. Clearly, a capital receipt would not be available if the Eagle Warehouse were used for educational purposes.

It should be noted that the Bevois town expansion proposals involves the use of a Council owned property on Cedar Road, which was previously occupied by Social Services. The council would forego a capital receipt if the building were used for educational purposes. In April 2007 the property was given an asset valuation of £440,000

DETAIL (Including consultation carried out)

13. Four weeks of pre-statutory consultation took place in September and October 2012. Drop in sessions were held at all schools included in the proposals and an information leaflet and questionnaire were sent to all staff & parents/pupils at all three schools. Key stakeholders – all schools in the City, local Councillors, SCC staff, neighbouring Local Authorities, Church of England and Catholic Dioceses, Trade Union Representatives and local MP's - were notified about the proposals via email.
14. Four weeks of statutory consultation were held in November and December 2012. Statutory notices were placed at the entrances to all three schools. A copy of the statutory notice and full statutory proposal document were also sent to the DfE's School Organisation Department. A copy of the statutory notice, full statutory proposals and responses to this stage of the consultation can be found in Appendices 1, 2 & 3.
15. The responses received as part of the statutory consultation were in relation to Bevois Town and St Johns. With regards to the former, concerns were raised about how the expansion may cause parking/traffic/safety issues, an increase in noise levels increase and what the new accommodation would look like.

In response to this, parking will be provided at the rear of the additional building that is being used to expand Bevois Town, meals will be transported from the main school building to the additional building (as opposed to children travelling from the new building to the main building). Noise levels and the how the new accommodation will look will be dealt with in more detail as part of the planning application. We also received a response which fully supported the proposal to

expand Bevois Town by using a vacant council owned property that is near to the school.

Two responses received with regards to the St Johns expansion, both fully supporting the proposal to expand the school. The Local Authority also received a petition signed by approximately 50 people associated with St Johns, who supported the proposal to expand the school, with the proviso that they would not support the expansion if it reduced playground space.

All responses to the statutory consultation period can be found in Appendix 3.

16. These three schools have been selected because they are in areas of the city where it is anticipated that demand will be the highest. However, there is also great parental demand for St Johns Primary and Nursery to expand, as shown in Appendix 3.

Both Bassett Green and St Johns received “Good” Ofsted ratings in the last year, whilst Bevois Town has been identified as “quickly improving”. The Local Authority is therefore confident that the expansion of these schools would provide high quality education for a greater number of pupils.

17. The table bellows shows the forecast for year R pupils in the central strip of the city (Bassett to Bargate) and indicates what the shortfall of places will be if the proposals are not / are implemented:

Table 1

	2013	2014	2015	2016
Central Southampton - Year R Forecast	956	998	1045	1013
Year R Places Available 2012 (no expansion)	885	885	885	885
Surplus Deficit	-71	-113	-160	-128

Year R Places Available 2012 (with expansions)	945	975	975	975
Surplus Deficit	-11	-23	-70	-38

You can see that if the proposals aren’t taken forward there would be a significant shortage of places. While there still may be deficits even if the proposals are taken forward they would be greatly reduced and we anticipate having surplus places in other areas of the city which could accommodate some children. In 2014/15 we will have a greater number of places city wide than the number of children who will require a place. There will likely be a citywide deficit in 2015/16 and we are exploring temporary one year options for that year.

18. St Johns Primary & Nursery has been oversubscribed for the past 2-3 years and has also recently expanded from an infant to a primary school. There were a high number of attendees at the pre-statutory consultation meeting at Johns and there was a significant amount of support for the proposal to expand the school – see Appendix 3.

For 2012/13 entry, both Bevois Town and St Johns were oversubscribed on first preferences, whilst Bassett Green had more total preferences than places

available. St Johns was also oversubscribed on 1st preferences in 2011/12 and 2010/11.

19. These schools have been selected because they are in the area of the city where there is the greatest demand for places (see table 1 in paragraph 17). As such, the additional places should be in close proximity to those children and families that require a place. In addition, all three schools are on or close to public transport routes.
20. If the expansion of St Johns were approved, the archaeology collection which resides in the Eagle Warehouse would need to be relocated to alternative accommodation. The Curator of Archaeology and the Collections Manager have estimated that it would cost approximately £90,420 to vacate the Eagle Warehouse. It is proposed that the contents of the Eagle Warehouse could be relocated to Melbourne Street. The Pupil Referral Unit, who currently occupy this site, are due to move to the former Millbrook School site, on Green Lane, by September 2013. Additional works may be required to bring the Melbourne Street building up to the required standard. As such, it is estimated that the total cost of the move would be in the region of £150,000.

RESOURCE IMPLICATIONS

Capital/Revenue

21. The revenue costs of all schools are met from the Schools Block, funded by the Dedicated Schools Grant. The amount of Dedicated Schools Grant that the Authority receives each year is based on the number of children in the city. If the city's overall numbers grow, this will result in an increase in the amount of grant received which can be passed onto schools via budget shares calculated using Southampton's Funding Formula.
22. The costs of relocating the collection in the Eagle Warehouse to Melbourne Street and making the building appropriate for use are estimated to be £150,000. The Curator of Archaeology and the Collections Manager have estimated that it would cost up to £90,000 to relocate the collection from the Eagle Warehouse. It is proposed that this would be funded from the Children's Service & Learning Revenue budget. 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.
23. The costs of the three schemes are summarised in the table below. It should be noted that the costs provided are based on feasibility studies and pre tender estimates. As such, these are subject to change. Any requirements for additions or variations to the programme presented in this report will be progressed in accordance with Financial Procedure Rules.

Estimated costs	2013/14 £000s	2014/15 £000s	Total £000s
Bassett Green Primary	1,400.0		1,400.0
Bevois Town Primary	1,450.0		1,450.0
St John's Primary	800.0	1,300.0	2,100.0
Total	3,650.0	1,300.0	4,950.0

24. In September 2012, Cabinet approved the addition of £3 million to the scheme funded from 2012/13 DfE Basic Need grant. On 13th February Council will be asked to approve the addition of a further £400,000 to the Bassett Green Primary project. It is proposed that the additional £1.55 million required for these three projects is funded from 2014/15 Department for Education Basic Need grant.
25. No announcements have been made about Department for Education capital grant allocations for 2013/14 and beyond. However, it is anticipated that as future grant will be targeted at areas of need, that Southampton will receive an allocation of Basic Need funding similar to that which has previously been received. In the event of future grant funding not being sufficient, funding will need to be met from borrowing

Property/Other

26. It is proposed that Bassett Green will be expanded by building a seven classroom block on the existing school site.
27. It is proposed that Bevois Town will be expanded by converting a nearby, vacant, council owned property into two classrooms and building 4 classrooms on the existing site. One room at the school has already been converted into a classroom for the 2012/13 academic year. The additional building, on Cedar Road, currently sits in the Social Services portfolio. If the project is approved, this would need to be appropriated to the Children's Services portfolio. This appropriation can be done via a delegated decision made by the Senior Manager for Property, Procurement and Contracts.
28. It is proposed that St John's will be expanded by converting a neighbouring council owned building into teaching space. The building is directly opposite St Johns on French Street. Arrangements will need to be made for the vacation of this space and discussions regarding this have taken place amongst senior managers in the respective directorates.
29. It is proposed that St Johns Primary and Nursery be expanded by converting the nearby Eagle Warehouse into teaching space. The estimate for the conversion Eagle Warehouse into seven classrooms and supporting ancillary accommodation for St Johns Primary School is £2,100,000. This sum includes the refurbishment and repair of the Eagle Warehouse and courtyard with the provision of a new extension to the ground first, second and third floors. It also includes the construction works, preliminaries consultant fees, planning and building regulation fees and a contingency fund. It should be noted that the cost of this project may be greater than the conversion of a more modern building due to the historical significance and importance of the Eagle Warehouse; it is a grade II listed building and guidance will need to be sought from English Heritage on the conversion of an old and protected building. Local Authority officers have discussed the conversion and while there may be a higher than usual cost it is agreed that the building could be refurbished and made fit for purpose. Listed building consent would also be required in order to refurbish this building.

The building is a five story (basement and four floors) building so would need a lift in order to make the building DDA compliant. An extension would be required for this and the cost of this is included in the cost estimation above.

Given the listed status of the Eagle Warehouse, it may be that the conversion will not be fully completed by September 2014. If this were the case, it may be possible to use the Mission Hall (which is located on the school site), as a classroom for the 2014/15 academic year until the Eagle Warehouse were fully converted.

30. St Johns Primary and Nursery is a foundation school and a member of the Regents Park Learning Community Trust school and the Council are currently in the process of transferring the existing schools land and buildings from the Local Authority to the Trust.

Legislation dictates 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. As such, any additional site should transfer to the trust on a freehold basis. However, it may be possible that the Local Authority can reach an agreement with the school to exclude the Eagle Warehouse from the freehold transfer and transfer it via a lease. The lease option may provide greater safeguards for the building, which would be preferable given its historical importance. If this option is taken forward, it is intended that the school would be granted a full repairing and insuring lease. This would mean that all liabilities would sit with the school.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

31. Local Authorities have a statutory duty to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. Local Authorities must also ensure that there are sufficient schools in their area and promote diversity and parental preference.
32. Alterations, changes, creation or removal of primary provision across the city is subject to the statutory processes contained in the School Standards & Framework Act 1998 as amended by the Education & Inspections Act 2006. Proposals for change are required to follow the processes set out in the School Organisation (Prescribed Alterations to Maintained Schools) Regulations 2007 as amended, together with the corresponding Admissions Regulations as appropriate. Statutory Guidance on bringing forward proposals applies, which requires a period of pre-statutory consultation (and additional rounds of pre-statutory consultation if further viable options are identified during initial consultation) followed by publications of statutory notices, representation periods and considerations of representations by Cabinet or considerations by the Admissions Forum and approval as part of the Admissions Process as required.

Other Legal Implications:

33. In bringing forward school organisation proposals the Local Authority must have regard to the need to consult the community and users, the statutory duty to improve standards and access to educational opportunities and observe the rules of natural justice and the provisions of the Human Rights Act 1998, article 2 of the First Protocol (right to education) and equalities legislation.

POLICY FRAMEWORK IMPLICATIONS

34. The proposals outlined in this document will contribute directly to the achievement of the outcomes set out in the Children and Young Peoples Plan by investing in new infrastructure and school buildings.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Bassett, Swaythling, Portswood, Bevois, Bargate
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SUPPORTING DOCUMENTATION

Appendices

1.	Statutory Notice
2.	Complete Statutory Proposals
3	Responses to statutory consultation
4.	DfE Guidance - Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form, A Guide for Local Authorities and Governing Bodies

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

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

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

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

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Agenda Item 19

Appendix 1

City Centre Primary School Expansion Proposals

Notice is given in accordance with section 19(1) of the Education and Inspections Act 2006 that Southampton City Council intends to make prescribed alterations to the following schools:

To increase the PAN of Bassett Green Primary (Community School), Honeysuckle Road, Southampton, SO16 3BZ from 60 to 90 by the admission of a further 30 pupils to year R from September 2013, continuing each school year until all years have been expanded. This will have the effect of enlarging the capacity of the school from 420 to 630 pupils by September 2018. The current number of pupils registered at the school is 377.

To increase the PAN of Bevois Town Primary (Community School), Cedar Road, Southampton, SO14 6RU from 30 to 60 by the admission of a further 30 pupils to year R from September 2013, continuing each school year until all years have been expanded. This will have the effect of enlarging the capacity of the school from 210 to 420 pupils by September 2018. The current number of pupils registered at the school is 239.

To increase the PAN of St Johns Primary & Nursery (Foundation School), Castle Way, Southampton, SO14 2AU from 30 to 60 by the admission of a further 30 pupils to Year R from September 2014, continuing each school year until all years have expanded. This will have the effect of enlarging the capacity of the school from 210 to 420 pupils by September 2020. The current number of pupils registered at the school is 175.

This Notice is an extract from the complete proposal. Copies of the complete proposal can be obtained from

<http://www.southampton.gov.uk/learning/schools/consultations/citycentreexpansions.aspx>, or by writing to Primary School Expansion, Infrastructure, CSL (4th Floor OGS), Southampton City Council, Civic Centre, Southampton, SO14 7LY

Within four weeks from the date of publication of these proposals, any person may object to or make comments on the proposal by writing to Primary School Expansion, Infrastructure, CSL (4th Floor OGS), Southampton City Council, Civic Centre, Southampton, SO14 7LY or infrastructureandcapital.projects@southampton.gov.uk.

Explanatory note:

Bassett Green and Bevois Town both expanded year R by 30 pupils for one year only in September 2012. These proposals are to expand the schools on a permanent basis.

The proposals in relation to Bassett Green and Bevois Town will be wholly implemented by Southampton City Council. The proposals in relation to St John's will be implemented by Southampton City Council following consultation with the Governing Body of St Johns.

These proposals are not to be considered linked for the purposes of determination.

Signed:

Clive Webster, Executive Director of Children's Services and Learning

Publication Date: 23 November 2012

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PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

Extract of Part 1 of Schedule 3 and Part 1 of Schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):

In respect of a Governing Body Proposal: School and governing body's details

1. The name, address and category of the school for which the governing body are publishing the proposals.

N/A

In respect of an LEA Proposal: School and local education authority details

1. The name, address and category of the school .

Bassett Green Primary (Community School), Honeysuckle Road, Southampton, SO16 3BZ
Bevois Town Primary (Community School), Cedar Road, Southampton, SO14 6RU
St Johns Primary and Nursery (Foundation School), Castle Way, Southampton, SO14 2AU

Implementation and any proposed stages for implementation

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

Bassett Green and Bevois Town Primary schools would expand from September 2013 continuing each school year until all years have been expanded.
St Johns Primary and Nursery School would expand from September 2014 continuing each school year until all years have been expanded.

Objections and comments

3. A statement explaining the procedure for making representations, including —
- (a) the date prescribed in accordance with paragraph 29 of Schedule 3 (GB proposals)/Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), by which objections or comments should be sent to the local education authority; and
 - (b) the address of the authority to which objections or comments should be sent.

a) Objections or comments should be sent to Southampton City Council by Thursday 20

December 2013

- b) Objections or comments should be sent to Primary School Expansion, Infrastructure, CSL (4th Floor OGS), Southampton City Council, Civic Centre, Southampton, SO14 7LY or infrastructureandcapital.projects@southampton.gov.uk

Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

Southampton City Council are proposing the following alterations:

To increase the PAN of Bassett Green Primary from 60 to 90 from September 2013 and expand the net capacity of the school from 420 to 630.

To increase the PAN of Bevois Town Primary from 30 to 60 from September 2013 and expand the net capacity of the school from 210 to 420.

To increase the PAN of St Johns Primary & Nursery from 30 to 60 from September 2014 and expand the net capacity of the school from 210 to 420.

School capacity

5.—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 (GB proposals)/paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —

- (a) details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

The current capacity of Bassett Green Primary is 420 and the proposed net capacity is 630.

The current capacity of Bevois Town Primary is 210 and the proposed capacity is 420.

The current capacity of St Johns Primary and Nursery is 210 and the proposed capacity is 420.

- (b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

The current Year R PAN for Bassett Green is 60 and it is proposed that they will admit 90 to year R from September 2013 (the school admitted 90 to year R in September 2012 for one year only. This proposal is to make the expansion permanent).

The current Year R PAN for Bevois Town is 30 and it is proposed that they will admit 60 to year R from September 2013 (the school admitted 60 to year R in September 2012 for one year only. This proposal is to make the expansion permanent).

The current Year R PAN for St Johns Primary and Nursery is 30 and it is proposed that they will admit 60 to year R from September 2014.

- (c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

Each school will admit an additional 30 pupils to year R from the implementation year and in subsequent years until all seven year groups have expanded.

- (d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

N/A

(2) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 of Schedule 2 (GB proposals) /paragraphs 1, 2, 8, 18 and 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

As at November 2012 each school had the following numbers of pupils:

Bassett Green Primary – 380

Bevois Town Primary – 239

St Johns Primary and Nursery – 175

Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

St Johns Primary and Nursery is a foundation school and a member of the Regents Park Learning Community Trust. The expansion of the school will be implemented by Southampton City Council.

Additional Site

7.—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

It is proposed that the expansion of St Johns Primary and Nursery will be achieved by converting a Southampton City Council owned property that is across the road from the school. The building is located on French Street opposite the existing school entrance.

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

Southampton City Council will provide the additional site/building. There are two options for the tenure of the building. As a foundation school, the freehold of the school site/buildings sits with the trust and it is possible that the freehold of the additional building would also transfer to the ownership of the trust. Alternatively Southampton City Council may put a lease in place between the city council and the school.

Changes in boarding arrangements

8.—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

N/A

- (b) the arrangements for safeguarding the welfare of children at the school;

N/A

- (c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

N/A

- (d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

N/A

(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom boarding provision will be removed if the proposals are approved; and

N/A

- (b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

N/A

Transfer to new site

9. Where the proposals are to transfer a school to a new site the following information—

- (a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

St Johns only - It is proposed that the expansion of St Johns Primary and Nursery will be achieved by converting a Southampton City Council owned property that is opposite the school. The school would then operate across two sites – the existing site and the property opposite the school entrance.

- (b) the distance between the proposed and current site;

St Johns only -The proposed additional site is approximately 10 metres from the existing school site.

- (c) the reason for the choice of proposed site;

St Johns only -This site has been chosen because there is significant demand for school places in this area of the city and the proposed site/building is the only conceivable space into which the school can expand. If this building isn't used, it is highly unlikely that the school will be able to expand.

- (d) the accessibility of the proposed site or sites;

St Johns only -The additional site would be easily accessible as it is located so close to the existing school site, which will continue to be used.

- (e) the proposed arrangements for transport of pupils to the school on its new site; and

St Johns only -The proposed site is so close that staff, pupils and parents will be able to walk between both sites, although some alterations to the existing traffic routes may need to be made to make it more pedestrian friendly.

- (f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

Pupils will not have to travel any further to access the additional provision as it is located so close to the existing school site. Attempts will be made, as they are for all schools, to

discourage car use near the school. This will be done with the support of the school travel plan officer and by the production of a school travel plan.

Objectives

10. The objectives of the proposals.

The main objective of these proposals is to provide additional primary school places throughout the central strip of the city from Bassett in the north to Bargate in the south. This will enable the LA to meet its statutory duty to offer a school place to all those children in the city that require one. It is also hoped that these proposal would reduce the distances that parent/pupils have to travel to school, thus increasing school attendance and standards.

Consultation

11. Evidence of the consultation before the proposals were published including—

- a list of persons who were consulted;
- minutes of all public consultation meetings;
- the views of the persons consulted;
- a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
- copies of all consultation documents and a statement on how these documents were made available.

- Staff, parents and pupils of the schools included in the proposals, all Southampton headteachers (via the Southampton Education Leadership Forum e-bulletin), Southampton City Council staff (via the Weekly Bulletin, local MP's, Hampshire County Council, Portsmouth City Council, Church of England Diocese of Portsmouth, Catholic Diocese of Portsmouth, local councillors and Trade Union Representatives.
- N/A – consultation drop in sessions were informal and hence, minutes were not taken.
- The views of all those consulted can be found in Appendix A.
- All the statutory requirements in relation to the proposals to consult were complied with.
- The consultation document can be found in Appendix B

Project costs

12. A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

At this stage we do not have detailed costs, but it is estimated that the total cost of all three projects will be approximately £3,000,000.

13. A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

Southampton City Council can confirm that these projects will be funded from the DfE Basic Need Grant.

Age range

14. Where the proposals relate to a change in age range, the current age range for the school.

N/A

Early years provision

15. Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

N/A

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

N/A

- (c) evidence of parental demand for additional provision of early years provision;

N/A

- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

N/A

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

N/A

Changes to sixth form provision

16. (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

N/A

(b) A statement as to how the new places will fit within the 16-19 organisation in an area;

N/A

(c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

N/A

(d) The proposed number of sixth form places to be provided.

N/A

17. Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

N/A

Special educational needs

18. Where the proposals are to establish or change provision for special educational needs—

- (a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

N/A

(b) any additional specialist features will be provided;

N/A

(c) the proposed numbers of pupils for which the provision is to be made;

N/A

(d) details of how the provision will be funded;

N/A

(e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

N/A

(f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

N/A

(g) the location of the provision if it is not to be established on the existing site of the school;

N/A

(h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

N/A

(i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

N/A

19. Where the proposals are to discontinue provision for special educational needs—

- (a) details of alternative provision for pupils for whom the provision is currently made;

N/A

- (b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

N/A

- (c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

N/A

- (d) a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

N/A

20. Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

- (a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;
- (b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
- (c) improved access to suitable accommodation; and
- (d) improved supply of suitable places.

N/A

Sex of pupils

21. Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single sex-education in the area;

N/A

(b) evidence of local demand for single-sex education; and

N/A

(c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

N/A

22. Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

(a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and

N/A

(b) evidence of local demand for single-sex education.

N/A

Extended services

23. If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

N/A

Need or demand for additional places

24. If the proposals involve adding places—

(a) a statement and supporting evidence of the need or demand for the particular places in the area;

Southampton is currently experiencing a huge increase in the number of children in the city and hence the number of school places that are required. The greatest area of demand is in the central spine of the city from Bassett in the north to Bargate in the south. Both Bassett Green and Bevois Town expanded in September 2012 for one year only in order to accommodate a higher than anticipated number of year R children and St Johns had twice as many 1st preferences as there were places available in September 2012. With the total number of children due to increase in forthcoming years, additional school places are required if the LA is to fulfil its statutory duty in offering a school places to all children in the city that require one.

- (b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

N/A

- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

N/A

25. If the proposals involve removing places—

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

N/A

- (b) a statement on the local capacity to accommodate displaced pupils.

N/A

Expansion of successful and popular schools

25A. (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).

N/A

Appendix A

Person	School	Bassett Green	Bevois Town	St John's	Comments
Parent/carer			Yes / Don't Mind		Concerns in relation to Bevois Town. Will staff ratio stay the same (i.e. double)? Given limited after school provision (after schools clubs, homework clubs) at present at Bevois Town, will this become even less if the school size doubles. Advice has been given one extra building space, but what about outdoor space? Will this become less due to building? Will the plans include how young people at Bevois Town could utilise outdoor space e.g. external grounds? sports centres / secondary schools on a regular basis. Will the expansion give the school the opportunity to improve facilities e.g. IT provision, more up to date learning methods / resources.
Parent/carer & governor	Bevois Town		Yes		
Parent/carer	Bevois Town	Yes	Yes	Yes	
Parent/carer	Bevois Town	Yes	Yes	Yes	
Parent/carer	Bevois Town	Yes	Yes	No	
Parent/carer	Bevois Town	No	Yes	Ni	
Parent	Bassett Green Primary	Yes	Don't mind	Don't mind	I think that expanding Bassett Green Primary school is a good idea because there's a huge demand in the "area" and no many other schools around either. Also I think Bassett Green should build extra classrooms on the outside to make more space and not have children cramped into one room
Parent/carer	Bassett Green Primary	Don't mind			

Parent/carer	Bassett Green Primary	No	No	No	I would say build other schools as some of the schools struggle to cope with numbers they already got (children) and you would have to pay money to build 7 new classrooms at each of the named schools so wouldn't be cost affective
Parent	Bevois Town	Don't mind	No	Don't mind	My child goes to Bevois Town school. The main reason for sending my child here was because it is a very small school (1 class per year). The teachers know all the children, very good education. I feel expanding the school would mean less space for the children to play outside. Teaching quality would reduce. I also have another child due to go next year would have to think about looking elsewhere if schools expanded. Why change, if parents are happy with the way it is now. Think it is too small to add classes of children. Offsite building would separate children when they should be together. Don't support.
Parent	St John's	Don't mind	Yes	Don't mind	As long as there is enough room and space for children, would like to see some achievement towards learning with loads of teachers. Outlook all nice not an eye sore.
Parent	St John's	Don't mind	Don't mind	Yes	I think it's a very good idea as there is such a demand for St John's in the local area. Bigger classes would enable people in the local area to get places and not have to travel far. St John's is a fab school.
Parent	St John's	Don't mind	Don't mind	Yes	
Staff	St John's			Yes	
Staff	St John's	Yes	Yes	Yes	

Staff	St John's	Yes	Yes	Yes	
					I really think part of French Street should be closed off for St John's School. Cars, buses and vans drive down this road way too fast. Also a huge number of cars drive the wrong way up the one way street from West quay Road when they are looking for the registry office. This is only set to get worse with the expansion to make that road accessible for port traffic and so everyone will be driving even faster. This is very dangerous around school children. Please add a CCTV camera to the end of the road to catch these cars driving the wrong way up the road.
Parent/Carer		Yes	Yes	Yes	
Member of local community		Yes	Yes	Yes	
Parents	St John's	Yes	Yes	Yes	
Parent/carers				Yes	
Parent/carers	St John's	Yes	Yes	Yes	
Parent/carers	St John's	Don't mind	Don't mind	Yes	I hope you will be planning ahead a bit more proactively when it comes to secondary schools, now that all the primaries are getting squeezed.
Parent/carers				No	They more concentrate on attendance to 95% but lack control on children discipline and academic. Increase of pupil numbers will make it worse.
Staff					As a member of staff I feel if there is room to expand any of these schools, without compromising quality of education, it should be done.
Parent	Bevois Town		Yes		Yes, we say more schools should be able to expand so children could come in and have a good education
Parent			Yes		

Parent / Governor	Bevois Town	Don't mind	Yes	Don't mind	
Parent / Carer	Bevois Town	Don't mind	Don't mind	Don't mind	
Staff	St John's			Yes	
					St John's need to have an extra reception class during this academic year as there are many children in the area either not going to school now or will not have a place in year 1 either or cannot get to the schools they have allocated. The school has room now. There is real need for a small senior school in the area - plans should start seriously now looking at the potential of empty sites as the recession continues this provides an opportunity to redress the real inequality in provision in this area. Historically our children have had to disperse all over the city at all key stages. The provision of the primary school and possible expansion goes towards redressing this inequality for some of the neediest children in the city - it needs the next step now - an inner city small senior school to deliver better outcomes for the community.
Governor / Staff	St John's	Yes	Yes	Yes	
Parent / Carer		Don't mind	Don't mind	Don't mind	But also I think schools will be crowded.
Member of staff	St John's	Don't mind	Don't mind	Yes	
Parent / Carer	St John's			Yes	
Parent / Carer	St John's	No	No	Yes	
	St John's	Yes	Yes	Yes	
Staff	St John's	Don't mind	Don't mind	Don't mind	

					I think it's a brilliant idea to expand St John's school as this will help people in the catchment area to have more peace of mind knowing their child can get into the local school. As it as a huge disappointment for many parents whose children did not get into St John's Reception this year, despite their children attending St John's Nursery.
Parent / Carer		Yes	Yes	Yes	
Parent	St John's	Don't mind	Don't mind	Yes	
					I feel it's important for these schools to expand. Also there is huge demand for a much need senior school in the city is vital too. Re: expansion - Traffic would need to be managed carefully for the safe transfer of pupils from building to the next, for their safety. Maybe temporary barrier when children need to cross.
Staff	St John's	Yes	Yes	Yes	
Other (School Kitchen)	St John's	Don't mind	Don't mind	Yes	
Other (School Kitchen)	St John's	Don't mind	Don't mind	Yes	
Parent / Carer		Don't mind	Don't mind	Yes	
Staff	St John's	Yes	Yes	Yes	

Appendix B



City Centre Primary School Expansion Consultation

Why do we need to expand more schools?

Southampton, along with many other local authorities, is facing a huge demand for primary school places over the next few years. This is on top of the increase in pupil numbers in 2011 and 2012. While it had previously been anticipated that our expansion plans under the Primary Review Phase 2 would give us enough places, we now know that the city will not have enough places if no other schools are expanded. This is largely due to a rise in the number of children being born in the city.

The proposals

Our pupil forecasts show that at least 3,040 Year R places will be needed at Southampton primary schools by September 2014, with further places likely required in the future. Our Primary Review Phase 2 proposals provided the city with 3,030 Year R places. To make up the difference and to make sure that we can offer places to children who move into the city during the school year, we are proposing to expand the following schools:

Bassett Green Primary School

The proposal is to increase the number of pupils that the school can admit to year R from 60 to 90, from September 2013. This would see the school expand from 420 to 630 places.

Please note that the Published Admission Number of Bassett Green Primary increased from 60 to 90 for one year only in September 2012 to accommodate a higher than expected number of children in the city. This consultation is about the permanent expansion of the school.

Bevois Town Primary School

The proposal is to increase the number of pupils that the school can admit to year R from 30 to 60, from September 2013. This would see the school expand from 210 to 420 places.

Please note that the Published Admission Number of Bevois Town Primary increased from 30 to 60 for one year only in September 2012 to accommodate a higher than expected number of children in the city centre. This consultation is about the permanent expansion of the school.

St John's Primary and Nursery School

The proposal is to increase the number of pupils that the school can admit to year R from 30 to 60, from September 2014. This would see the school expand from 210 to 420 places.

How many places are needed?

We predict that we will need at least 3,040 Year R places in September 2014, with the greatest demand being through the centre of the city from Bassett in the north, down to Bargate in the south. The proposals in this document, if approved, would give us a 3,120 year R places. We need some spare places in the city so that we can offer places to new people who might move into the area during the year. It may be that more places are need in the future but we only have enough funding for these three proposals at the moment.

Why are the places needed?

There has been an increase in the number of children requiring a school place in Southampton over the past few years. The main reason for this is the increase in the number of children being born in the city. We know this because of:

- Child benefit data , which shows how many children there are in the city
- Birth data given to us by the Primary Care Trust

How will the extra places be added?

We do not yet have final plans for how these schools could expand as we need to find out what people think about the proposal before we commit ourselves to building projects. However, we have some ideas and these are set out below.

Bassett Green Primary School – It is proposed that an extension will be added to the school and that some existing school space could be converted into a classroom.

Bevois Town Primary – the possibility of converting a nearby council building into teaching space is being investigated along with the addition of classrooms to the existing site.

St John's Primary and Nursery – as this is not proposed to expand until September 2014, the plans for this school are less clear. At this stage we are investigating the possibility of extending the existing building and/or refurbishing nearby council owned properties.

Why aren't any new schools being built?

Two new schools – Banister & Wordsworth – are being rebuilt and expanded as part of the Primary Review Phase 2. Unfortunately, financial restrictions and a lack of suitable sites means that we are unable to build any brand new schools in the city centre, which is the area with the greatest demand for places.

Why these schools?

The area with the greatest demand for places is the central spine of the city, running from Bassett in the north to Bargate in the south. The three schools which are proposed for expansion are within this area and have space on their sites, or nearby, which could be used to create extra classrooms.

Is there money available to create new schools places?

The Local Authority receives Basic Need funding from Central Government which is used to create school places. At the moment the Local Authority only has enough money to expand the three schools included in this consultation. We may need to expand more schools in the future if pupil numbers continue to rise, but further expansions would be dependent on the Local Authority receiving more funding from Government and further consultation.

Will any schools be closed or opened?

There are currently no plans to open brand new schools or close any existing schools in the city.

What happens next?

We know that extra school places will be needed by September 2014. The consultation on these proposals runs from 27 September 2012 to 25 October 2012. After this, we will look at all the responses we have received and, if there are no great objections to the proposals, we will progress to the next stage of consultation. This involves the publication of notices at all the schools included in the proposals, in the Daily Echo and on the Southampton City Council website. A four week consultation period would follow. We are planning for this to happen in November & December 2012.

The final stage would be to get Cabinet approval to implement the proposals. We hope this could happen by February 2013.

If the proposals are approved they will be phased in over a number of years to ensure that the correct number of school places are added at the right time. If we made all the changes at the same time there would be too many new places in the city with not enough children to fill them. We also have to make sure that none of the existing schools lose pupils because too many places are available elsewhere in the city. We are proposing that the size of each year group would expand year-on-year until all year groups have expanded.

While we are confident that these proposals would add the correct number of school places, we have put forward options which will be implemented in stages. This means that if there is a change in the number of places that are needed, the plans can be changed.

How to have your say

You may have a view on the overall strategy of increasing the size of schools, or you may just want to comment on the school nearest your home. We would also welcome any other suggestions you may have for adding extra school places in the city. It is entirely up to you how you respond.

You can respond to the consultation by writing to: Primary School Expansions, Infrastructure, Children's Services & Learning (OGS), Southampton City Council, Civic Centre, Southampton, SO14 7LY, or emailing infrastructureandcapital.projects@southampton.gov.uk

You can also fill in one of our response forms and return it to any of the schools included in the proposals or to the address above.

The consultation closes on 25 October 2012 and all responses should be returned by this date.

We have also arranged drop-in sessions at the affected schools where you can come along and speak to us about the proposals. Please see below for details of these events.

School names	Drop-in venue	Date	Time
Bassett Green Primary School	Bassett Green Primary School	Tuesday 2 October 2012	3.15pm – 4.15pm
Bevois Town Primary School	Bevois Town Primary School	Friday 28 September 2012	3.15pm – 4.15pm
St John's Primary & Nursery School	St John's Primary & Nursery School	Thursday 11 October 2012	9.15am – 10.00am



CONSULTATION RESPONSE FORM: PROPOSALS TO EXPAND CITY CENTRE PRIMARY SCHOOLS

Your views on the proposals are important to us. Please let us know what you think by completing the form below.

I am a (please tick the relevant box):

Parent/carer	
Governor	
Member of staff	
Member of the local community	
Other (please specify)	

Please name the school you are involved with.....

Do you support the proposal of adding more places at:

Bassett Green Primary School* (30 extra places per year group starting from September 2013)

Yes No Don't Mind

Bevois Town Primary School* (30 extra places per year group starting from September 2013)

Yes No Don't Mind

St John's Primary and Nursery School (30 extra places per year group starting from September 2014)

Yes No Don't Mind

**Please note that Bassett Green and Bevois Town have already expanded Year R for 2012/13 only. This consultation is about the permanent expansion of these schools.*

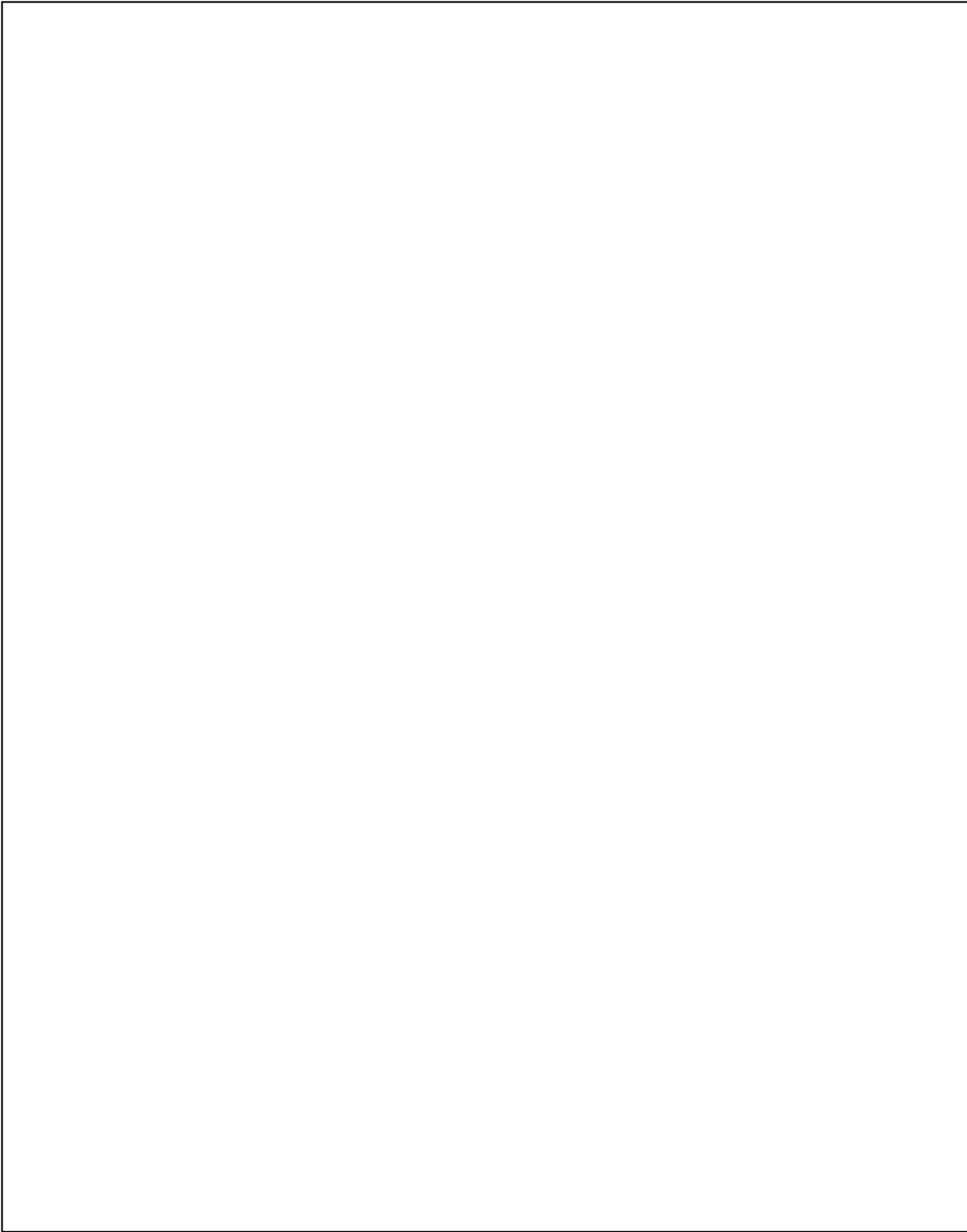
If you would like to make any additional comments, you can do this on page 2 of this form.

Please return this form to: Primary School Expansions, Infrastructure, Children's Services & Learning (OGS), Southampton City Council, Civic Centre, Southampton, SO14 7LY or to any of the schools included in the proposals.

Alternatively you can email any comments to infrastructureandcapital.projects@southampton.gov.uk

Any responses should be returned by **Thursday 25 October 2012**.

Additional comments:

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Agenda Item 19

Appendix 3

I understand that the statutory consultation begins today with regards to the expansion of the above primary school. As a local resident within 0.1 mile of Bevois Town Primary School, I am particularly concerned with the classroom expansions and the effect it will have on the local area. Council published booklet in respect of the school expansion mentions the following:

Bevois Town Primary – the possibility of converting a nearby council building into teaching space is being investigated along with the addition of classrooms to the existing site.

I would like to enquire that which Council building (or buildings) is (are) being considered for conversion?

Thanks for your prompt reply. I am very concerned as the Cedar Road building is less than 100 meters from my house, particularly with potential increase in traffic and noise level in the area. I have copied in my colleague who is also a local resident which is very close to Cedar Road building.

My questions/comments are:

1. How is the increased traffic for dropping and picking up pupils dealt with, as the area has very limited parking? Many houses in the area are terraced houses which have no off-road parking and rely on parking on public roads. The existing rear entrance to the local school on Cedar Road restricts further traffic going further into the residential area, with main entrance on Earls Road. Where will be the pickup/drop off area once the building is converted?

2. What happens when the Cedar Road building is converted which I assume this will be a separate site of the school. The fact that there are several residential properties “in between” the existing school and the Cedar Road building which means that the existing school and the Cedar Road building will be separate sites rather than one enclosed school campus as it is currently is. Where will the pupils using Cedar Road building be picked up/dropped off and how will they gain access to these new classrooms and where is recess area? My concerns are that pupils will be using the public roads/footpath transferring between sites for lunch, recess and classrooms, thus imperil local road safeties, also the fact that pickup/drop off will take place on Cedar Road/Mordaunt Road area which I very strongly object.

3. How will the increased noise levels be managed? The Cedar Road site is surrounded by residential buildings with no high walls. Will the conversion design address this?

4. I have not seen any previous notices around the inner avenue area with regards to the expansion. I only picked this up on the Weekly Bulletin as a Council employee. And I note in the report that a pre-consultation was conducted with no/few objections, and this is currently a public consultation, is this correct? Can you please clarify the decision making process? Is it too late for local residents to submit comments and objections? There has been very little information on what the local residents can do in terms of objections and comments.

5. The report and consultation notices have very little information with regards to how will the conversion look, and the fact that the Cedar Road building will be used which I believe is one of the reasons that pre-consultation attracted little or no attention of the local residence. Please can you illustrate what will the conversion look like and if the design will be addressing my concerns above?

I am contemplating to submit a formal objection to the proposal and will organise a local residence meeting to discuss the matter. I would be very much appreciated if I can have your reply of the above as soon as possible. Many thanks.

Further to the consultation regarding using the City Council building in Cedar Road as an extension of the school I would like to register my support for the proposal. It shows an imaginative use of scarce City Council resources and should be applauded. Whatever the building is used for will create traffic but if it is used as a school then at least traffic movements will be at different times of the day to those of ordinary users. As the cars will be there just to be used for drop off and pick up it will not create any major permanent parking problems.

I would suggest though that some resources are used to tidy the area up. There is a permanent problem around the area with wheelie bins being left on the street and rubbish accumulating when rubbish is not disposed of properly. That makes the area an unpleasant one for children to go to school in and I would urge the Council to make an effort to at least try and sort that problem out immediately around the school area. Parents with prams and children sometimes have to walk in the road because of the bins left on the pavement and this creates a safety hazard.

Anyway I support the idea so good luck with it.

As a parent of three children at St Johns I have always supported the plans for the school moving forward in to becoming a much needed city centre primary school. I am also very supportive with the idea of expanding the school further, as I know there are still many more school spaces needed. I feel it is unfair that many local children are not able to benefit from what this school has to offer.

But I have a huge concern as to where the extra classrooms would go! As the school is growing the children's free space is becoming increasingly limited.

The lack of open space, busy traffic and cultural diversity limit the way the children can socialise out of school, in this area of the city.

I know the playground spaces bring them all together as a community, are much need and very appreciated by all. These area really enrich my children's love for sport and "hands on" learning taking any of their small outside space for more classrooms, I feel would have a negative effect on the children's learning, interaction and take away something really special about the school.

I would like to write in support of the expansion of St Johns Primary and Nursery. My son is in year 1 and has benefited greatly from this school, but I do meet other parents who are on the waiting list to attend the school as there are currently enough places. An expansion would enable more children to benefit from St Johns lovely environment.

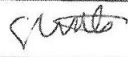

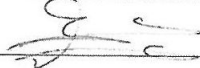

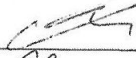
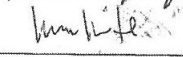

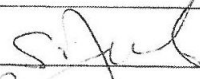
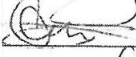

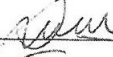


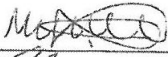

On a personal level my daughter would be due to join St Johns reception class around the time of the suggested expansion, however if there is no expansion she is less likely to secure a space and this concerns me. In terms of outdoor playing space, I know many parents would appreciate it if this isn't reduced for the children.

I do hope the proposed expansion does take place and that as a result many more children will benefit from St Johns in the future.

This petition supports the expansion of St John's Primary and Nursery School into a two form entry school, but NOT by expansion onto the playground. We believe the Local Authority should preserve this space for our children and seek to extend into other buildings available locally.

NAME	ADDRESS	SIGNATURE
		<i>[Signature]</i>
		<i>[Signature]</i>
		<i>[Signature]</i>
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This petition supports the expansion of St John's Primary and Nursery School into a two form entry school, but NOT by expansion onto the playground. We believe the Local Authority should preserve this space for our children and seek to extend into other buildings available locally.

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Department for
Education

Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form

A Guide for Local Authorities and Governing Bodies

For further information:

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Last updated 1 February 2010

EXPANDING A MAINTAINED MAINSTREAM SCHOOL BY ENLARGING OR ADDING A SIXTH FORM - A GUIDE FOR LOCAL AUTHORITIES AND GOVERNING BODIES

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INTRODUCTION

EXPANDING A MAINTAINED MAINSTREAM SCHOOL BY ENLARGING OR ADDING A SIXTH FORM - A GUIDE FOR LOCAL AUTHORITIES AND GOVERNING BODIES

(Covering Enlarging a School and Adding a Sixth Form, also known as 'excepted expansions')

Introduction (Paragraphs 1-25)

1. This guide provides information on the procedures established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment)(England) Regulations 2007 which came into force on 21 January 2008 and The School Organisation and Governance (Amendment)(England) Regulations 2009 which came into force on 1 September 2009). For your convenience, a consolidated version of the Prescribed Alteration Regulations and the two sets of Amending Regulations can be found at: www.dcsf.gov.uk/schoolorg/guidance.cfm?id=29. The relevant provisions of the EIA 2006 came into effect on 25 May 2007.

2. This guide contains both statutory guidance (i.e. guidance to which local authorities (LAs) and governing bodies have a statutory duty to have regard) and non-statutory guidance, on the process for "expanding" a school. Throughout this guide any reference to "expand" (i.e. or "expanding"/ "expansion"/"excepted expansion") covers the following "prescribed alterations":

- Enlargement to premises - enlarging the physical capacity of a school; and
- Alteration of upper age limit - raising the school's upper age limit to add a sixth form.

NOTE: For more detailed information on when proposals are required and why 'Increase in number of pupils' (increasing a school's admission number by 27 or more pupils) no longer falls under School Organisation regulations, see paragraphs 11 to 17 below.

Although both "Enlargement" and "Adding a sixth Form" are prescribed alterations, they are dealt with separately from other prescribed alterations, because there are significant differences e.g. who can publish the proposals, the length of the representation period and who can appeal to the schools adjudicator.

Altering the upper age range of a school, other than to add a sixth form e.g. lowering the upper age to remove a sixth form, changing from an infant to a primary school (from 3/5-7 to 3/5-11), or raising the upper age of a middle deemed secondary, also fall under "Alteration of upper age limit" within

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Regulations, but are dealt with in “Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals)” - www.education.gov.uk/schools/leadership/schoolorganisation

The statutory guidance sections are indicated by shading, the word **must** in bold refers to a requirement in legislation, whilst the word **should** in bold is a recommendation.

3. If you have any comments on the content or layout of this guide, please send these to the School Choice & Operations Team at: school.organisationproposals@education.gsi.gov.uk) making sure that you identify the title of the guide and quote the page and paragraph numbers where relevant.

Who is this Guide for? (Paragraphs 4-5)

4. This guide is for those considering publishing proposals to expand a school under section 19 of EIA 2006, referred to as “proposers” (i.e. the LA or the governing body), those deciding proposals, referred to as the “Decision Maker” (i.e. the LA or the schools adjudicator) and also for information for those affected by proposals for the expansion of a school.

5. Separate guides are available from the School Organisation website for:

- Becoming a Foundation or “Trust” school (changing category to foundation; a foundation school acquiring a foundation (i.e. a Trust); a Trust school acquiring a majority of foundation governors on the governing body) – “Changing School Category to Foundation” and “Trust School Proposals” - www.education.gov.uk/schools/leadership/schoolorganisation
- Opening a new school – “Establishing a new maintained mainstream school” - www.education.gov.uk/schools/leadership/schoolorganisation;
- Ceasing to maintain a school – “Closing a Maintained Mainstream School” - www.education.gov.uk/schools/leadership/schoolorganisation; and
- Making other prescribed alterations to a maintained school (e.g. change of age range other than adding a sixth form, add SEN, transfer of site) – “Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals)” - www.education.gov.uk/schools/leadership/schoolorganisation..

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School Organisation Planning Requirements (Paragraphs 6-8)

6. LAs are under a **statutory duty** to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They **must** also ensure that there are sufficient schools in their area, promote diversity and increase parental choice.

7. Parents can make representations about the supply of school places and LAs have a **statutory duty** to respond to these representations. Further statutory guidance on this duty is available in "Duty to Respond to Parental Representations about the Provision of Schools" which is on the School Organisation website at: www.education.gov.uk/schools/leadership/schoolorganisation

8. Currently, LAs **must** publish a Children and Young People's Plan (CYPP) as the single strategic overarching plan for all services affecting children and young people which also includes reference to strategic planning for school places. It is for LAs, in partnership with other stakeholders, to plan for the provision of places. LAs **should** also explore the scope for collaborating with neighbouring authorities when planning the provision of schools. In particular, LAs are encouraged to work together to consider how to meet the needs of parents seeking a particular type of school for their children in cases where there is insufficient demand for such a school within the area of an individual LA.

Responsibility for CYPPs is passing to The Children's Trust Board for each area and from 1 April 2011 each will be required to have a new 'jointly owned' CYPP in place.

Children's Trusts are the sum total of co-operation arrangements and partnerships between organisations with a role in improving outcomes for children and young people in each area. The Trust is not in itself a separate legal entity; each partner retains its own functions and responsibilities within the partnership framework. However, the Apprenticeships, Skills, Children and Learning Act 2009 strengthens Children's Trusts by requiring all local authorities to have a Children's Trust Board in place by April 2010. It also extends the number of statutory "relevant partners" who will be represented on the Board to include schools (including Academies), colleges, Job Centre Plus and the management committees of short stay schools (formerly PRUs).

In each local authority area the Children's Trust Board will be responsible for preparing and monitoring the implementation of the CYPP. This will give ownership of the plan to the partnership – whereas at present the CYPP is the responsibility of the local authority alone.

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The Secretary of State's Role (Paragraphs 9-10)

9. The Secretary of State has the power to issue guidance to which the Decision Maker **must** have regard when deciding proposals. This should ensure that proposals and consultation responses and representations received from stakeholders are considered in a consistent way and that Ministers' key priorities for raising standards and transforming education are taken into account when decisions are taken. When drawing up their proposals, proposers are strongly advised to look at the factors which the Decision Maker **must** take into account when considering their proposals (see [Stage 4](#)).

10. The Secretary of State does not decide statutory proposals relating to schools, except where proposals have been published by the Learning and Skills Council (LSC)¹ under Section 113A of the Learning and Skills Act 2000 (as inserted by Section 72 of the Education Act 2002), for changes to 16-19 provision in schools.

When are expansion proposals required? (Paragraphs 11-17)

11. Schedules 2 and 4 of The School Organisation (Prescribed Alterations to maintained Schools)(England) Regulations 2007 (as amended) set out the alterations that can be made by governing bodies and LAs. The following sets out the changes covered by this guide:

Enlargement to premises

12. Statutory proposals are required for a proposed enlargement of the premises of the school which would increase the capacity of the school by **both**:-

- a. more than 30 pupils; **and**
- b. by 25% or 200 pupils (whichever is the lesser).

The capacity of the school is the number of pupil places it can accommodate; it is the responsibility of the LA to assess the net capacity of all maintained mainstream schools in the Authority. The guidance document "Assessing the Net Capacity of Schools" .

Examples of when you would and would not need to publish 'enlargement' proposals are as follows:

¹ References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

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If you are increasing a 750 net capacity secondary school (5 form of entry - 30 pupils per class, 5 classes per year group, 5 year groups) by 1 form of entry (30x5=150 pupils) = an increase to a net capacity of 900 pupils. **No** proposals would be required, as although the increase is by 'more than 30' pupils, it is less than '200', and also less than '25%' of the current capacity (i.e. by less than 187).

You could increase a 50 net capacity rural primary school by up to 29 pupils **without** having to publish statutory proposals, because although it is by more than '25%' (12), it is still less than 30.

If you were adding 300 places to a school, it is **both** 'more than 30' **and** '200' (it may or may not be more than '25%'), so you **would** need to follow the statutory process to enlarge the school.

If you had a 1 form of entry primary (30x7=210) and increased it by 105 to 1.5 forms of entry (45x7=315), that **is** 'more than 30', less than '200', but **more than** '25%' (52), so again, the statutory process **would** need to be followed to enlarge the school.

13. Proposals may be required for some cumulative expansions and you **must** therefore look back and take into account any other enlargements that were made without the need for statutory proposals. You **must** therefore:-

- add any enlargements made:-
 - o in the 5 year period that precedes the proposed expansion date; or
 - o since the last approved statutory proposal to enlarge the school (within this 5 year period).
- exclude any temporary enlargements (i.e. where the enlargement was in place for less than 3 years); and
- add the making permanent of any temporary enlargement.

This is to ensure that 'creeping enlargements' trigger the statutory process to be undertaken if a school's capacity has previously been enlarged, but not significantly enough to require statutory proposals to be published, but when looking back up to 5 years, the latest enlargement (which may in itself be less than 30 pupils and/or by less than 200 pupils or 25%) does trigger the requirement to publish proposals e.g. a primary school with one form of entry slowly increases its capacity:

2006 – school's capacity was 210 (30x7)

2007 – school's capacity was increased to 245 (35x7) – this is an increase of

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'more than 30', but less than '25%' (52 pupils), so no proposals were required.

2010 – the school's capacity is to be increased by a further 35 pupils (5 per year group), to 280 (40x7) – if you only looked back to 2007, no proposals would be published, as although it is an increase of 'more than 30', it is less than '25%' (61 pupils) of the school's current 245 capacity. However, looking back 5 years, it is clear that in effect, the school's capacity would have increased by 70 pupils, and therefore the statutory process **must** now be followed.

This ensures that schools wishing to enlarge significantly (whether that be in one go or over a period of 5 years), can only do so after following the statutory process, which includes consulting with anybody that may be affected by the proposals (parents, pupils, local schools etc.).

Where the proposed enlargement proposal will be dependent upon an increase in the school's admission number being agreed (see paragraph 15 below), the enlargement proposal **should** be approved conditionally upon the decision of the schools adjudicator to approve any related change in admission numbers (see paragraph 4.75 (g)).

Alteration of upper age limit – Addition of a sixth form

(This is not about raising the school leaving age. From 2013 all young people will be required to continue in some form of education or training post-16. We are increasing the minimum age at which young people can leave learning in two stages, to the end of the academic year in which they turn 17 from 2013 and until their 18th birthday from 2015.)

14. **For proposers (LAs and governing bodies) other than governing bodies of community schools**, statutory proposals are required for the alteration of the upper age limit (the highest age of pupils for whom education is normally provided at the school) by a year or more, to provide a new sixth form except where:

- the school is to provide education for pupils over compulsory school age who are repeating a course of education completed before they reach compulsory school age (e.g. re-sitting GCSEs);
- the school is to provide part-time further education for pupils aged over compulsory school age, or full-time further education for persons aged 19 or over (i.e. under section 80(1) of SSFA 1998); or
- the alteration is a temporary one which will be in place for no more than 2 years.

15. **For governing bodies of community schools**, statutory proposals are required for the alteration of the upper age limit (the highest age of pupils for whom education is normally provided at the school) so as to provide sixth form

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education except where:

- the school is to provide part-time further education for pupils aged over compulsory school age, or full-time further education for persons aged 19 or over (i.e. under section 80(1) of SSFA 1998).

NOTE: You would need to publish 'addition of a sixth form' proposals if you were changing the upper age range of a school from 16 to 18/19, however, if you were adding a 200 place sixth form to a school, it is **both** more than 30 **and** 200 or more pupils, so you would **also** need to follow the statutory process to enlarge the school.

If you are changing the upper age range of the school in addition to adding a sixth form e.g. changing the age range of a middle deemed secondary school from 8-13 to 11-18, you **should** also refer to the "Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals)" - www.education.gov.uk/schools/leadership/schoolorganisation – guidance, which covers changing the age range of a school other than by adding a sixth form.

Increase in number of pupils (now falls under the School Admissions Code)

16. The School Organisation and Governance (Amendment) (England) Regulations 2009, which came into force on 1 September 2009, remove the statutory requirement to publish proposals under school organisation legislation when increasing the number of pupils in any relevant age group² to be admitted to a maintained mainstream school by 27 or more, although any corresponding enlargement to the school premises may of course require statutory proposals (see paragraphs 12 and 13 above). Any proposed increase in the admission number **must** now be processed in accordance with the School Admissions Code. Any relevant statutory proposals that were published prior to 1 September 2009 **should** be concluded under the previous statutory process arrangements.

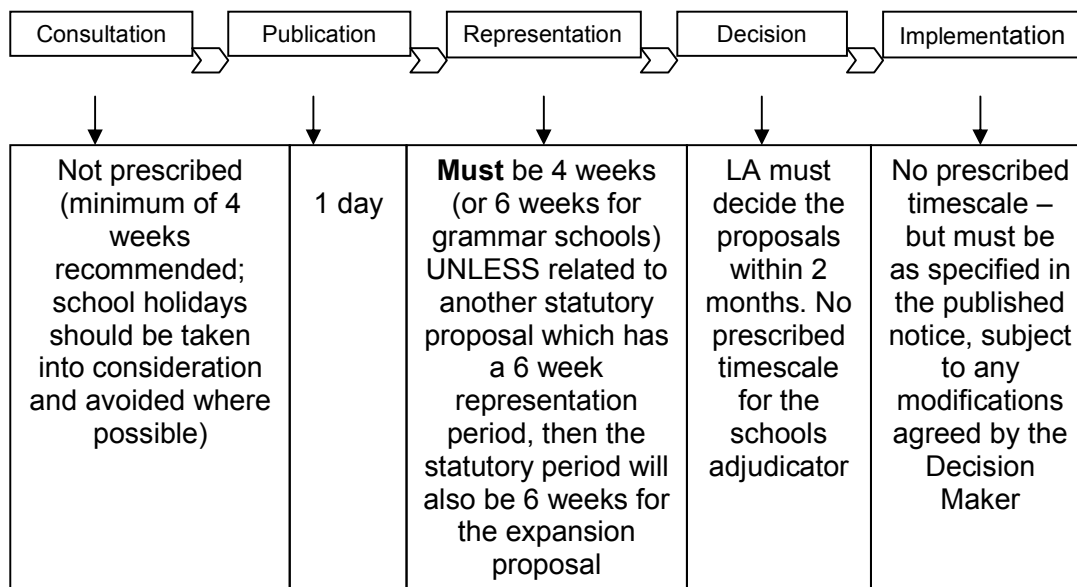
17. Sections 1.20 and 1.21 of The School Admissions Code - explain that if an admission authority wishes to increase a school's published admission number (PAN), they can propose to do so during the consultation and determination of admission arrangements for all schools in the area, or, if it is after the admission arrangements have been determined, as a result of a major change in circumstance, they **must** refer a variation to the Schools Adjudicator.

Overview of Process (Paragraph 18)

² A "relevant age group" is defined in law as "an age group in which pupils are or will normally be admitted" to the school in question (section 142 of the School Standards and Framework Act 1998). It may be necessary for a school to have more than one admission number eg. where a secondary school operates a sixth form and admits children from other schools at age 16, an admission number will be required for Year 12 as well as for the main year or years in which children join the lower school, e.g. Year 7.

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18. There are 5 statutory stages for a statutory proposal for an excepted expansion:



Who Can Make Proposals to Expand a School? (Paragraph 19)

19. An LA can publish proposals to expand any category (community, voluntary aided, voluntary controlled, foundation (including Trust), community special and foundation special) of maintained school. The governing body of a maintained school may also publish proposals to expand their own school.

Where to Start? (Paragraph 20)

20. Before commencing formal consultation, the LA or governing body **should** ensure they understand the statutory process that **must** be followed, the factors that are likely to be considered by the Decision Maker and that they have a sufficiently strong case and supporting evidence for their proposals. Published proposals cannot be considered unless the capital funding for their implementation is in place (perhaps conditionally on the proposals being agreed). See 21 below.

Capital Funding (Paragraphs 21-24)

21. Where proposals require capital resources for their implementation the funding for the proposals **should** be in place when the proposals are decided (see paragraph [4.57](#) of the decision maker’s guidance section. Where proposers require capital funding to implement their proposals, they **should** secure this before publishing proposals. For the provision of additional sixth form places, the local LSC **should** be contacted for information on the 16-19 capital fund which it

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currently administers³.

22. In accordance with the Government's position that there **should** be no increase in academic selection, the expansion of grammar schools, and selective places at partially selective schools, are excluded from any capital incentive schemes.

Other expansions

23. All LAs are allocated capital funding over each spending review period to support their investment in school buildings. Where an LA identifies the need to make changes to local school provision, as part of a Building Schools for the Future (BSF) project, the funding will be provided through the BSF programme. Details of capital funding for the project in respect of all schools will be decided in discussions between the LA, the Department and Partnerships for Schools and will be included in the Final Business Case which the Department agrees. This may include the contribution by the LA (or schools or other stakeholders such as dioceses) to BSF funding of receipts from land made available through school reorganisation. For voluntary aided schools, government funding will normally be at 100% of the approved capital costs.

24. Where capital work is proposed for a community, foundation (including Trust) or voluntary controlled school other than as part of BSF, the proposers **should** secure a capital allocation from the LA. The LA **should** consider how they can prioritise this need in their asset management planning for the formulaic capital funding they receive, and for other resources which are available to them. Similarly proposers in respect of voluntary aided schools will need to get a commitment of grant through the LA, with the rate of grant support normally being 90% of the expenditure. The governing body will be responsible for funding the remaining 10% (unless an LA uses its power to assist).

Amalgamations/Mergers (Paragraph 25)

25. There are two ways to 'merge' or 'amalgamate' two or more existing schools:

a. The LA or GB (depending on school category) can publish proposals to close two (or more) schools and the LA or a proposer other than the LA (e.g. Diocese, faith or parent group, Trust) depending on category, can publish proposals to open a new school, either through a competition (under section 7 of EIA 2006), or after receiving exemption from the Secretary of State* (under section 10 of the EIA 2006). This results in a new school number being issued for the new school.

³ The 16-19 capital fund for 2010-11 is currently under review to ensure best use of funds in the light of current and future demand on the fund.

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b. The LA and/or GB (depending on school category) can publish proposals to close one school (or more) and proposals to enlarge/change the age range/transfer site etc of an existing school, to accommodate the displaced pupils. The remaining school would retain its original school number, as it is not a new school, even if its education phase has changed.

*All section 10 exemption applications are considered on their individual merits. However there is a 'presumption for approval' for infant/junior amalgamations, faith school reorganisations and new schools proposed by proposers other than the LA, because Ministers have indicated, during debates in Parliament, that they may be prepared to give consent to requests under these criteria, for publication of proposals without holding a competition. See Section B of the "Establishing a Maintained Mainstream School" guide for further information (www.education.gov.uk/schools/leadership/schoolorganisation).

STAGE 1 - CONSULTATION

Stage 1 – Consultation (Paragraphs 1.1-1.7)

1.1 The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (“the Regulations”) (as amended) provide that those bringing forward statutory proposals to expand a school **must** consult interested parties, and in doing so **must** have regard to the Secretary of State’s guidance. The statutory guidance for this purpose is contained in paragraphs 1.2 to 1.4 below. Where an LA or governing body carries out any preliminary (informal) consultation to consider a range of options, and/or principles, for a possible reorganisation, this would not be regarded as the statutory (formal) period of consultation as required by regulations. The statutory consultation would need to cover the specific expansion of the school in question.

1.2 The Secretary of State requires those bringing forward proposals to consult all interested parties (see paragraph 1.3 below). In doing so they **should**:

- allow adequate time;
- provide sufficient information for those being consulted to form a considered view on the matters on which they are being consulted;
- make clear how their views can be made known; and
- be able to demonstrate how they have taken into account the views expressed during consultation in reaching any subsequent decision as to the publication of proposals.

1.3 The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) require proposers to consult the following interested parties:

- the governing body of any school which is the subject of proposals (if the LA are publishing proposals);
- the LA that maintains the school (if the governing body is publishing the proposals);
- families of pupils, teachers and other staff at the school;
- any LA likely to be affected by the proposals, in particular neighbouring authorities where there may be significant cross-border movement of pupils;
- the governing bodies, teachers and other staff of any other school that may be affected;

STAGE 1 - CONSULTATION

- families of any pupils at any other school who may be affected by the proposals including where appropriate families of pupils at feeder primary schools;
- any trade unions who represent staff at the school; and representatives of any trade union of any other staff at schools who may be affected by the proposals;
- (if proposals involve, or are likely to affect a school which has a particular religious character) the appropriate diocesan authorities or the relevant faith group in relation to the school;
- the trustees of the school (if any);
- (if the proposals affect the provision of full-time 14-19 education) the Learning and Skills Council (LSC);
- MPs whose constituencies include the schools that are the subject of the proposals or whose constituents are likely to be affected by the proposals;
- the local district or parish council where the school that is the subject of the proposals is situated;
- any other interested party, for example, the Early Years Development and Childcare Partnership (or any local partnership that exists in place of an EYDCP) where proposals affect early years provision, or those who benefit from a contractual arrangement giving them the use of the premises; and
- such other persons as appear to the proposers to be appropriate.

1.4 Under Section 176 of the Education Act 2002 LAs and governing bodies are also under a duty to consult pupils on any proposed changes to local school organisation that may affect them.

Conduct of Consultation (Paragraphs 1.5-1.7)

1.5 **How** statutory consultation is carried out is not prescribed in regulations and it is for the proposers to determine the nature of the consultation including, for example, whether to hold public meetings. Although regulations do not specify the consultation's duration, the Department strongly advises that the proposers **should** allow at least 4 weeks for consultation on enlargement proposals. This will allow consultees an opportunity to consider what is being proposed and to submit their comments. Proposers **should** avoid consulting on proposals during school holidays, where possible.

STAGE 1 - CONSULTATION

1.6 At the end of the consultation the proposer **should** consider the views expressed during that period before reaching any final decision on whether to publish statutory proposals. Where, in the course of consultation, a new option emerges which the proposer wishes to consider, it will probably be appropriate to consult afresh on this option before proceeding to publish statutory notices.

1.7 If the need for the enlargement or sixth form arises from an area wide reorganisation e.g. as a result of long-term LA planning, any related proposals **should** be consulted on at the same time. Notices for related proposals **should** be published at the same time and specified as “related” so that they are decided together (see paragraph 2.5).

Remember:

Do	Don't
Consult all interested parties	Consult during school holidays (where possible)
Provide sufficient time and sufficient information	Use language which could be misleading, e.g. We <u>will</u> expand the school – instead, use ‘propose to’.
Think about the most appropriate consultation method	
Consider feedback and views	
Consider alternative options	
Explain the decision making process	

STAGE 2 - PUBLICATION

Stage 2 – Publication (Paragraphs 2.1-2.11)

2.1 LAs can publish expansion proposals for any category of maintained school within the LA. Governing bodies of any category of maintained school can publish proposals to expand their own school. Proposals **should** be published within a reasonable timeframe following consultation so that the proposals are informed by up-to-date feedback. Proposals **should** therefore be published within 12 months of consultation being concluded.

2.2 Proposals **must** contain the information specified in The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended). The regulations specify that part of the information (as set out in Regulation 28, Part 2 of Schedules 3 and 5), is published in a statutory notice (see paragraphs 2.3-2.4 below), and the complete proposal (as set out in Part 1 of Schedules 3 and 5), **must** be sent to a range of copy recipients (see paragraphs 2.9-2.10). [Annex A](#) can be used to prepare the complete proposal; the notice builder tool (see paragraph 2.4) can be used to prepare the draft statutory notice.

2.3 A statutory notice containing specified information (as set out in Regulation 28, Part 2 of Schedules 3 and 5) **must** be published in a local newspaper, and also posted at the main entrance to the school (or all the entrances if there is more than one) and at some other conspicuous place in the area served by the school (e.g. the local library, community centre or post office etc). The 'date of publication' is regarded as being the date on which the last of the above conditions is met. Proposers may circulate a notice more widely in order to ensure that all those substantially affected have the opportunity to comment.

NOTE: When publishing a statutory notice to add a sixth form, when completing the section on admission numbers, it may be necessary for a school to have more than one admission number e.g. where a secondary school operates a sixth form and admits children from other schools at age 16, an admission number will be required for Year 12 as well as for the main year or years in which children join the lower school, e.g. Year 7.

Paragraph 1.43 of the School Admissions Code states that an admission number need only be set for a school sixth form when it is a normal point of entry to the school i.e. the school sets out to admit external candidates to its sixth form, rather than just deal with ad-hoc applications. The published admission number **must** relate only to those being admitted to the school for the first time, and should be based on an estimate of the minimum number of external candidates likely to be admitted, although it would be acceptable to exceed this if demand for available courses can be met.

This means that the admission numbers must not include children transferring from earlier age groups, e.g. if a school has an admission number of 120, of

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which the majority are expected to continue on into the sixth form, but the sixth form will cater for 150 in Year 12, the admission number for Year 12 would be 30. If all 120 pupils from Year 11 do not continue into the sixth form, the school can accept applications over the 30, from external applicants, to fill the available spaces.

2.4 To help proposers prepare their statutory notice, the School Organisation website includes an online Notice Builder tool which will help ensure that the statutory notice complies with the Regulations and offers an opportunity for the notice to be checked by the School Organisation & Competitions Unit of the DCSF. Proposers are strongly advised to use this facility. The Notice Builder can be found at www.education.gov.uk/schools/leadership/schoolorganisation. To gain access the proposer needs to register for the “Members’ Area” on the website but this is free of charge. A template for the complete proposal is provided automatically by the Notice Builder when the draft statutory notice is finalised, alternatively the template can be found in “Standard Forms” in the Members’ Area of the website.

Related Proposals (Paragraph 2.5)

2.5 Where proposals are interdependent (linked) they **should** be identified as “related”, either by being published in a single notice or the link to the other proposals made clear in each notice. Where proposals by the LA are “related” to proposals by governing bodies or other proposers (e.g. where an entire area is to be reorganised) the LA and governors or proposers may publish a single notice but this **must** make it clear who is making which proposals, under their respective powers, and there **should** be separate signatures for each relevant section. Where proposals are not “related”, they **should not** be published on the same notice unless the notice makes it very clear that the proposals are not “related”.

Implementation date (Paragraph 2.6)

2.6 There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation but circumstances may change significantly if too long a period elapses. In general, therefore - with the possible exception of BSF or major authority-wide reorganisation proposals which may have to be phased in over a long period – the implementation date for the proposals (stated in the statutory notice) **should** be within 3 years of their publication. Proposers may be expected to show good reason if they propose a longer timescale. If the proposals are approved, they **must** then be implemented by the proposed implementation date, subject to any modifications made by the Decision Maker.

Explanatory Note (Paragraph 2.7)

2.7 If the full effect of the proposals is not apparent to the general public from

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the statutory notice, it may be supplemented by an explanatory note or background statement, but this **should** be clearly distinguishable from the formal proposals as it does not form a statutory part of the notice. Ideally, whilst complying with regulations, the statutory notice **should** be as concise as possible, so that it is easily understood (this will also help keep publication costs to a minimum), with more detailed information contained in the complete proposal.

Invalid Notice (Paragraph 2.8)

2.8 Where a published notice has not been properly formulated in accordance with the regulations, the notice may be judged invalid and therefore ineligible to be determined by the LA or schools adjudicator. In these circumstances the proposer **should** publish a revised notice making it clear that this replaces the first notice and that the statutory period for representations will run from the publication date of the revised notice (and whether or not any representations already received will still be considered by the Decision Maker). If the issue is very minor, e.g. a typo, a published addendum may suffice, in which case, the representation period would not need to change.

Who must be sent copies of proposals? (Paragraphs 2.9-2.10)

2.9 The proposer **must, within one week of the date of publication**, send a full copy of the complete proposal, to:

- the LA (if the governing body published the proposals);
- the school's governing body (if the LA published the proposals);
and

within one week of the receipt of the request, send a full copy of the complete proposal, to:

- any person who requests a copy; and

if the notice includes "related" proposed school closures, **on the date of publication**:

- if the governing body are the proposers of the school closure(s), they **must** submit a copy of their complete proposal to the LA that maintains the school (it would also be helpful to submit a copy of the statutory notice);
- if the LA are the proposers of the school closure(s), they **must** submit a copy of their complete proposal to the governing body of the school proposed for closure (it would also be helpful to submit a copy of the statutory notice).

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2.10 The proposers **must** also send to the Secretary of State (i.e. to SOCU, DCSF, Mowden Hall, Darlington DL3 9BG or via email to school.organisationproposals@education.gsi.gov.uk) **within a week of publication:**

- a complete copy of the proposal, excluding all documentation relating to the consultation; and
- a copy of the statutory notice that appeared in the local newspaper, showing the date of publication.

Compulsory Purchase Orders (Paragraph 2.11)

2.11 Where an LA needs to acquire land compulsorily in conjunction with any statutory proposals, the LA **should not** make the compulsory purchase order until proposals have been approved conditionally on the acquisition of the site. The Secretary of State will not consider confirming and sealing an order until proposals have been approved.

STAGE 3 - REPRESENTATIONS

Stage 3 – Representations (Paragraphs 3.1-3.2)

3.1 Once proposals are published there follows a statutory representation period during which comments on the proposals can be made. These **must** be sent to the LA. Any person can submit representations, which can be objections as well as expressions of support for the proposals. The representation period is the final opportunity for people and organisations to express their views about the proposals and ensure that they will be taken into account by the Decision Maker.

3.2 The representation period is specified in legislation and **must not** be altered e.g. cannot be shortened or extended to fit in with scheduled meetings or to take into account school holidays – meetings will need to be rescheduled and every effort **should** be made to advise stakeholders during the consultation period when the notice is likely to be published. The representation period for statutory notices for enlargements and the addition of a sixth form is prescribed as **4** weeks **except** where:

- a. the proposal is “related” to another proposal which has a 6 week representation period, then the excepted expansion proposal **must** also have a **6** week representation period (this is a change introduced by the 2009 Amendment Regulations); or
- b. the proposed change is to a grammar school, where the representation period **must** be **6** weeks.

STAGE 4 - DECISION

Stage 4 – Decision (Paragraphs 4.1-4.80)

Who Will Decide the Proposals? (Paragraphs 4.1-4.4)

4.1 Decisions on school organisation proposals are taken by the LA or by the schools adjudicator. In this chapter both are covered by the form of words “Decision Maker” which applies equally to both.

4.2 Section 21 of the EIA 2006 provides for regulations to set out who **must** decide proposals for any prescribed alterations (i.e. including expansions). The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (SI:2007 No. 1289) (as amended) make detailed provision for the consideration of prescribed alteration proposals (see in particular Schedules 3 and 5). Decisions on expansions will be taken by the LA with some rights of appeal to the schools adjudicator. Only if the prescribed alteration proposals are “related” to other proposals that fall to be decided by the schools adjudicator, will the LA not be the decision maker in the first instance.

4.3 If the LA fail to decide proposals within 2 months of the end of the representation period the LA **must** forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They **must** forward the proposals within one week from the end of the 2 month period.

4.4 The Department does not prescribe the process by which an LA carries out their decision-making function (e.g. full Cabinet or delegation to Cabinet member or officials). This is a matter for the LA to determine but the requirement to have regard to statutory guidance (see paragraph 4.15 below) applies equally to the body or individual that takes the decision.

Who Can Appeal Against an LA Decision? (Paragraphs 4.5-4.6)

4.5 The following bodies may appeal against an LA decision on school expansion proposals:

- the local Church of England diocese;
- the bishop of the local Roman Catholic diocese;
- the LSC where the school provides education for pupils aged 14 and over;
- the governing body of a community school that is proposed for expansion; and
- the governors and trustees of a foundation (including Trust) or voluntary school that is proposed for expansion.

STAGE 4 - DECISION

4.6 Any appeals **must** be submitted to the LA within 4 weeks of the notification of the LA's decision. On receipt of an appeal the LA **must** then send the proposals, and the representations received (together with any comments made on these representations by the proposers), to the schools adjudicator within 1 week of the receipt of the appeal. The LA **should** also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals **must** also be sent to the schools adjudicator.

Checks on Receipt of Statutory Proposals (Paragraph 4.7)

4.7 There are 4 key issues which the Decision Maker **should** consider before judging the respective factors and merits of the statutory proposals:

- Is any information missing? If so, the Decision Maker **should** write immediately to the proposer specifying a date by which the information **should** be provided;
- Does the published notice comply with statutory requirements? (see paragraph 4.8 below);
- Has the statutory consultation been carried out prior to the publication of the notice? (see paragraph 4.9 below);
- Are the proposals "related" to other published proposals? (see paragraphs 4.10 to 4.14 below).

Does the Published Notice Comply with Statutory Requirements? (Paragraph 4.8)

4.8 The Decision Maker **should** consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements - as set out in The School Organisation (Prescribed Alterations)(England) Regulations 2007 (SI:2007 - 1289) (as amended) - it may be judged invalid and the Decision Maker **should** consider whether they can decide the proposals.

Has the Statutory Consultation Been Carried Out Prior to the Publication of the Notice? (Paragraph 4.9)

4.9 Details of the consultation **must** be included in the proposals. The Decision Maker **should** be satisfied that the consultation meets statutory requirements (see Stage 1 paragraphs [1.2](#)–1.4). If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not been met, the Decision Maker may judge the proposals to be invalid and needs to consider whether they can decide the proposals. Alternatively the Decision

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Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

Are the Proposals Related to Other Published Proposals? (Paragraphs 4.10-4.14)

4.10 Paragraph 35 of Schedule 3, and Paragraph 35 of Schedule 5, to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) provides that any proposals that are “related” to particular proposals (e.g. for a new school; school closure; prescribed alterations to existing schools i.e. change of age range, acquisition of a Trust, addition of boarding, etc; or proposals by the LSC to deal with inadequate 16-19 provision) **must** be considered together. This does not include proposals that fall outside of School Organisation Prescribed Alteration or Establishment and Discontinuance regulations e.g. removal of a Trust, opening of an Academy, federation proposals. Paragraphs 4.11-4.14 provide statutory guidance on whether proposals **should** be regarded as “related”.

4.11 Generally, proposals **should** be regarded as “related” if they are included on the same notice (unless the notice makes it clear that the proposals are not “related”). Proposals **should** be regarded as “related” if the notice makes a reference to a link to other proposals (published under School Organisation and Trust regulations). If the statutory notices do not confirm a link, but it is clear that a decision on one of the proposals would be likely to directly affect the outcome or consideration of the other, the proposals **should** be regarded as “related”.

4.12 Where proposals are “related”, the decisions **should** be compatible e.g. if one set of proposals is for the removal of provision, and another is for the establishment or enlargement of provision for displaced pupils, both **should** be approved or rejected.

4.13 Where proposals for an expansion of a school are “related” to proposals published by the local LSC⁴ which are to be decided by the Secretary of State, the Decision Maker **must** defer taking a decision until the Secretary of State has taken a decision on the LSC proposals. This applies where the proposals before the Decision Maker concern:

- the school that is the subject of the LSC proposals;
- any other secondary school, maintained by the same LA that maintains a school that is the subject of the LSC proposals; or

⁴ References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

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- any other secondary school in the same LA area as any FE college which is the subject of the LSC proposals.

4.14 The proposals will be regarded as “related” if their implementation would prevent or undermine effective implementation of the LSC proposals.

Statutory Guidance – Factors to be Considered by Decision Makers

(Paragraphs 4.15-4.16)

4.15 Regulation 8 of The Regulations provides that both the LA and schools adjudicator **must** have regard to guidance issued by the Secretary of State when they take a decision on proposals. Paragraphs 4.17 to 4.73 below contain the statutory guidance.

4.16 The following factors **should not** be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals **should** be considered on their individual merits.

EFFECT ON STANDARDS AND SCHOOL IMPROVEMENT

A System Shaped by Parents (Paragraphs 4.17-4.18)

4.17 The Government's aim, as set out in the Five Year Strategy for Education and Learners and the Schools White Paper Higher Standards, Better Schools For All, is to create a schools system shaped by parents which delivers excellence and equity. In particular, the Government wishes to see a dynamic system in which:

- weak schools that need to be closed are closed quickly and replaced by new ones where necessary; and
- the best schools are able to expand and spread their ethos and success.

4.18 The EIA 2006 amends the Education Act 1996 to place duties on LAs to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas. In addition, LAs are under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents. The Decision Maker **should** take into account the extent to which the proposals are consistent with the new duties on LAs.

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Standards (Paragraphs 4.19-4.20)

4.19 The Government wishes to encourage changes to local school provision which will boost standards and opportunities for young people, whilst matching school place supply as closely as possible to pupils' and parents' needs and wishes.

4.20 Decision Makers **should** be satisfied that proposals for a school expansion will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They **should** pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.

Diversity (Paragraphs 4.21-4.23)

4.21 Decision Makers **should** be satisfied that when proposals lead to children (who attend provision recognised by the LA as being reserved for pupils with special educational needs) being displaced, any alternative provision will meet the statutory SEN improvement test (see paragraphs 4.69-4.72).

4.22 The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and acts as a centre of excellence or specialist provision.

4.23 Decision Makers **should** consider how proposals will contribute to local diversity. They **should** consider the range of schools in the relevant area of the LA and whether the expansion of the school will meet the aspirations of parents, help raise local standards and narrow attainment gaps.

Every Child Matters (Paragraph 4.24)

4.24 The Decision Maker **should** consider how proposals will help every child and young person achieve their potential in accordance with "Every Child Matters" principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being. This **should** include considering how the school will provide a wide range of extended services, opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs, e.g. looked after children or children with special educational needs (SEN) and disabilities.

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SCHOOL CHARACTERISTICS

Boarding Provision (Paragraphs 4.25-4.26)

4.25 In making a decision on proposals that include the expansion of boarding provision, the Decision Maker **should** consider whether or not there would be a detrimental effect on the sustainability of boarding at another state maintained boarding school within one hour's travelling distance of the proposed school.

4.26 In making a decision on proposals for expansion of boarding places the Decision Maker **should** consider:-

- a. the extent to which boarding places are over subscribed at the school and any state maintained boarding school within an hour's travelling distance of the school at which the expansion is proposed;
- b. the extent to which the accommodation at the school can provide additional boarding places;
- c. any recommendations made in the previous CSCI/Ofsted reports which would suggest that existing boarding provision in the school failed significantly to meet the National Minimum Standards for Boarding Schools;
- d. the extent to which the school has made appropriate provision to admit other categories of pupils other than those for which it currently caters (e.g. taking pupils of the opposite sex or sixth formers) if they form part of the expansion;
- e. any impact of the expansion on the continuity of education of boarders currently in the school;
- f. the extent to which the expansion of boarding places will help placements of pupils with an identified boarding need; and
- g. the impact of the expansion on a state maintained boarding school within one hour's travelling distance from the school which may be undersubscribed.

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Equal Opportunity Issues (Paragraphs 4.27)

4.27 The Decision Maker **should** consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example, that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

NEED FOR PLACES

Creating Additional Places (Paragraphs 4.28-4.30)

4.28 The Decision Maker **should** consider whether there is a need for the expansion and **should** consider the evidence presented for the expansion such as planned housing development or demand for provision. The Decision Maker **should** take into account not only the existence of spare capacity in neighbouring schools, but also the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for places in the school proposed for expansion. The existence of surplus capacity in neighbouring less popular or successful schools **should not** in itself prevent the addition of new places.

4.29 Where the school has a religious character, or follows a particular philosophy, the Decision Maker **should** be satisfied that there is satisfactory evidence of sufficient demand for places for the expanded school to be sustainable.

4.30 Where proposals will add to surplus capacity but there is a strong case for approval on parental preference and standards grounds, the presumption **should** be for approval. The LA in these cases will need to consider parallel action to remove the surplus capacity thereby created.

Expansion of Successful and Popular Schools (Paragraph 4.31-4.34)

4.31 The Government is committed to ensuring that every parent can choose an excellent school for their child. We have made clear that the wishes of parents **should** be taken into account in planning and managing school estates. Places **should** be allocated where parents want them, and as such, it **should** be easier for successful and popular primary and secondary schools to grow to meet parental demand. For the purposes of this guidance, the Secretary of State is not proposing any single definition of a successful and popular school. It is for the Decision Maker to decide whether a school is successful and popular, however, the following indicators **should** all be taken into account:

- a. the school's performance;

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- i. in terms of absolute results in key stage assessments and public examinations;
 - ii. by comparison with other schools in similar circumstances (both in the same LA and other LAs);
 - iii. in terms of value added;
 - iv. in terms of improvement over time in key stage results and public examinations.
- b. the numbers of applications for places;
- i. the Decision Maker should also take account of any other relevant evidence put forward by schools.

4.32 The strong presumption is that proposals to expand successful and popular schools **should** be approved. In line with the Government's long standing policy that there **should** be no increase in selection by academic ability, this presumption does not apply to grammar schools or to proposals for the expansion of selective places at partially selective schools.

4.33 The existence of surplus capacity in neighbouring less popular schools **should not** in itself be sufficient to prevent this expansion, but if appropriate, in the light of local concerns, the Decision Maker **should** ask the LA how they plan to tackle any consequences for other schools. The Decision Maker **should** only turn down proposals for successful and popular schools to expand if there is compelling objective evidence that expansion would have a damaging effect on standards overall in an area, which cannot be avoided by LA action.

4.34 Before approving proposals the Decision Maker **should** confirm that the admission arrangements of schools proposed for expansion fully meet the provisions of the School Admissions Code. Although the Decision Maker may not modify proposed admission arrangements, the proposer **should** be informed that proposals with unsatisfactory admission arrangements are unlikely to be approved, and given the opportunity to revise them in line with the Code of Practice. Where the LA, rather than the governing body, is the admissions authority, we will expect the authority to take action to bring the admission arrangements in to line with the School Admissions Code.

Travel and Accessibility for All (Paragraphs 4.35-4.36)

4.35 In considering proposals for the reorganisation of schools, Decision Makers **should** satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes **should not**

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adversely impact on disadvantaged groups.

4.36 In deciding statutory proposals, the Decision Maker **should** bear in mind that proposals **should not** have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc.

16-19 Provision (Paragraphs 4.37-4.39)

4.37 The pattern of 16-19 provision differs across the country. Many different configurations of school and college provision deliver effective 14-19 education and training. An effective 14-19 organisation has a number of key features:

- standards and quality: the provision available **should** be of a high standard – as demonstrated by high levels of achievement and good completion rates;
- progression: there **should** be good progression routes for all learners in the area, so that every young person has a choice of the full range of options within the 14-19 entitlement, with institutions collaborating as necessary to make this offer. All routes **should** make provision for the pastoral, management and learning needs of the 14-19 age group;
- participation: there are high levels of participation in the local area; and,
- learner satisfaction: young people consider that there is provision for their varied needs, aspirations and aptitudes in a range of settings across the area.

4.38 Where standards and participation rates are variable, or where there is little choice, meaning that opportunity at 16 relies on where a young person went to school, the case for reorganisation, or allowing high quality providers to expand, is strong.

4.39 Where standards and participation rates are consistently high, collaboration is strong and learners express satisfaction that they have sufficient choice, the case for a different pattern of provision is less strong. The Decision Maker therefore will need to take account of the pattern of 16-19 provision in the area and the implications of approving new provision.

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Addition of post-16 provision by “high performing” schools (Paragraphs 4.40-4.51)

4.40 The Government remains committed to the principle that high performing 11-16 schools **should** be allowed to add post-16 provision where there is parental and student demand, in order to extend quality and choice. But the context in which this principle will operate is changing. From April 2010, the Apprenticeships, Skills, Children and Learning Act 2009 will transfer the responsibility for 16-19 planning and funding from the LSC to LAs. LAs will be responsible for maintaining an effective and coherent system of 14-19 organisation which delivers the new entitlement – to a new curriculum and new qualifications, including all 17 Diploma lines from 2013 and an Apprenticeship place for those who meet the entry criteria - to all young people in their area. Collaboration will be a key feature of 14-19 provision.

4.41 So, while there is still a strong presumption of approval for proposals from high performing schools, that decision **should** now be informed by additional factors: the need for local collaboration; the viability of existing post-16 providers in the local area; and the improvement of standards at the school that is proposing to add post-16 provision. Only in exceptional circumstances* would these factors lead Decision Makers not to approve a proposal. If the Decision Maker were minded not to approve a proposal, he **should** first consider whether modification of the proposal would enable the proposer to comply with these conditions (see paragraph 4.49).

** Exceptional circumstances in which the Decision Maker might reject the proposal to add a sixth form to a presumption school would include if there is specific evidence that a new sixth form was of a scale that it would directly affect the viability of another neighbouring, high quality institution that itself was not large in comparison to other institutions of that type. Exceptional circumstances might also include a situation where there are a number of presumption schools in the same area at the same time and/or where there is clear evidence that the scale of the aggregate number of additional 16-18 places far exceeds local need and affordability and is therefore clearly poor value for money.*

4.42 There **should** be a strong presumption in favour of the approval of proposals for a new post-16 provision where:

- a. the school is a high performing specialist school that has opted for an applied learning specialism; or
- b. the school, whether specialist or not, meets the DCSF criteria for ‘high performing’ and does not require capital support.

4.43 The school **should** ensure that, in forwarding its proposals to the Decision Maker, it provides evidence that it meets one of the criteria at paragraph 4.42 above.

STAGE 4 - DECISION

4.44 Where a new sixth form is proposed by a specialist school that has met the 'high performing' criteria and which has opted for an applied learning specialism, capital funding may be available from the 16-19 Capital Fund.

4.45 This presumption will apply to proposals submitted to the Decision Maker within:

- a. two years from the date a school commences operation with applied learning specialist school status; or
- b. two years from the date a school is informed of its Ofsted Section 5 inspection results which would satisfy DfE criteria for 'high performing' status.

NOTE: 'submitted to the Decision Maker' above refers to when proposals and representations are with the Decision Maker, following the end of the representation period.

4.46 The increase in the period in which a school is eligible to expand its post-16 provision recognises the time required to embed the new presumption places within a local 14-19 delivery plan and for effective collaboration to take place.

4.47 New post-16 provision in schools **should**, as appropriate, operate in partnership with other local providers to ensure that young people have access to a wide range of learning opportunities. In assessing proposals from 'high performing' schools to add post-16 provision, Decision Makers **should** look for:

- a. evidence of local collaboration in drawing up the presumption proposal; and
- b. a statement of how the new places will fit within the 14-19 organisation in an area; and
- c. evidence that the exercise of the presumption is intended to lead to higher standards and better progression routes at the 'presumption' school.

4.48 If a school has acted in a collaborative way and has actively attempted to engage other partners in the local area, but it is clear that other institutions have declined to participate, that fact **should not** be a reason for declining to approve a proposal. The onus is on other providers to work with a school which qualifies for the presumption of approval for new post-16 provision.

4.49 The Decision Maker **should** only turn down proposals to add post-16 provision from schools eligible for the sixth form presumption if there is compelling and objective evidence that the expansion would undermine the viability of an existing high quality post-16 provider or providers. The fact that an existing school or college with large numbers of post-16 students might recruit a smaller number of students aged 16-19 is not, of itself, sufficient to meet this condition, where the "presumption" school can show that there is reasonable

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demand from students to attend the school after age 16.

4.50 The existence of surplus capacity in neighbouring schools or colleges that are not high performing **should not** be a reason to reject a post-16 presumption proposal. It is the responsibility of the LA to consider decommissioning poor quality provision as well as commissioning high quality provision. The LA should therefore plan to tackle any consequences of expansion proposals for other schools.

4.51 Before approving proposals the Decision Maker **should** confirm that the admission arrangements of schools proposed for expansion fully meet the provisions of the mandatory Schools Admissions Code. Although the Decision Maker may not modify proposed admission arrangements, the proposer **should** be informed that proposals with unsatisfactory admission arrangements are unlikely to be approved, and given the opportunity to revise them in line with the Code. Where the LA, rather than the governing body, is the admissions authority, we will expect the authority to take action to bring the admission arrangements into line with the School Admissions Code.

Conflicting Sixth Form Reorganisation Proposals (Paragraph 4.52)

4.52 Where the implementation of reorganisation proposals by the LSC⁵ conflict with other published proposals put to the Decision Maker for decision, the Decision Maker is prevented (by the School Organisation Proposals by the LSC for England Regulations 2003) from making a decision on the “related” proposals until the Secretary of State has decided the LSC proposals (see paragraphs 4.13 to 4.14 above).

16-19 Provision ‘Competitions’ (Paragraphs 4.53-4.56)

4.53 Non-statutory competitions for new 16-19 provision were introduced from January 2006. They are administered by the regional arm of the LSC, in line with the LSC’s current role as commissioner of 16-19 provision. The Government intends to transfer the responsibility for 16-19 provision from the LSC to LAs from 2010.⁶

4.54 The current arrangements for the establishment of new institutions by competition involves a two-stage approval process:

- a. the competition selection process;

⁵ References throughout this document to the LSC only apply up to April 2010. The ASCL Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People’s Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

⁶ The ASCL Act will remove the LSC and also the power of LAs to establish sixth form schools, whether by a competition or otherwise. Section 126 of the Act amends section 16 of the Education Act 1996 and sections 7,10 and 11 of EIA 2006.

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b. approval of the outcome by existing processes (e.g. Decision Maker approval of school/LA proposals and Secretary of State approval of college/LSC proposals, as required by law).

4.55 Competitors will be eligible to apply to the 16-19 Capital Fund. Where a competition is 'won' by a school, they **must** then publish statutory proposals and these **must** be considered by the Decision Maker on their merits.

4.56 Where proposals to establish sixth forms are received, and the local LSC is running a 16-19 competition, the Decision Maker **must** take account of the competition when considering the proposals.

FUNDING AND LAND

Capital (Paragraphs 4.57-4.59)

4.57 The Decision Maker **should** be satisfied that any land, premises or capital required to implement the proposals will be available. Normally, this will be some form of written confirmation from the source of funding on which the promoters rely (e.g. the LA, DCSF, or LSC). In the case of an LA, this **should** be from an authorised person within the LA, and provide detailed information on the funding, provision of land and premises etc.

4.58 Where proposers are relying on DCSF as a source of capital funding, there can be no assumption that the approval of proposals will trigger the release of capital funds from the Department, unless the Department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposals **should** be rejected, or consideration of them deferred until it is clear that the capital necessary to implement the proposals will be provided.

4.59 Proposals **should not** be approved conditionally upon funding being made available, subject to the following specific exceptions: For proposals being funded under the Private Finance Initiative (PFI) or through the BSF programme, the Decision Maker **should** be satisfied that funding has been agreed 'in principle', but the proposals **should** be approved conditionally on the entering into of the necessary agreements and the release of funding. A conditional approval will protect proposers so that they are not under a statutory duty to implement the proposals until the relevant contracts have been signed and/or funding is finally released.

Capital Receipts (Paragraphs 4.60-4.62)

4.60 Where the implementation of proposals may depend on capital receipts from the disposal of land used for the purposes of a school (i.e. including one proposed for closure in "related" proposals) the Decision Maker **should** confirm

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whether consent to the disposal of land is required, or an agreement is needed, for disposal of the land. Current requirements are:

- a. Community Schools – the Secretary of State’s consent is required under paragraph 2 of Schedule 35A to the Education Act 1996 and, in the case of playing field land, under section 77 of the Schools Standards and Framework Act 1998 (SSFA 1998).
- b. Foundation (including Trust) and Voluntary Schools:
 - i. playing field land – the governing body, foundation body or trustees will require the Secretary of State’s consent, under section 77 of the SSFA 1998, to dispose, or change the use of any playing field land that has been acquired and/or enhanced at public expense.
 - ii. non-playing field land or school buildings – the governing body, foundation body or trustees no longer require the Secretary of State’s consent to dispose of surplus non-playing field land or school buildings which have been acquired or enhanced in value by public funding. They will be required to notify the LA and seek local agreement of their proposals. Where there is no local agreement, the matter **should** be referred to the Schools Adjudicator to determine. (Details of the new arrangements can be found in the Department’s guidance “The Transfer and Disposal of School Land in England: A General Guide for Schools, Local Authorities and the Adjudicator”).

4.61 Where expansion proposals are dependent upon capital receipts of a discontinuing foundation or voluntary school the governing body is required to apply to the Secretary of State to exercise his various powers in respect of land held by them for the purposes of the school. Normally he would direct that the land be returned to the LA but he could direct that the land be transferred to the governing body of another maintained school (or the temporary governing body of a new school). Where the governing body fails to make such an application to the Secretary of State, and the school subsequently closes, all land held by them for the purposes of the discontinued school will, on dissolution of the governing body, transfer to the LA unless the Secretary of State has directed otherwise before the date of dissolution.

4.62 Where consent to the disposal of land is required, but has not been obtained, the Decision Maker **should** consider issuing a conditional approval for the statutory proposals so that the proposals gain full approval automatically when consent to the disposal is obtained (see paragraph 4.75).

New Site or Playing Fields (Paragraph 4.63)

4.63 Proposals dependent on the acquisition of an additional site or playing

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field may not receive full approval but **should** be approved conditionally upon the acquisition of a site or playing field.

Land Tenure Arrangements (Paragraph 4.64)

4.64 For the expansion of voluntary or foundation schools it is desirable that a trust, or the governing body if there is no foundation, holds the freehold interest in any additional site that is required for the expansion. Where the trustees of the voluntary or foundation school hold, or will hold, a leasehold interest in the additional site, the Decision Maker will need to be assured that the arrangements provide sufficient security for the school. In particular the leasehold interest **should** be for a substantial period – normally at least 50 years – and avoid clauses which would allow the leaseholder to evict the school before the termination of the lease. The Decision Maker **should** also be satisfied that a lease does not contain provisions which would obstruct the governing body or the headteacher in the exercise of their functions under the Education Acts, or place indirect pressures upon the funding bodies.

School Playing Fields (Paragraph 4.65)

4.65 The Education (School Premises) Regulations 1999 set out the standards for school premises, including minimum areas of team game playing fields to which schools **should** have access. The Decision Maker will need to be satisfied that either:

- a. the premises will meet minimum requirements of The Education (School Premises) Regulations 1999; or
- b. if the premises do not meet those requirements, the proposers have secured the Secretary of State's agreement in principle to grant a relaxation.

Where the Secretary of State has given 'in principle' agreement as at paragraph 4.60(b) above, the Decision Maker **should** consider issuing conditional approval so that when the Secretary of State gives his agreement, the proposals will automatically gain full approval.

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SPECIAL EDUCATIONAL NEEDS (SEN) PROVISION

Initial Considerations (Paragraphs 4.66-4.67)

4.66 SEN provision, in the context of School Organisation legislation and this guidance, is provision recognised by the LA as specifically reserved for pupils with special educational needs. When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change LAs **should** aim for a flexible range of provision and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories of provision according to special educational need or disability. There are a number of initial considerations for LAs to take account of in relation to proposals for change. They **should** ensure that local proposals:

- a. take account of parental preferences for particular styles of provision or education settings;
- b. offer a range of provision to respond to the needs of individual children and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise) and regional and sub-regional provision; out of LA day and residential special provision;
- c. are consistent with the LA's Children and Young People's Plan;
- d. take full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, including the National Curriculum, within a learning environment in which children can be healthy and stay safe;
- e. support the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people;
- f. provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community;
- g. ensure appropriate provision for 14-19 year-olds, taking account of the role of local LSC funded institutions and their admissions policies; and
- h. ensure that appropriate full-time education will be available to all displaced pupils. Their statements of special educational needs will require amendment and all parental rights must be ensured. Other interested partners, such as the Health Authority should be involved.

STAGE 4 - DECISION

4.67 Taking account of the considerations, as set out above, will provide assurance to local communities, children and parents that any reorganisation of SEN provision in their area is designed to improve on existing arrangements and enable all children to achieve the five Every Child Matters outcomes.

The Special Educational Needs Improvement Test (Paragraph 4.68)

4.68 When considering any reorganisation of provision that would be recognised by the LA as reserved for pupils with special educational needs, including that which might lead to some children being displaced through closures or alterations, LAs, and all other proposers for new schools or new provision, will need to demonstrate to parents, the local community and Decision Makers how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs. All consultation documents and reorganisation plans that LAs publish and all relevant documentation LAs and other proposers submit to Decision Makers **should** show how the key factors set out in paragraphs 4.69 to 4.72 below have been taken into account by applying the SEN improvement test. Proposals which do not credibly meet these requirements **should not** be approved and Decision Makers **should** take proper account of parental or independent representations which question the LA's own assessment in this regard.

Key Factors (Paragraphs 4.69-4.72)

4.69 When LAs are planning changes to their existing SEN provision, and in order to meet the requirement to demonstrate likely improvements in provision, they **should**:

- a. identify the details of the specific educational benefits that will flow from the proposals in terms of:
 - i. improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
 - ii. improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
 - iii. improved access to suitable accommodation; and
 - iv. improved supply of suitable places.
- b. LAs **should** also:

STAGE 4 - DECISION

- i. obtain a written statement that offers the opportunity for all providers of existing and proposed provision to set out their views on the changing pattern of provision seeking agreement where possible;
- ii. clearly state arrangements for alternative provision. A 'hope' or 'intention' to find places elsewhere is not acceptable. Wherever possible, the host or alternative schools should confirm in writing that they are willing to receive pupils, and have or will have all the facilities necessary to provide an appropriate curriculum;
- iii. specify the transport arrangements that will support appropriate access to the premises by reference to the LA's transport policy for SEN and disabled children; and
- iv. specify how the proposals will be funded and the planned staffing arrangements that will be put in place.

4.70 It is to be noted that any pupils displaced as a result of the closure of a BESD school (difficulties with behavioural, emotional and social development) **should not** be placed long-term or permanently in a Pupil Referral Unit (PRU) if a special school place is what they need. PRUs are intended primarily for pupils who have been excluded, although LAs can and do use PRU provision for pupils out of school for other reasons such as illness and teenage pregnancies. There may of course be pupils who have statements identifying that they have BESD who have been placed appropriately in a PRU because they have been excluded; in such cases the statement **must** be amended to name the PRU, but PRUs **should not** be seen as an alternative long-term provision to special schools.

4.71 The requirement to demonstrate improvements and identify the specific educational benefits that flow from proposals for new or altered provision as set out in the key factors are for all those who bring forward proposals for new special schools or for special provision in mainstream schools including governors of foundation schools and foundation special schools. The proposer needs to consider all the factors listed above.

4.72 Decision Makers will need to be satisfied that the evidence with which they are provided shows that LAs and/or other proposers have taken account of the initial considerations and all the key factors in their planning and commissioning in order to meet the requirement to demonstrate that the reorganisation or new provision is likely to result in improvements to SEN provision.

OTHER ISSUES

Views of Interested Parties (Paragraphs 4.73)

4.73 The Decision Maker **should** consider the views of all those affected by the proposals or who have an interest in them including: pupils; families of pupils;

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staff; other schools and colleges; local residents; diocesan bodies and other providers; LAs; the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership if one exists, or any local partnership or group that exists in place of an EYDCP (where proposals affect early years and/or childcare provision). This includes statutory objections and comments submitted during the representation period. The Decision Maker **should not** simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker **should** give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.

Types of Decision (Paragraph 4.74)

4.74 In considering proposals for the expansion of a school, the Decision Maker can decide to:

- reject the proposals;
- approve the proposals;
- approve the proposals with a modification (e.g. the implementation date); or
- approve the proposals subject to them meeting a specific condition (see paragraph 4.75 below).

Conditional Approval (Paragraphs 4.75-4.76)

4.75 The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the regulations i.e. as follows:

- a. the grant of planning permission under Part 3 of the Town and Country Planning Act 1990;
- b. the acquisition of any site required for the implementation of the proposals;
- c. the acquisition of playing fields required for the implementation of the proposals;
- d. the securing of any necessary access to a site referred to in sub-paragraph (b) or playing fields referred to in sub-paragraph (c);
- e. the private finance credit approval given by the DCSF following the entering into a private finance contract by an LA;

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- f. the entering into an agreement for any necessary building project supported by the DCSF in connection with BSF programme;
- g. the agreement to any change to admission arrangements specified in the approval, relating to the school or any other school or schools (this allows the approval of proposals to enlarge the premises of a school to be conditional on the decision of adjudicators to approve any related change in admission numbers);
- h. the making of any scheme relating to any charity connected with the school;
- i. the formation of any federation (within the meaning of section 24(2) of the 2002 Act) of which it is intended that the proposed school should form part, or the fulfilling of any other condition relating to the school forming part of a federation;
- j. the Secretary of State giving approval under regulation 5(4) of the Education (Foundation Body) (England) Regulations 2000 to a proposal that a foundation body must be established and that the school must form part of a group for which a foundation must act;
- k. the Secretary of State making a declaration under regulation 22(3) of the Education (Foundation Body) (England) Regulations 2000 that the school should form part of a group for which a foundation body acts;
- ka. where the proposals are to alter the upper age limit of the school, the decision of the Secretary of State to establish a new FE college under s16 of the Further and Higher Education Act 1992;
- l. where the proposals in question depend upon any of the events specified in paragraphs (a) to (ka) occurring by a specified date in relation to proposals relating to any other school or proposed school, the occurrence of such an event; and
- m. where proposals are related to proposals for the establishment of new schools or discontinuance of schools, and those proposals depend on the occurrence of events specified in regulation 20 of the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007⁷ the occurrence of such an event.

4.76 The Decision Maker **must** set a date by which the condition **must** be met, but will be able to modify the date if the proposers confirm (preferably before the date expires), that the condition will be met later than originally thought. The condition-to-be-met-by date **must** be before the proposed implementation date of the proposal (which can also be modified if necessary). Therefore care **should**

⁷ S.I. 2007/1288.

STAGE 4 - DECISION

be taken when setting condition-to-be-met-by dates, particularly if proposals are “related” e.g. if a school is proposed to add a sixth form on 1st September one year, and enlarge on 1st September the following year, and the enlargement requires planning permission, the condition set **must** be met before the addition of a sixth form can be implemented (the earlier proposal). This is because as “related” proposals, they **should** both have the same decision, which in this case, would have been approval conditional upon planning permission being met. The proposer **should** inform the Decision Maker and the Department (SOCU, DCSF, Mowden Hall, Staindrop Road, Darlington DL3 9BG or by email to school.organisationproposals@education.gsi.gov.uk) of the date when a condition is modified or met in order for the Department’s records, and those of Edubase to be kept up to date. If a condition is not met by the date specified, the proposals **must** be referred back to the Decision Maker for fresh consideration.

Decisions (Paragraphs 4.77-4.79)

4.77 All decisions **must** give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision.

4.78 A copy of all decisions **must** be forwarded to:

- the LA or governing body who published the proposals;
- the trustees of the school (if any);
- the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisationproposals@education.gsi.gov.uk);
- where the school includes provision for 14-16 education or sixth form education, the LSC;
- the local CofE diocese;
- the bishop of the RC diocese;
- each objector except where a petition has been received. Where a petition is received a decision letter **must** be sent to the person who submitted the petition, or where this is unknown, the signatory whose name appears first on the petition; and
- where the school is a special school, the relevant primary care trust, an NHS trust or NHS foundation trust.

4.79 In addition, where proposals are decided by the LA, a copy of the decision **must** be sent to the Office of the Schools Adjudicator, Mowden Hall, Darlington

STAGE 4 - DECISION

DL3 9BG. Where proposals are decided by the schools adjudicator, a copy of the decision **must** be sent to the LA that it is proposed should maintain the school.

Can proposals be withdrawn? (Paragraph 4.80)

4.80 Proposals can be withdrawn at any point before a decision is taken. Written notice **must** be given to the LA, or governing body, if the proposals were published by the LA. Written notice **must** also be sent to the schools adjudicator (if proposals have been sent to him) and the Secretary of State – i.e. via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisationproposals@education.gsi.gov.uk. Written notice **must** also be placed at the main entrance to the school, or all the entrances if there are more than one.

STAGE 5 - IMPLEMENTATION

Stage 5 – Implementation (Paragraphs 5.1-5.13)

5.1 The proposers are under a **statutory duty** to implement any proposals which an LA or schools adjudicator has approved, by the approved implementation date. The proposals **must** be implemented as published, taking into account any modifications made by the Decision Maker. The following bodies are responsible for the implementation of proposals:

Type of School	Body that published proposals	Duty to implement
Community	LA	LA
Foundation	Proposers	LA and the proposers as set out in published proposals
	LA	LA
Voluntary Controlled	Proposers	LA and the proposers as set out in published proposals
Voluntary Aided	Proposers	Proposers but LA to provide playing fields

5.2 The LA **must** provide any additional school site that is required where proposals are approved for a foundation, Trust or voluntary controlled school and **must** convey their interest to the governing body or the trustees as appropriate, except where proposals state that the site will be provided by the proposers. Where proposals are approved for a voluntary aided school, the proposers **must** provide any additional school site that is required, although the LA may use its power to assist proposers by providing and conveying its interest in a site.

5.3 If the approval was subject to a condition being met by a specified date, proposers **should** ensure that they meet this. If it looks as though it might not be possible to meet the condition by the specified date, the proposals **must** be considered afresh by the Decision Maker that decided the proposals. The proposer **should** seek a modification to the condition **before** the date has passed.

Can Proposals Be Modified? (Paragraphs 5.4-5.6)

5.4 If it proves impossible to implement the proposals as approved, the proposers can seek a modification and **must** apply to the Decision Maker who decided the proposals. A modification **should** be made before the approved implementation date for the proposals is reached.

STAGE 5 - IMPLEMENTATION

5.5 The most common modification is to the implementation date. However, proposals cannot be modified to the extent new proposals are substituted for those that have been consulted upon and published. If proposers wish to make a significant change to proposals after they have been approved, they **must** publish “revocation” proposals to be relieved of the duty to implement the proposals (see paragraphs 5.7 to 5.11 below) and publish fresh proposals.

5.6 Before modifying proposals the Decision Maker **must** consult the proposers and the LA, if the LA did not publish the proposals. The proposals should not be modified in a way that would in effect substitute new proposals – this would run the risk of successful legal challenge in the courts. The Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisationproposals@education.gsi.gov.uk) **must** be notified of any modification and the date it was approved, within one week of the proposal being modified.

Revocation (Paragraphs 5-7-5.13)

5.7 If proposers cannot implement approved proposals they **must** publish fresh proposals to be relieved of the duty to implement. Paragraph 41 of Schedules 3 and 5 of the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) provide that revocation proposals **must** contain the following information:

- a description of the original proposals as published;
- the date of the publication of the original proposals; and
- a statement as to why it is proposed that the duty to implement proposals should not apply in relation to the original proposals.

The proposals can be published as “related” proposals, if appropriate (following consultation). Templates for revocation notices can be found on the School Organisation website (www.education.gov.uk/schools/leadership/schoolorganisation) under ‘Standard Forms’ via the Members’ Area. You need to register to access this area; membership is free.

5.8 The notice **must** be published in a local newspaper circulating in the area served by the school, and also posted at the main entrance to the school (and all entrances if there are more than one) and at some other conspicuous place in the area served by the school. The proposals **must** provide for anyone to submit comments and objections on the proposals to the LA within 6 weeks of the proposals being published (regardless of the length of the original representation period). The proposers **must** forward a copy of the proposals to the LA/governing body within 1 week of publication. Proposers are advised to consult interested parties on the planned revocation proposals before publication although there is

STAGE 5 - IMPLEMENTATION

no statutory requirement to do so.

5.9 Revocation proposals **must** be decided by the LA, except where the original proposals were decided by the schools adjudicator (or School Organisation Committee), or if the schools adjudicator is required to decide any “related” proposals, in which case the LA **must** forward the proposals, and any comments and objections received, to the schools adjudicator within 2 weeks from the end of the representation period. If the LA are to decide proposals they **must** do so within 2 months from the end of the representation period and if not, **must** pass the proposals to the schools adjudicator within 1 week from the end of the 2 month period.

5.10 To approve the proposals the Decision Maker **must** be satisfied that implementation of the original proposals would be unreasonably difficult, or that circumstances have so altered since the original proposals were approved that their implementation would be inappropriate.

5.11 A copy of the decision **must** be forwarded to:

- the LA or governing body who published the proposals;
- the trustees of the school (if any);
- the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to school.organisationproposals@education.gsi.gov.uk);
- where the school includes provision for 14-16 education or sixth form education, the LSC;
- the local CofE diocese;
- the bishop of the RC diocese.

5.12 The following bodies have a right of appeal to the schools adjudicator if they disagree with the LA’s decision:

- The local Church of England diocese;
- The bishop of the local Roman Catholic diocese;
- The LSC where the school is to provide education for pupils aged 14 and over; and
- The governing body and trustees (if relevant) of the school.

STAGE 5 - IMPLEMENTATION

5.13 Appeals **must** be submitted to the LA within 4 weeks of the notification of the LA's decision. On receipt of an appeal the LA **must** then send the proposals and the representations (together with any comments made on these representations by the proposers) to the schools adjudicator within 1 week of the receipt of the appeal. The LA need to also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals **must** also be sent to the schools adjudicator.

ANNEX A

Annex A

PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

NB. If the School Organisation Notice Builder tool is used to create a draft statutory notice, a template for the complete proposal is provided automatically by the Notice Builder when the draft statutory notice is finalised, alternatively the template can be found in "Standard Forms" in the Members' Area of the website or you can enter the information required in the expandable boxes below.

Extract of Part 1 of Schedule 3 and Part 1 of Schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):

In respect of a Governing Body Proposal: School and governing body's details

1. The name, address and category of the school for which the governing body are publishing the proposals.

In respect of an LEA Proposal: School and local education authority details

1. The name, address and category of the school .

Implementation and any proposed stages for implementation

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

Objections and comments

3. A statement explaining the procedure for making representations, including —
- (a) the date prescribed in accordance with paragraph 29 of Schedule 3 (GB proposals)/Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), by which objections or comments should be sent to the local education authority; and

ANNEX A

- (b) the address of the authority to which objections or comments should be sent.

Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

School capacity

- 5.—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 (GB proposals)/paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —

- (a) details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

- (b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

- (c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

- (d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

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(2) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 of Schedule 2 (GB proposals) /paragraphs 1, 2, 8, 18 and 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

Additional Site

7.—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

Changes in boarding arrangements

8.—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

- (b) the arrangements for safeguarding the welfare of children at the school;

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- (c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

- (d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom boarding provision will be removed if the proposals are approved; and

- (b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

Transfer to new site

9. Where the proposals are to transfer a school to a new site the following information—

- (a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

- (b) the distance between the proposed and current site;

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(c) the reason for the choice of proposed site;

(d) the accessibility of the proposed site or sites;

(e) the proposed arrangements for transport of pupils to the school on its new site;
and

(f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

Objectives

10. The objectives of the proposals.

Consultation

11. Evidence of the consultation before the proposals were published including—

- (a) a list of persons who were consulted;
- (b) minutes of all public consultation meetings;
- (c) the views of the persons consulted;
- (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
- (e) copies of all consultation documents and a statement on how these documents were made available.

ANNEX A

Project costs

12. A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

13. A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

Age range

14. Where the proposals relate to a change in age range, the current age range for the school.

Early years provision

15. Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

- (c) evidence of parental demand for additional provision of early years provision;

ANNEX A

- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

Changes to sixth form provision

16. (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

- (b) A statement as to how the new places will fit within the 16-19 organisation in an area;

- (c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

- (d) The proposed number of sixth form places to be provided.

17. Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

ANNEX A

Special educational needs

18. Where the proposals are to establish or change provision for special educational needs—

- (a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

- (b) any additional specialist features will be provided;

- (c) the proposed numbers of pupils for which the provision is to be made;

- (d) details of how the provision will be funded;

- (e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

- (f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

ANNEX A

- (g) the location of the provision if it is not to be established on the existing site of the school;

- (h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

- (i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

19. Where the proposals are to discontinue provision for special educational needs—

- (a) details of alternative provision for pupils for whom the provision is currently made;

- (b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

- (c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

- (d) a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

ANNEX A

[]

20. Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

- (a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;
- (b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
- (c) improved access to suitable accommodation; and
- (d) improved supply of suitable places.

[]

Sex of pupils

21. Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area;

- []
- (b) evidence of local demand for single-sex education; and

- []
- (c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).

[]

22. Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and
- []

ANNEX A

- (b) evidence of local demand for single-sex education.

Extended services

23. If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

Need or demand for additional places

24. If the proposals involve adding places—

- (a) a statement and supporting evidence of the need or demand for the particular places in the area;

- (b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

25. If the proposals involve removing places—

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

- (b) a statement on the local capacity to accommodate displaced pupils.

ANNEX A

Expansion of successful and popular schools

25A. (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).

ANNEX B

Proposals to enlarge the school - determining whether statutory proposals are required

Text from Prescribed Alteration Regs, including proposed amendments (in bold):

Enlargement to premises

1. —(1) An enlargement of the premises of the school which would increase the capacity of the school by—

(a) more than 30 pupils; and

(b) by 25% or 200 pupils (whichever is the lesser).

(2) Subject to sub-paragraph (3) in this paragraph—

"an enlargement" of the premises of a school includes—

(a) the proposed enlargement; and

(b) any enlargements made in the 5 years preceding the date when the new enlargement will be made, excluding any temporary enlargements where it is anticipated the enlargement will be in place for less than 3 years; and

(c) the making permanent of any temporary enlargement.

(3) Where there have been any enlargements for which proposals have been published and approved under section 28 of SSFA 1998 or section 19 of the Act ("approved proposal"), **in the five years preceding the date when the new enlargement will be made, an enlargement only includes those made after the latest approved proposals.**

ANNEX B

Answer each question in turn, except where directed to a later question (i.e. according to answer given).

If no physical enlargement of the premises is being undertaken, go straight to Question 5 below.

1. Does the school expect to revert to its existing physical capacity within three years ie. is this a Temporary Increase?

If Yes go to 7 If No go to 2

2. For the purposes of answering questions 3 & 4, look back to the most recent of the following (ignoring any Temporary Increases):

a) the date up to 5 years prior to the date the current enlargement is proposed to be implemented OR

b) the date when the school opened OR

c) the date when any previous statutory proposal to enlarge the premises of the school was implemented.

Using the net capacity figures at either a, b or c (whichever is the most recent event and ignoring any Temporary Increases), **Go to 3**

3. Will the capacity of the school be increased by 30 or more pupils?

If Yes go to 4 If No go to 5

4. Will the capacity be increased by 25% or at least 200 pupils (whichever is the lesser)?

If Yes go to 6 If No go to 5

5. Will the school's admission number be increased?

If Yes go to the School Admissions Code

If No go to 7

6. Prescribed alteration proposals **must be** published for **an enlargement** to the premises of the school.

IF THE PROPOSAL ALSO REQUIRES AN INCREASE TO THE PUPIL ADMISSION NUMBER (PAN), RETURN TO QUESTION 5.

IF NOT. END.

7. Prescribed alteration proposals do **not** need to be published for **an enlargement** to the premises of the school.

ANNEX B

**IF THE PROPOSAL ALSO REQUIRES AN INCREASE TO THE PUPIL
ADMISSION NUMBER (PAN), RETURN TO QUESTION 5.**

IF NOT. END.

Agenda Item 20

DECISION-MAKER:	CABINET MEMBER FOR CHILDREN'S SERVICES		
SUBJECT:	PRIMARY SCHOOL DEVELOPMENT – ST MONICA INFANT AND JUNIOR SCHOOLS		
DATE OF DECISION:	19 FEBRUARY 2013		
REPORT OF:	SENIOR MANAGER CHILDREN AND YOUNG PEOPLE STRATEGIC COMMISSIONING, EDUCATION AND INCLUSION		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	James Howells	Tel: 023 8091 7501
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STATEMENT OF CONFIDENTIALITY

None

BRIEF SUMMARY

The Local Authority has a statutory responsibility for place planning, education provision and school organisation. School organisation covers all sectors of the education estate and is concerned with ensuring sufficient high quality education provision exists for the City's residents.

School Organisation legislation dictates two methods for establishing an all-through primary from existing infant and junior schools. These are: discontinuing the unique reference number of one school and extending the age range of the remaining school (this amounts to the amalgamation/merger of two schools) - option 1; discontinuing both schools' unique reference number and publishing a proposal to open a new school, either through a competition or after receiving exemption from the Secretary of State. This would need to be authorised by the Secretary of State or regulations - option 2.

Option 1 has been deemed the most appropriate in order to maintain some of the existing structures of one of the schools, i.e. Headteacher and Governing Body, and to keep the decision making process at a local level.

The term 'discontinue' is used as a technical term in line with statute. The principle of the proposal is to bring two schools together into one.

The head teacher at St Monica Junior School has informed the Local Authority that she is retiring at the end of the academic year. As a result of this, and in line with formal discussions with governing body representatives and headteachers from across the City on the Local Authority's strategic preference for a primary model of education, it is appropriate to consult on the possibility of developing an all-through primary school from St Monica Infant and Junior Schools. The decision on which schools unique number discontinues is purely based on the school with the headteacher vacancy. The infant school was graded as "Satisfactory" at its last Ofsted inspection while the junior was graded as "Requires Improvement".

RECOMMENDATIONS:

Having complied with the requirements of paragraph 15 (General Exception) of the Access to Information Procedure Rules, it is recommended:

- (i) To approve the commencement of six weeks of pre-statutory consultations on a proposal to discontinue St Monica Junior School and expand St Monica Infant School to accommodate 4-11 year olds.
- (ii) To approve the establishment of a steering group for both schools to oversee the consultation on the possibility of transitioning to a primary.
- (iii) To delegate authority to the Director of Children's Services and Learning, following consultation with the Head of Legal, HR and Democratic Services; to determine the final format and content of consultation in accordance with statutory and other legal requirements.
- (iv) Subject to complying with Financial and Contractual Procedure Rules, to delegate authority to the Director of Children's Services and Learning, following consultation with the Cabinet Member for Children's Services, to do anything necessary to give effect to the recommendations in this report.

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 Council's Constitution, notice having been given to the Chair of Overview and Scrutiny Management Committee and the public. The matter requires a decision in view of the timescales for consultation and decision making that are required in order to implement this proposal from September 2013. Local Authority Officers were only very recently made aware that there would be a headship vacancy at one of the schools (which is a trigger for exploring the primary option) and, as a result, weren't able to bring forward this proposal forward earlier. It therefore cannot be deferred for inclusion in the next Forward Plan for decision following 28 clear days notice.
2. Children's Services and Learning are committed to pursuing the development of all through primary schools where the situation allows. For instance:
 - Where infant and junior schools are co-located and governing bodies seek support to establish a primary school.
 - If a headship of a co located infant/junior school becomes vacant.Currently in Southampton the education estate has:
 - 18 infant schools - 3 of which are Academies
 - 14 junior schools - 2 of which are Academies
 - 28 primary schools - 3 of which are Academies

3. There are 14 pairings of Infant and Junior Schools, see table 1. These pairings often liaise and share resources but operate as separate, individual schools.

Table 1

School pairings	Current status
Fairisle Infant and Junior	Maintained schools
Ludlow Infant and Junior	Separate Academies
Shirley Infant and Junior	Separate Academies – members of same Trust
Hollybrook Infant and Junior	Infant Academy, Junior transitioning later
Bitterne C of E Infant and Junior	Maintained schools
Bitterne Park Infant and Junior	Primary development being consulted on
Tanners Brook Infant and Junior	Primary development being consulted on
Oakwood Infant and Junior	Primary development being consulted on
Glenfield Infant and Beechwood Junior	Maintained schools – separate sites
Maytree Infant and Mount Pleasant Junior	Maintained schools
Sholing Infant and Junior	Maintained schools
St Monica Infant and Junior	Included in this consultation
Townhill Infant and Junior	Maintained schools
Valentine Infant and Heathfield Junior	Primary development being consulted on

4. There are three infant schools across the City that are separate with no co-located school. These are: Weston Shore Infant; Woolston Infant and Wordsworth Infant. The latter is due to become a primary from September 2013.
5. Over the last year the Local Authority has been progressing the development of primary schools. The schools involved are: Weston Park Infant and Junior, Banister Infant and Wordsworth Infant – the later two taking the first cohort of year 3 (age 7-8 year olds) from September 2013.

Current proposal

6. The head teacher at St Monica Junior School is due to retire at the end of the 2012/13 academic year. Consequent consultation on school reorganisation is being pursued. The reorganisation, if successful, will allow for the creation of an all-through primary school. The primary school would be developed

through expanding the age range of St Monica Infant School. The basic performance data of the schools included in the proposal is shown in Appendix 1.

7. The new primary school would accommodate the full primary age range; 4 – 11 years of age. To recognise its primary status, the school would be renamed as St Monica Primary School.
8. If the proposals are implemented the governing body from the expanding school would be the governing body for the new primary school. The governing body of the discontinuing school would be disbanded. However, the Local Authority would encourage the remaining governing body to reconstitute and incorporate members of the governing body that is disbanding. It is hoped that this would make for a harmonious fusion between the two schools and would be for the benefit of the new primary school and its key stakeholders.
9. The Local Authority has discussed the proposal with members of both governing bodies. Both governing bodies are supportive of the principle of all through primary education. A collective decision will be taken on 12 February with the anticipation of the proposal being fully endorsed.
10. To support the consultation, it is proposed to establish a steering group for the schools. The steering group's purpose would be to draw together the two governing bodies and school leadership teams to collectively address issues to aid the consultation. Membership of the steering groups would comprise, but not exclusively, of two head teachers, two business managers, representatives from the governing body and a Local Authority Officer. In addition, the head teacher of the proposed new primary will be invited to join a professional advisory group which is being established. This will be facilitated by the Local Authority Primary Inspector and will comprise of head teachers from St Monica and the other schools that are being put forward for primary development (Bitterne Park, Oakwood, Tanners Brook and Valentine/Heathfield).
11. If the recommendations in this report are approved, the first of two, six week periods of consultation would take place. This is known as pre-statutory consultation and will involve the production of information documentation and questionnaires, as well as consultation drop-in meetings. Any queries or issues raised during the consultation about the implementation of an all through primary school will be picked up by the proposed steering groups referenced in recommendation (ii). If there are no significant objections to pre-statutory consultation, and subject to Cabinet approval, a second six week consultation period would take place, known as statutory consultation. Statutory notices would be published at both schools, in the local newspaper and sent to the DfE's School Organisation department. After this, a final report would be taken to Cabinet requesting permission to implement the proposals.

Primary Education

12. Primary education can be delivered through: an infant and junior structure, a primary structure or an all-through primary and secondary structure. Each model has pros and cons. This paper does not address the pro and cons of

the different types of education structures, especially the current status quo – infant and junior configuration. Instead it focuses on outlining some of the benefits of primary education, specifically focussing on educational outcomes, professional outcomes and efficiencies of a combined structure.

Educational outcomes – benefits, all through primary schools:

13.
 - Are in a stronger position to plan for continuity and progression through the key stages of learning, Early Years, Key Stage 1 and 2;
 - Provide longer timescale for schools to work closely with families, year R to year 6, seven years to progress successfully children’s education progress;
 - Provide opportunities for pupils to work and play together over a longer period of time and develop greater understanding of diverse strengths, skills and personalities, which help them in later life;
 - Offer consistent approaches to inclusion, absences etc; and
 - Increased opportunities for social development with older pupils having some appropriate pastoral responsibilities for younger children.

Professional outcomes – benefits, all through primary schools:

14.
 - Provide staff with greater opportunities to gain a broader and deeper understanding of the learning continuum for children from 4 to 11 years; and
 - Build capacity in issues of staffing and can better plan for succession.

Efficiency – benefits, all through primary schools:

15.
 - A single, larger budget offers the opportunity to deliver quality more efficiently, through greater economies of scale;
 - Reduced spend on leadership and governance arrangements; and
 - Increased spend on front line teacher, as a percentage of the whole school budget.

Parental – benefits, all through primary schools:

16. There is a direct benefit to parents in the admissions process. Parents have to apply to secure a place in an infant school, at year R and a junior school, at year 3. Only one application is required for primary school – for admission to year R.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

17. Two alternative proposals could be put forward, including the closure of the opposite school or the closure of both schools and the establishment of a brand new primary school. These are addressed in points 18 and 19 and are not recommended.
18. To discontinue St Monica Infant and expand St Monica Junior. This option has not been proposed because the junior school will have a headteacher vacancy from July 2013. The infant school has a headteacher in post. It is more logical for the school to be expanded to become a primary to be the one that has a headteacher.

19. Discontinuance of each pair of schools, infant and junior, and open a brand new primary school. The development of any new school, under the Education and Inspections Act 2006, requires that an open competition takes place to secure an academy provider. To open a maintained primary school without a competition would require authorisation by the Secretary of State or regulations.

DETAIL (Including consultation carried out)

20. The proposal to discontinue one school and expand the age range of the other has been put to both governing bodies of the schools included in this proposal. The proposal on which school to expand and which to discontinue has been made on the simple basis of discontinuing the school in which the Headteacher vacancy exists. Although either the infant or junior school would have to discontinue to bring the proposal to fruition, the intention is to bring together the positive elements of both schools, thus establishing a strong all through primary school.
21. St Monica Junior School is proposed to discontinue because the head teacher of the School is due to retire at the end of academic year.
22. Members of both governing bodies have been asked to consider whether they would support the Local Authority's intention to commence a consultation on a proposal to extend the age range of the infant school and discontinue the junior school, thus forming an all through primary school. Both governing bodies are supportive of the principle.

RESOURCE IMPLICATIONS

Capital/Revenue

23. The infant and junior schools are located on the separate sites but it is not anticipated that significant capital works would be required. Some alterations may need to be made to signage and insignia at the schools. These costs can be met from the Children's Services budget. Changes may also need to be made to telephone, IT, fire alarm and security systems – so that they operate across both school buildings – if the proposals are taken forward.
24. The revenue costs of all schools are funded through the Dedicated Schools Grant. The number of pupils at the school will not alter as a result of this proposal so the school will receive a budget similar to the combined budgets of the current infant and junior schools minus one flat rate allocation, £114,200 in 2013/14. However, the Minimum Funding Guarantee ensures that the new primary school would lose no more than 1.5% of the combined infant and junior school budgets.
25. There may be some additional funding available to schools going through this process in the form of a school reorganisation payment.

Property/Other

26. There are no property implications as a result of this proposal. The schools would continue to operate on the same sites and in the same buildings, only under the guise of one primary school as opposed to separate infant and junior schools.

27. The school may be required to reorganise the structure of staff, for instance: administrative staff, site manager, caretakers, cleaners, if this proposal is approved. There would be no TUPE transfer of staff as all employees at the schools are employed by Southampton City Council and would continue to be so if the proposals are implemented.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

28. Alterations, changes, creation or removal of primary 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) Regulations 2007 as amended. Discontinuance (closure) of schools is governed by the School Organisation (Establishment and Discontinuance of Maintained Schools)(England) Regulations 2007.
29. Statutory Guidance on bringing forward proposals applies, which requires a period of pre-statutory consultation (and additional rounds of pre-statutory consultation if further viable options are identified during initial consultation) 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) followed by publications of statutory notices, representation periods and considerations of representations by Cabinet. This consultation is scheduled for the second half of the spring term.

Other Legal Implications:

30. In bringing forward school organisation proposals, the Local Authority must have regard to the need to consult the community and users, the statutory duty to improve standards and access to educational opportunities and observe the rules of natural justice and the provisions of the Human Rights Act 1998, article 2 of the First Protocol (right to education) and equalities legislation.

POLICY FRAMEWORK IMPLICATIONS

31. This proposal is in accordance with the Children and Young People's Plan.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Sholing
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SUPPORTING DOCUMENTATION

Appendices

1.	Performance data for St Monica Infant and Junior Schools
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Documents In Members' Rooms

1.	None
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Equality Impact Assessment

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

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

Title of Background Paper(s)

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

1.	None	
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KS1 Maths		2010		2011		2012							
DFE	School	%L2+	%L3+	%L2+	%L3+	%L2+	%L3+	2009-10	2010-11	2011-12	2009-10	2010-11	2011-12
2428	ST. MONICA INFANT SCHOOL	100.0	25.6	97.7	18.4	96.6	6.7	3.4	-2.3	-1.1	0.8	-7.2	-11.6
LA Results		90.3	22.0	91.1	22.2	91.2	22.1	1.7	0.8	0.2	1.2	0.2	-0.1
National Results		89.0	20.0	90	20	91**	22**	0.0	1.0	1.0	-1.0	0.0	2.0

KS1 Reading		2010		2011		2012							
DFE	School	%L2+	%L3+	%L2+	%L3+	%L2+	%L3+	2009-10	2010-11	2011-12	2009-10	2010-11	2011-12
2428	ST. MONICA INFANT SCHOOL	95.6	24.4	96.6	24.1	87.6	15.7	6.8	1.0	-8.9	4.2	-0.3	-8.4
LA Results		85.2	28.1	85.6	27.7	87.5	28.1	3.2	0.4	1.9	4.4	-0.4	0.4
National Results		85.0	26.0	85.0	26.0	87**	27**	1.0	0.0	2.0	0.0	0.0	1.0

KS1 Writing		2010		2011		2012							
DFE	School	%L2+	%L3+	%L2+	%L3+	%L2+	%L3+	2009-10	2010-11	2011-12	2009-10	2010-11	2011-12
2428	ST. MONICA INFANT SCHOOL	93.3	10.0	92.0	9.2	84.3	10.1	11.3	-1.4	-7.7	7.8	-0.8	0.9
LA Results		81.9	14.1	83.2	13.6	83.3	13.6	3.9	1.3	0.2	3.3	-0.5	0.0
National Results		81	12	81	13	83**	14**	0.0	0.0	2.0	0.0	1.0	1.0

NI 72: 6+ PSE, CLL & 78 points 2010-12

School		2010	2011	2012	Diff 2010-11	Diff 2011-12
2428	St Monica Infant School	64.4%	73.0%	48.3%	8.7%	-24.7%
	Southampton	53.3%	55.7%	56.2%	2.4%	0.5%
	National	56%	59%	64%	3.0%	5.0%



KS2 results based on the 2012 DfE performance tables released (13/12/2012)	Both English and Mathematics L4+		Value Added		OVERALL ABSENCE RESULTS 2011/12 excluding the summer term			School overall rank**
	%	Rank	2012	Rank	%	Rank	Rank	
St Monica Junior School	67%	1	99.0	1	4.3%	1	1	29

KS2 results based on the 2011 DfE performance tables released (15/12/2011)	Both English and Mathematics L4+		Value Added		OVERALL ABSENCE RESULTS 2010/11 excluding the summer term			School overall rank**
	%	Rank	2011	Rank	%	Rank	Rank	
St Monica Junior School	71%	21	99.1	30	5.1%	16	27	28
Local Authority Average	73%		-		5.4%			
National Average	74%		100		5.1%			

KS2 results based on the 2010 DfE performance tables released (14/12/2010)	Both English and Mathematics L4+		Contextual Value Added			OVERALL ABSENCE RESULTS 2009 /10 excluding the summer term	2 Levels progress KS1 - KS2 Maths		School overall rank**
	%	Rank	2010	Rank	National Position	%	%	Rank	
National Average	73%		100			5.4%	83%		
Local Authority Average	71%					5.8%	80%		
St Monica Junior School	72%	20	99.9	17	Middle 20%	5.5%	87%	14	16

Phonics 2012 @ 9.01am 20/07/2012

School	A	D	WT	WA
St Monica Infant School			39.3%	60.7%
Southampton	9	49	41.0%	56.8%
National				58%

A = Absent	Indicates an increase	
D = Disapplied	Indicates a decrease	
WT = Working Towards	A stronger shade indicates more variance from the average	
WA = Working At (32 Threshold)		

DFE	School Name	School Overall Absence 2010 - 2012 with Guidance for 2013 and 2014 School Aspiration														
		Number on Roll (Aut 12)	Overall school 2010	RAISE online FSM similar schools 2010	Overall National 2010	Overall school 2011	RAISE online FSM similar schools 2011	RAISE online FSM similar schools 2012	Overall National 2012	Gap between School and RAISE online FSM 2010	Gap between School and National 2012	Rank school - RAISE online FSM 2010	Rank school - RAISE online FSM 2011	School improvement 2010-11	School improvement 2011-12	2013 Aspiration
2428	St Monica Infant School	270	5.1	5.2	5.3	4.96	5.13	4.4	4.4	-0.10	0.40	20	27	-0.14	-0.16	3.67
2456	St Monica Junior School	357	5.5	4.9	5.3	5.07	4.93	4.5	4.4	0.60	-0.10	40	42	-0.43	-0.77	4.07
Primary Southampton LA		627	5.8		5.3	5.41			4.4		#REF!			-0.39	#REF!	3.9

Ofsted - last three inspections

	Oct 11	Jun 09	Jun 06
St Monica Infant	Satisfactory	Satisfactory	Satisfactory

	Oct 12	Nov 10	Nov 07
St Monica Junior	Requires Improvement	Satisfactory	Good

Name or Brief Description of Proposal	Proposal to create an all-through primary school from St Monica Infant and Junior Schools.
Brief Service Profile	Children’s Services and Learning: Responsible for ensuring that sufficient education is available to meet the needs of the population in the area.
Summary of Impact and Issues	The proposals are to create a primary school from infant & junior schools. This transition involves one of the schools discontinuing and the other expanding its age range. The substantial changes would be that the governing body of the closing school would be disbanded and the expanding school will change its name to a primary.
Potential Positive Impacts	<p>All through primary schools.</p> <ul style="list-style-type: none"> • Are in a stronger position to plan for continuity and progression through the key stages of learning, Early Years, Key Stage 1 and 2. • Provide longer timescale for schools to work closely with families, year R to year 6, seven years to progress successfully children’s education progress. • Provide opportunities for pupils to work and play together over a longer period of time and develop greater understanding of diverse strengths, skills and personalities, which help them in later life. • Offer consistent approaches to inclusion, absences etc. • Increased opportunities for social development with older pupils having some appropriate pastoral responsibilities for younger children • Provide staff with greater opportunities to gain a broader and deeper understanding of the learning continuum for children from 4 to 11 years. • Build capacity in issues of staffing and can better plan for succession. • A single, larger budget offers the opportunity to deliver quality more efficiently, through greater economies of scale. • Reduced spend on leadership and governance arrangements. • Increases spend on front line teacher, as a percentage of the whole school budget. • There is a direct benefit to parents in the admission process. Parents have to apply to secure a place in an infant school, at year R and a junior school, at year 3. Only one application is required for primary school – for admission to year R.

Responsible Service Manager	James Howells School Organisation and Strategy Manager
Date	05/02/2013

Approved by Senior Manager	Alison Alexander Deputy director of Children's Services & Learning
Signature	
Date	05/02/2013

Potential Negative Impacts

Impact Assessment	Details of Impact	Possible Solutions
Age	N/A	
Disability	N/A	
Gender Reassignment	N/A	
Marriage and Civil Partnership	N/A	
Pregnancy and Maternity	N/A	
Race	N/A	
Religion or Belief	N/A	
Sex	N/A	
Sexual Orientation	N/A	
Community Safety	N/A	
Poverty	N/A	
Other Significant Impacts	The governing body of the closing school will be disbanded.	LA would encourage the remaining governing body to incorporate members of the closing schools governing body into the governing body of the primary school.

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Agenda Item 21

DECISION-MAKER:	CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT		
SUBJECT:	CONCESSIONARY FARES SCHEME 2013/14		
DATE OF DECISION:	19 FEBRUARY 2013		
REPORT OF:	SENIOR MANAGER PLANNING, TRANSPORT AND SUSTAINABILITY		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Simon Bell	Tel: 023 8083 3814
	E-mail:	Simon.bell@southampton.gov.uk	
Director	Name:	Dawn Baxendale	Tel: 023 8091 7713
	E-mail:	dawn.baxendale@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

Not Applicable

BRIEF SUMMARY

The report seeks agreement on the local enhancements and the reimbursement rate to bus operators for the Concessionary Fares Scheme 2013 -14.

RECOMMENDATIONS:

- (i) To approve the scheme in Appendix 1 subject to the calculations in recommendation (ii) below;
- (ii) To reimburse bus operators at 48p in the £ plus 6.9p marginal capacity operating cost per trip and 0.2p per journey administration fee, in accordance with the guidance given by the Department for Transport (DfT) using their reimbursement calculator;
- (iii) To withdraw the issue of local disabled persons bus pass;
- (iv) To retain the ticket types used in the calculation of the average fare to include day tickets, carnet (multi-trip), single and returns as per the guidance issued by the DfT;
- (v) To delegate authority to the Senior Manager Planning, Transport and Sustainability to enter into arrangements with some smaller operators to agree reimbursement at a fixed rate in accordance with the DfT guidance for 2013/14;
- (iv) To delegate authority to the Senior Manager Planning, Transport and Sustainability in consultation with the Executive Director of Corporate Services following consultation with the Cabinet Members for Environment & Transport and Resources to do anything necessary to implement the Concessionary fares Scheme 2013 including but

not limited to the service of statutory Notices (including Variation and Participation Notices) and participation in and determination of any appeal against the proposed Concessionary Fares Scheme or reimbursement arrangements for 2013/14.

REASONS FOR REPORT RECOMMENDATIONS

1. To enable the Council to comply with the statutory requirement to serve bus operators with a minimum 28 days notice of the Concessionary Fares Scheme for 2013-14. This includes the local enhancements to the Scheme and the rates of reimbursement that will apply. The changes to the local enhancements proposed are part of the Council's need to provide a scheme within the budget available.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- .2. The option of reducing the operating hours to the minimum permitted (0930 – 2300 Monday to Friday) together with the withdrawal of companion passes was considered but rejected, as it is unlikely to save much if any money.

DETAIL (Including consultation carried out)

3. The Council is required by law to give bus operators 28 days notice of the scheme and reimbursement rate that will apply. The bus operators have been given four months notice period of the proposed scheme to allow them to make representations to the Council in relation to the Scheme methodology, content and reimbursement arrangements before a final decision is made. This report confirms the reimbursement rates for operators (as opposed to the methodology to be used) and the local enhancements above the statutory minimum the Council will provide. Bus operators then have 56 days from the start of the scheme to appeal to the Secretary of State on the proposed reimbursement arrangements. No comments have been received so far.
4. Under the current scheme, the eligibility criteria for disabled people is more generous than that required by the national statutory scheme. The Council currently provides a discretionary local concession pass for those disabled people who do not meet the national concession criteria which requires people to be in receipt of higher rate of the mobility component of Disability Living Allowance (DLA) from the Department of Work and Pensions. Those in receipt of the lower rate mobility component or any rate of care component of DLA, currently qualify for a local bus pass. This pass allows free travel within the City boundary only. This report removes the issue of the local disabled persons bus pass from the Scheme as set out in the Council's budget proposals published in December. Pre issued passes will continue to allow travel until the pass expires by the end of 2014. A large number of pass holders will still be able to qualify for a pass but will need to provide additional proof of qualification for a national pass. The proposals were included in the Council budget consultation process. No comments have been received on the withdrawal of the local pass in response to that consultation exercise. An Equality Impact Assessment was completed and is attached and considered at Appendix 2.
5. In order to calculate the reimbursement rate the Council uses the DfT reimbursement calculator. Data is input using last year's data for usage, single, day and weekly tickets, trip length, nominal fare change since 2005/6,

which then calculates the reimbursement rate for the following financial year and the margin capacity costs. For small operators who run very few services it is possible to agree a fixed figure to reduce administration costs to the Council and the operator. In addition, operators are paid 0.2p for administration.

6. The Council will continue with the provision of free travel from 0900 until 0030 on weekdays for Southampton residents in recognition of the desirability of assisting local people to access services and facilities provided for residents outside of the core operation hours of the national scheme. For other pass holders the statutory minimum travel times of 0930 to 2300 will apply. There are no restrictions on weekend travel for all pass holders. Blind persons will continue to qualify for free travel at any time. Those people who are unable to travel alone and provide evidence of this can obtain a companion pass.
7. Appendix 1 shows the details of the scheme for 2013/14.

RESOURCE IMPLICATIONS

Capital/Revenue

8. It is estimated that the cost of the concessionary fares scheme can be met from the revenue budget of £4,830,800 in 2013/14 as contained within the Environment and Transport Portfolio. Revised guidance from the Department for Transport has been issued and this has been used to calculate the reimbursement rate of 48.0 p in the £, a marginal capacity operating cost per trip of 6.9p and a journey administration fee of 0.2 p.

Property/Other

9. There are no property or other implications.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

10. Concessionary fares are governed by the Transport Acts of 1985 and 2000, and the Concessionary Fares Act of 2007. If it is agreed that in the future, no enhancements over and above the statutory minimum will be offered, then the 1985 Act does not apply.

Other Legal Implications:

11. The provision of a concessionary travel scheme in accordance with the national minimum is a statutory duty. A discretionary power exists to provide a scheme that extends entitlement of services over and above the national minimum. Any discretion must be exercised in a reasonable manner. Any scheme must be made having regard to the Human Rights Act 1998 (with which any national minimum scheme will be deemed to comply) and the Equality Act 2010. The Council is satisfied that the reversion to the national criteria in respect of disabled users is wholly in accordance with equalities legislation. It is a statutory requirement that the Council has to publish details of its final scheme 28 days in advance of the scheme introduction on 1 April 2013.

POLICY FRAMEWORK IMPLICATIONS

12. The provision of concessionary travel accords with the policy direction of the City's adopted Local Transport Plan 2011 - 2016 by helping the Council meet its targets for increasing the use of sustainable transport modes (and bus travel in particular) and also increasing accessibility and promoting social inclusion.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

Appendices

1.	Proposed 2013/14 Scheme details
2.	Equalities Impact Assessment

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

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

Equality Impact Assessment and Other Background documents available for inspection at: See appendix 2

Title of Background Paper(s)

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

1.	None	
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SOUTHAMPTON CONCESSIONARY FARES SCHEME 2013 ('the Scheme')

Introduction

The Concessionary Fares Scheme agreed by Southampton City Council will come into effect on Monday, 1 April 2013 and continues until 31st March 2014. This Notice and Scheme replaces the Southampton Concessionary fares Scheme 2012 and supersedes all previous Schemes and Notices

Legislation

The scheme is made in accordance with the Concessionary Bus Travel Act 2007, the Transport Act 2000, the Travel Concessions (Eligibility) Act 2002 and the discretionary powers contained in the Transport Act 1985 ('the Acts').

Responsible Authority

The responsible authority for the Scheme shall be Southampton City Council. The Scheme shall be funded by Southampton City Council. The Scheme shall be administered by either Southampton City Council or its appointed agent(s).

All enquiries regarding the Scheme and all Notices required to be served upon the responsible authority under the Acts should be addressed to:

Paul Nicholls, Senior Manager Planning, Transport and Sustainability, 45 Castle Way, Southampton, SO14 7PD.

A copy of the Scheme will be supplied to any person on request by post from the person specified above and is available on the Council website at www.southampton.gov.uk.

Operator Eligibility

Operators of registered bus services running within the City which are also eligible for bus service operators grant.

User Eligibility

Residents of Southampton who meet any of the following criteria will be eligible for a free concessionary fares pass:

- men and women aged 60 years and older;
- blind people;
- partially sighted people;
- deaf people;
- people without speech (in any language);
- people with a disability, or who have suffered an injury, which, in the opinion of a qualified medical practitioner, seriously impairs their ability to walk;
- people without the use of both arms;
- people with a learning difficulty;
- people who would be refused the grant of a driving licence to drive a motor vehicle under Section 92 of Part III the Road Traffic Act 1988;
- people with a long term mental health problem; and

- travelling companions/escorts of disabled people.

For those under the age of 62, applicants must either provide confirmation that:

- i) They are in receipt of Disability Living Allowance (mobility component) higher rate; or
- iii) They are in receipt of War Pensions Mobility Supplement; or
- iv) They have a valid registration card for their disability; or
- v) Certification of Vision impairment; or
- vi) Have learning difficulties and attend Southampton Day Services or registered with Southampton Learning Disabilities team; or
- vi) They have a signed form (09MQ) from their doctor confirming eligibility.

Hours of Operation

The Southampton concessionary fares scheme will be based on bus travel alone. Concessionary travel available all day on Saturdays, Sundays, Bank Holidays and declared public holidays and between 09:00 and 00:30 on other days for residents of Southampton and between 0930 and 2300 for all others. Blind persons will be permitted to travel at any time.

Area of Travel

Any journey that starts within the boundary of Southampton (NOTE: funding of such travel shall be subject to any inter-authority boundary/funding agreements which may be entered into and shall be deemed to be part of this Scheme. This will not affect user eligibility or operator reimbursement).

Level of Concession

The proposed scheme provides free travel on presentation of a valid pass:

Administration

The administration of the issue of concessionary fares scheme passes will be carried out by the Public Transport Team. A database of all people who are issued with a bus pass will be kept. The City Council will be responsible for meeting the statutory requirements for data protection.

Reimbursement

Operators will submit monthly returns to the City Council unless otherwise agreed in advance. Payment of 85% of the estimated figure for the month will be agreed with the operator be made on the 15th of the month. The outstanding figure paid once exact figures are known and the claim should identify the number of journeys undertaken and the average fare payable.

The City Council will require all information required to be produced in support of claims under the scheme to be certified as accurate by a "responsible person".

The returns will be subject to periodic audit by the City Council or its nominated representatives. Bus operators will be expected to provide information reasonably required for this purpose.

The City Council will reimburse you at (48p in the £). An additional amount of 6.9p per generated trip will also be paid to recognise operators' additional costs in providing the concession and an administration fee of 0.2p per journey.

Guidelines on evidence required to substantiate Additional Capacity Cost claims to the Concessionary Fares Scheme

The Southampton Concessionary Fares Scheme makes provision for operators to claim specific additional costs “to cover the costs of providing additional vehicle capacity to cope with growth in patronage brought about by concessionary travel”, in addition to the standard marginal additional costs allowance. Such Additional Capacity Costs are considered on a case-by-case and service-specific basis, on submission of written evidence of the circumstances together with a statement of the costs incurred and may comprise claims for marginal capacity costs calculated in accordance with any prevailing DfT guidance and/or Peak vehicle Requirement Costs if evidenced to the satisfaction of the City Council.

The following checklist gives guidance on the nature of information which is considered necessary to substantiate Additional Capacity Cost claims. It should be appreciated that the amount and detail of information required will increase with claims of greater scope: one duplicate journey will require much more limited evidence than that to support a general increase of service frequency.

The claimant should demonstrate, with auditable evidence for each affected service:

- a) The extent of the capacity increase which is deemed necessary, itemising the resources entailed in its provision.
- b) The rationale for the increase, including –
 - u the average distribution of capacity and utilisation by day / time and direction, and the scale and frequency of peaks in each;
 - u the decision thresholds applied; and
 - u any constraints on those decisions (e.g. maintaining clockface frequency).
- c) The proportions of concessionary passengers using the service at relevant times, and the contribution towards costs made by commercial passengers generated by the additional capacity.
- d) The relevant costs, clearly distinguishing –
 - u marginal costs of operation (e.g. driver’s time, fuel, tyres);
 - u semi-variable costs (e.g. maintenance);
 - u attributable overheads (if any); and
 - u capital / financing costs and profit margin (if capital investment is involved).

Account should be taken of the standard Additional Marginal Costs allowance, either by netting off the cash sum or the exclusion of relevant cost headings.

On request, the operator must make available historic boarding data for affected services; this will normally be in the form of unprocessed data from electronic ticket machine systems.

To enable the timely and efficient operation of the scheme and consideration of claims, claims should be submitted by the end of the calendar year to which they relate and relate to the preceding 12 months operation of the scheme. Additional claims submitted in accordance with the Limitation Act 1980 will be considered on a case by case basis.

Any challenge to any decision by the Authority in relation to any claim for additional capacity costs must be brought in accordance with the paragraph below headed “Operator Representations and Complaints”.

Reimbursement arrangements will be determined annually by 3rd March following discussions with operators and determined in accordance with the Acts and any guidance issued by the Secretary of State. Operators will be notified of final determination of reimbursement arrangements as soon as possible after 3rd March each year. Any newly determined reimbursement arrangements will comprise part of this Scheme and replace Schedule 1 accordingly.

Right to Survey

The City Council has the right to carry out surveys on vehicles on which concessions are given. Bus operators will be consulted as to how and when the survey will be carried out and operators will be given reasonable prior notice of the City Council’s intention.

Variations

Southampton City Council reserves the right to vary the Scheme or to offer discretionary enhancements to the Scheme in accordance with the provisions of the Transport Act 1985 and any reimbursement arrangements relating to and forming part of the Scheme at any time in accordance with the provisions of the Acts, upon relevant Notice. Southampton City Council shall give 28 days notice in writing to Operators of any proposed variations or changes to the Scheme, save where changes relate to reimbursement arrangements in relation to which the Authority shall give 4 months notice of any proposed changes reimbursement arrangements, but the period of such notice may be shortened by mutual agreement or variations to the scheme required to give effect to a decision of the Secretary of state for Transport’s determination of any application under the Transport Acts in relation to which the Authority shall give notice in writing to apply with immediate effect .

Right of Participation

Notwithstanding the mandatory participation of Operators in accordance with the Transport Act 2000 and the Concessionary Bus Travel Act 2007, Southampton City Council may require and notify any Operator to participate in the Scheme or any variation of the Scheme in accordance with the Transport Act 1985, and such participation will commence not less than 28 days after receipt of such written notification. At the date of notification the Operator will be supplied with a copy of this Scheme and any Variations thereto.

Operator Representations and Complaints:

If an Operator participating in this Scheme wishes to make any representations in relation to this scheme or reimbursement under this scheme (including any challenge, complaint , concern or grievance in relation to the Scheme) such a representation should be made in writing to the Responsible Authority at the address set out above. Representations will be considered by the Council on their merits and without prejudice to the Operators rights of Appeal under the Acts. Operators also have the right to avail themselves of the Authority’s Corporate Complaints Policy, details of which may be found on the Authority’s website at www.southampton.gov.uk

Right of Appeal

Any Operator has a right of appeal to the Secretary of State against the terms of reimbursement of the Scheme under the Transport Acts 1985 and 2000 or against participation in any discretionary element of the Scheme under the Transport Act 1985 on the grounds that:-

(a) There are special reasons why their company's participation in the scheme in respect of any of the services to which the notice applies would be inappropriate (under both the 2000 Act and the 1985 Act); or

(b) Any provision of the scheme or of any of the scheme arrangements are inappropriate for application in relation to any operators who are not voluntarily participating in the scheme (1985 Act only).

Prior to making such an application, notice in writing must be given to the person and at the address specified under the 'Responsible Authority Heading above.

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Equality Impact Assessment Budget Proposals 2013/14

EIA No:

E&T24

Portfolio Ref:	Budget Proposals 2013/14
E&T 24	Revert to national disabled bus pass scheme
Brief Service Profile	<p>Unlike most local authorities Southampton City Council currently provides bus passes that enable free off peak travel within the city only to people who are on Disability Living Allowance (DLA) - lower rate of mobility or any rate of care. Only those on the higher rate of the DLA mobility allowance are eligible for a disabled bus pass under the national criteria.</p> <p>Currently approximately 2,600 disabled people have bus passes that meet the national criteria and 1,400 people have bus passes that meet the local criteria.</p> <p>Bus operators receive reimbursement every time a pass is used under the standard reimbursement rate used by the council.</p>
Summary of impact and Issues	<p>The proposal to remove the local enhancement will result in approximately 1,400 people not being able to renew their local bus pass when they expire. It is estimated that about half of these would qualify for a national disabled bus pass by other means by providing additional supporting evidence. For example by having a medical form signed by a medical practitioner.</p> <p>Having to pay for a bus service that you have previously received for free will clearly have the greatest impact on disabled people on a low income. However, a component of DLA payment relates to meeting additional mobility costs.</p>
Potential positive impacts	
Responsible service Manager	Simon Bell
Date	02-Oct-12
Approved by Senior Manager:	
Signature	
Date	

POTENTIAL NEGATIVE IMPACT

Portfolio Ref	Brief description of proposal		EIA Ref:
E&T 24	Revert to national disabled bus pass scheme		E&T24
Impact assessment	Details of impact	Possible Solutions	
Age	Pensioners are entitled to free off peak bus travel so unaffected by this change. Young disabled people are much less likely to have an income and therefore may be discouraged from getting out, decreasing social mobility and inclusion.	Signpost existing disabled bus pass holders to the alternative routes to meet the national criteria to obtain a pass.	
Disability	Up to 1,400 people currently entitled to free off peak bus travel will be unable to renew their bus pass. Having to pay for travel could lead to less travel, increased isolation, increased financial hardship. It is estimated that about half of these passengers could be entitled to the national disabled bus pass.	Signpost existing disabled bus pass holders to the alternative routes to meet the national criteria to obtain a pass.	
Gender reassignment	Not applicable	Not required	
Marriage & Civil partnership	Not applicable	Not required	
Pregnancy & maternity	Not applicable	Not required	
Race	Not applicable	Not required	
Religion or belief	Not applicable	Not required	
Sex	Not applicable	Not required	
Sexual Orientation	Not applicable	Not required	
Community Safety	Not applicable	Not required	
Poverty	DLA is not means tested. However, for disabled people on a low income the removal of free bus travel could result in significant additional expenditure that could be make accessing work, social engagements harder. This is estimated to effect around half of the curent bus pass holders (circa 700). Twice as many residents in the most deprived areas of the city are receiving incapacity benefits.	Signpost existing disabled bus pass holders to the alternative routes to meet the national criteria.	
Other significant impacts	Impact on health and wellbeing of individuals particulary in areas of deprivation if they cannot afford to attend medical appointments, or socialise. Impact on the health service if large numbers of bus pass holders request appointments with medical practitioners to have forms signed to demonstrate that they should qualify for a national pass.	Signpost existing disabled bus pass holders to the alternative routes to meet the national criteria. Liase with the Primary Care Trust over the number of people who may approach medical practitioners to obtain proof of entitlement. Review the impact of the proposal after 6 months.	

Agenda Item 22

DECISION-MAKER:	CABINET
SUBJECT:	CALL IN OF EXECUTIVE DECISION - CAB 12/13 9136 - REVISIONS TO THE ADULT SOCIAL CARE NON-RESIDENTIAL SERVICES POLICY
DATE OF DECISION:	19 th FEBRUARY 2013
REPORT OF:	CHAIR OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Mark Pirnie	Tel: 023 8083 3886
	E-mail:	mark.pirnie@southampton.gov.uk	
Director	Name:	Margaret Geary	Tel: 023 8083 2548
	E-mail:	Margaret.geary@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY
None

BRIEF SUMMARY

The Overview and Scrutiny Management Committee (OSMC) called in the decision made at the Cabinet meeting on 29th January 2013 on revisions to the Adult Social Care Non-Residential Services policy. The Call-in is to be heard at a meeting of the OSMC on 19th February 2013 and the recommendations generated by the OSMC will be circulated to Cabinet at the conclusion of the Call-In meeting.

At its meeting on 19th February 2013 the Cabinet is requested to respond to the recommendations generated by the OSMC, following its consideration of these matters.

RECOMMENDATION:

- (i) That Cabinet considers its response to the recommendations made by the Overview and Scrutiny Management Committee at its meeting on 19th February 2013.

REASON FOR REPORT RECOMMENDATIONS

1. To comply with the Call-in procedure rules set out in Part 4 of the Council's Constitution.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. None.

DETAIL (Including consultation carried out)

3. A Call-In notice signed by the Chair of the OSMC was received in accordance with Paragraph 12 of the Overview and Scrutiny Procedure Rules set out in Part 4 of the Council's Constitution. The Call-In notice relates to the decision made by the Cabinet on 29th January 2013 on revisions to the Adult Social Care Non-Residential Services policy. The reason cited by the Chair of the OSMC for this Call-In was 'Insufficient time available at the pre cabinet scrutiny meeting to fully explore this very important issue'.
4. The OSMC are to discuss the Call-in report at its meeting on 19th February 2013. Details of the Call-in notice are attached as Appendix 1, and recommendations agreed by the OSMC will be circulated to Cabinet on 19th February 2013.
5. The Cabinet is requested to consider recommendations arising from the consideration of this Call-In by the OSMC.

RESOURCE IMPLICATIONS

Capital/Revenue

6. As detailed in the Cabinet report dated 29th January 2013 appended to this report.

Property/Other

7. As detailed in the Cabinet report dated 29th January 2013 appended to this report.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

8. As detailed in the Cabinet report dated 29th January 2013 appended to this report.
9. The duty to undertake overview and scrutiny is set out in Section 21 of the Local Government Act 2000 and the Local Government and Public Involvement in Health Act 2007.

Other Legal Implications:

10. As detailed in the Cabinet report dated 29th January 2013 appended to this report.

POLICY FRAMEWORK IMPLICATIONS

11. As detailed in the Cabinet report dated 29th January 2013 appended to this report.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

Appendices

1.	Call In Notice
2.	Decision Report

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

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

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

Title of Background Paper(s)

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

1.	None	
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NOTICE OF CALL-IN

In accordance with rule 12 of the Overview & Scrutiny procedure rules of the Council's Constitution, a request is hereby made that the Senior Manager - Communities, Change and Partnership exercise the call-in of the decision identified below for consideration by Overview and Scrutiny Management Committee.

Decision Number: CAB 12/13 9136 - REVISIONS TO THE ADULT SOCIAL CARE NON-RESIDENTIAL SERVICES POLICY
Decision Taker: CABINET
Date of Decision: 29 JANUARY 2013

Reason(s) for Requisition of Call-In of Decision:

- Insufficient time available at the pre cabinet scrutiny meeting to fully explore this very important issue. The Cabinet Member had to leave early, thereby limiting the time available to the panel. To compound this, the Cabinet Member insisted on delivering a long speech and further limited the time available to question him. Questions were largely limited to attempting to establish what element of the increase in charges was discretionary and purely to raise funds and what element was due to officer advice in order to make the charging structure more equitable. It took a long time to get a simple answer to this and so time was not available to explore the individual elements of the charging increases.
- At Cabinet neither the Cabinet Member or Leader of the Council were present and so the opportunity to question them was denied to both Members and members of the public.
- Concern about the Cabinet Member's lack of understanding of the detail of the charging increases

Call-In Requested by:

Name	Signature	Date
Councillor Jeremy Moulton – Chair OSMC		05/02/13

All Members requesting that a Decision be Called-In must sign this Call-In Notice. A decision may be called in by:

- The Chair of Overview and Scrutiny Management Committee
- Any 2 Members of Overview and Scrutiny Management Committee
- In respect of a Decision relating to Education, any 2 Parent Governor or Church Representatives

Please submit to the Senior Manager - Communities, Change and Partnership within 5 clear days of the publication of the relevant decision.

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RECORD OF EXECUTIVE DECISION

Tuesday, 29 January 2013

Decision No: (CAB 12/13 9136)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	CABINET MEMBER FOR ADULT SERVICES
SUBJECT:	REVISIONS TO THE ADULT SOCIAL CARE NON-RESIDENTIAL SERVICES POLICY
AUTHOR:	Carol Valentine

THE DECISION

- (i) To approve changes to the non residential care contributions policy for adult social care as set out in Appendix 1.
- (ii) To delegate authority to the Senior Manager: Safeguarding Adults, following consultation with the Cabinet Member for Adult Care and the Head of Legal, HR and Democratic Services to review the format and content of the current non-residential care contributions policy for adult social care, to make any textual, formatting or administrative or other minor changes required to update the policy, give effect to recommendation 1 above and ensure it is fit for purpose for 2013 and beyond.
- (iii) To delegate authority to the Executive Director for Adult Social Care to determine which 'one off' services should be included within the Policy as chargeable services and to determine the scale of fees and charges to be applied for these services (Proposal 10 in Appendix 1 – changes to Policy).
- (iv) To note that recommendation 2 above does not extend to making any major or substantive changes to either the services to be provided under the policy or the charges to be applied to any such service, Such matters would require reference to Cabinet for determination following appropriate public consultation.

REASONS FOR THE DECISION

The changes will

- Ensure the policy meets national guidance.
- Support the development of personalisation in adult social care.
- Ensure equity and fairness in the application of the policy.
- Maximise income from those who can afford it to support the Council to meet the costs of providing for increased demand due to demographic changes.

DETAILS OF ANY ALTERNATIVE OPTIONS

1. To take no action would mean the policy was unable to meet national guidance, would not be applied equitably and would not support the development of personalised social care.
2. Respondents to the consultation asked the City Council to consider the long term impact of the proposed changes. They suggested that if individuals felt they could not afford services they would wait till crisis point and require higher cost services such as residential care. They felt this was counter intuitive to prevention and health and well-being agendas and therefore the changes should not be taken forward.
This proposal was rejected since;
 - The Council as a whole is addressing the prevention and health and well being agendas, this is not solely the role of social care.
 - No one will ever be asked to contribute more than they can afford
 - Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances.
 - If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.
3. Respondents to the consultation asked that the Council consider leaving the maximum contribution level at 95% of the figure the individual is assessed as being able to afford rather than the proposed 100% since this was felt to negatively impact on service users quality of life.
This proposal was rejected since;
 - To take 100% of the contribution which the individual is assessed as being able to contribute leaves service users with 25% above nationally set minimum income levels.
 - A 100% contribution meets national guidance, which was set in recognition of the fact that social care users are likely to have additional expenditure related to their needs.
 - Individual circumstances can be taken into account in assessing contributions and in particular any disability related expenditure must be considered.
 - If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.
4. Respondents suggested that the specific rent allowance that the Council is proposing to end funds additional daily living expenses for people with severe learning disabilities. It was thought that stopping this payment will have a significant impact on these service users' quality of life.

This proposal was rejected since;

- To treat a specific customer group differently would be inequitable, would not meet national guidance and could lead to judicial challenge.
- There is no rationale for the rent allowance since the policy takes account of day to day living expenses. In addition householders who qualify for housing benefit have this reduced when there is a non dependant living in the home and this is taken account of as rent when calculating social care contributions.
- If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.

5. The proposal to change the policy so that users with more than £23,250 would organise their own care raised concern that this placed an inappropriate burden on carers. There was also concern raised about the need to handle any changes to individual arrangements sensitively. The removal of the proposal was rejected since;

- Setting this limit brings the NRC policy in line with the national residential care charging policy and is felt to be fair and equitable.
- A range of support will be offered to those requiring to commission their own arrangements including; continued right to social care assessment; support with care planning both from the Council and via services set up by the Council; those who do not have capacity and do not have family carer support will continue to have their arrangements managed by the Council; work will be undertaken throughout the year to support those already receiving services to set up their own arrangements.

6. The results from the telephone helpline showed that paying full cost for care was a key concern. Callers expressed the opinion they are already “charged a lot” for services and contributions should not be raised.

This proposal was rejected since;

- No one will ever pay more than they are assessed as being able to afford.
- Individual circumstances can be taken into account and charges waived or reduced for welfare reasons.
- If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.

7. The proposal to ask for contributions toward the cost of two carers raised concerns that this might increase the burden on service users and family carers who might try to cope without a second carer on the basis of cost. There was also a concern that this might be inequitable.

To remove this proposal was rejected since;

- No one will ever pay more than they are assessed as being able to afford.
- Carers needs are assessed as part of the assessment process and Individual circumstances can be taken into account and charges waived or reduced for welfare reasons.
- If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.
- Legal advice suggests that since the policy is based on ability to contribute and takes individual circumstances into account it is equitable.

8. Tenants of Extra Care Housing were concerned that they would be charged for overnight care services which they currently did not need and suggested only charging those who used night time care.

This proposal was rejected since;

- Individuals make the decision to move to extra care to ensure access to immediate support should they need it. It would therefore be inequitable to charge only those who receive hands on care when all tenants are benefitting from the service.
- If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None.

CONFLICTS OF INTEREST

None.

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date: 29th January 2013

Decision Maker:
The Cabinet

Proper Officer:
Ed Grimshaw

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*

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