

Public Document Pack

Cabinet

Tuesday, 19th June, 2018
at 4.30 pm

PLEASE NOTE TIME OF MEETING

Council Chamber - Civic Centre

This meeting is open to the public

Members

Leader - Councillor Chris Hammond
Sustainable Living - Councillor Chris Hammond
Children's Social Care - Councillor John Jordan
Communities, Culture and Leisure- Councillor Satvir Kaur
Education and Skills - Councillor Darren Paffey
Environment and Transport - Councillor Jacqui Rayment
Finance - Councillor Mark Chaloner
Health and Community Safety - Councillor Dave Shields
Housing and Adult Care - Councillor Warwick Payne

(QUORUM – 3)

Contacts

Cabinet Administrator

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Service Director, Legal and Governance

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BACKGROUND AND RELEVANT INFORMATION

The Role of the Executive

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

The Forward Plan

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

Implementation of Decisions

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

Mobile Telephones – Please switch your mobile telephones to silent whilst in the meeting.

Use of Social Media

The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair’s opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council’s Standing Orders the person can be ordered to stop their activity, or to leave the meeting.

By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public. Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so. Details of the Council’s Guidance on the recording of meetings is available on the Council’s website.

The Southampton City Council Strategy (2016-2020) is a key document and sets out the four key outcomes that make up our vision.

- Southampton has strong and sustainable economic growth
- Children and young people get a good start in life

Executive Functions

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

Key Decisions

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

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

Procedure / Public Representations

At the discretion of the Chair, members of the public may address the meeting on any report included on the agenda in which they have a relevant interest. Any member of the public wishing to address the meeting should advise the Democratic Support Officer (DSO) whose contact details are on the front sheet of the agenda.

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

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

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

Municipal Year Dates (Tuesdays)

2018	2019
19 June	15 January
17 July	12 February (Budget)
21 August	19 February
18 September	19 March
16 October	16 April
20 November	
18 December	

- People in Southampton live safe, healthy, independent lives
- Southampton is an attractive modern City, where people are proud to live and work

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 Pecuniary Interest" or "Other Interest" they may have in relation to matters for consideration on this Agenda.

DISCLOSABLE PECUNIARY INTERESTS

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

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

(ii) Sponsorship:

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

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

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

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

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

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

- a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
- b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

Other Interests

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

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

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

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

Principles of Decision Making

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

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

BUSINESS TO BE DISCUSSED

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

QUORUM

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

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

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.

EXECUTIVE BUSINESS

3 STATEMENT FROM THE LEADER

4 RECORD OF THE PREVIOUS DECISION MAKING (Pages 1 - 4)

Record of the decision making held on 17 April 2018.

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

There are no matters referred for reconsideration.

6 REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (IF ANY)

There are no items for consideration

7 EXECUTIVE APPOINTMENTS 2018/19 (Pages 5 - 16)

Report of the Service Director, Legal and Governance seeking approval for the Executive Appointments in the 2018/19 Municipal Year.

ITEMS FOR DECISION BY CABINET

8 CLEAN AIR ZONE CONSULTATION (Pages 17 - 50)

Report of the Leader of the Council seeking approval for public consultation on the proposed Clean Air Zone.

Monday, 11 June 2018

Service Director, Legal and Governance

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SOUTHAMPTON CITY COUNCIL
EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 17 APRIL 2018

Present:

Councillor Letts	-	Leader of the Council
Councillor Jordan	-	Cabinet Member for Children's Social Care
Councillor Kaur	-	Cabinet Member for Communities, Culture and Leisure
Councillor Shields	-	Cabinet Member for Health and Community Safety
Councillor Payne	-	Cabinet Member for Housing and Adult Care
Councillor Hammond	-	Cabinet Member for Sustainable Living

Apologies: Councillors Chaloner, Rayment and Dr Paffey

59. MATTERS REFERRED BY THE COUNCIL OR BY THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE FOR RECONSIDERATION

Cabinet noted that there was nothing to reconsider from Overview and Scrutiny Management Committee following the Cabinet decision taken on 20th March 2018 relating to the development of an offer for children with disabilities and that the decision was therefore implemented as of 12th April, 2018.

The Leader also noted that a response would be made to recommendations made by the Committee during their standard process of monitoring Executive recommendations over the coming months.

60. REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES

Cabinet noted and received Scrutiny Inquiry Panel final report into Reducing Drug Related Litter in Southampton to enable the Executive to formulate its response to the recommendations contained within it, in order to comply with the requirements set out in the Council's Constitution.

61. CLEAN BUS TECHNOLOGY FUND

DECISION MADE: (CAB 17/18 20559)

On consideration of the report of the Cabinet Member for Environment and Transport, Cabinet agreed that SCC will administer and monitor the use of CBTF grant funding approved by Council to reimburse bus operators on receipt of invoices following the purchase and installation of the CBTF approved technology from their chosen suppliers to support the Council's commitment to reduce emissions and improve air quality within the Southampton area.

62. COMMUNITY ASSET TRANSFER - PROGRESS AND REVIEW

DECISION MADE: (CAB 17/18 20479)

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

- (i) To note progress on transferring community centres and buildings since implementation of the Community Asset Transfer Strategy.
- (ii) To delegate authority to the Service Director (Growth) following consultation with the Leader of the Council, the Cabinet Member for Communities, Culture and Leisure, the Cabinet Member for Finance, the Service Director, Legal and Governance and the Associate Director, Capital Assets to transfer Swaythling Neighbourhood Centre at Less than Best Consideration (where appropriate) to the current tenants following the new application process and to subsequently agree detailed disposal terms and negotiate and carry out all ancillary matters to enable disposal of the site.
- (iii) To approve the new Community Asset Transfer (CAT) Policy.
- (iv) To approve changes to the CAT process attached at Appendix 1 to further streamline the process.
- (v) To delegate authority to the Associate Director, Capital Assets following consultation with the Cabinet Member for Communities, Culture, and Leisure, the Service Director (Growth) and the Service Director, Legal & Governance to make any minor or consequential amendments and/or refinements to the CAT Policy or process as may arise from time to time.
- (vi) To delegate authority to the Service Director (Growth) following consultation with the Cabinet Member for Communities, Culture and Leisure, the Cabinet Member for Finance, the Associate Director, Capital Assets and the Service Director, Legal & Governance to do anything necessary to give effect to the recommendations contained in this report.

63. KENTISH ROAD FORMER RESPITE CARE CENTRE

DECISION MADE: (CAB 17/18 20561)

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

- (i) To approve the principle of disposal of the entire Kentish Road respite care centre site as shown on Appendix 1 at less than best consideration.
- (ii) To delegate authority to the Associate Director, Capital Assets after consultation with the Leader of the Council, the Cabinet Member for Finance, the Cabinet Member for Housing and Adult Care, the Service Director, Legal and Governance, the Service Director, Finance and Commercialisation and the Service Director, Adults, Housing, and Communities to transfer the site to a community or voluntary organisation following a competitive application process and to subsequently agree detailed disposal terms and negotiate and carry out all ancillary matters to enable disposal.
- (iii) To approve a limited direct provision by the council of respite care for adults living with a learning disability at 32 Kentish Road, subject to registration by the Care

Quality Commission, pending disposal of the site to a local community or voluntary organisation.

64. RENEWAL OF GLASS PROCESSING CONTRACT FOR SOUTHAMPTON CITY COUNCIL AND ALL AUTHORITIES IN HAMPSHIRE

DECISION MADE: (CAB 17/18 20489)

On consideration of the report of the Cabinet Member for Environment and Transport, Cabinet agreed the following:

- (i) To agree and accept new glass processing and disposal contract procured by Hampshire County Council as the managing authority in order to dispose of glass effectively.
- (ii) To delegate authority to the Service Director: Transactions and Universal Services to do what is necessary to implement recommendation (i) above.

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DECISION-MAKER:	CABINET		
SUBJECT:	EXECUTIVE APPOINTMENTS 2018/19		
DATE OF DECISION:	19 JUNE 2018		
REPORT OF:	SERVICE DIRECTOR, LEGAL AND GOVERNANCE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Pat Wood	Tel: 023 8083 2302
	E-mail:	Pat.wood@southampton.gov.uk	
Director	Name:	Richard Crouch	Tel: 023 8083 3360
	E-mail:	Richard.crouch@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY	
None.	
BRIEF SUMMARY	
Under the City Council's democratic arrangements it is a requirement that appointments to all organisations and bodies which relate to executive functions are determined by the Executive.	
Although the work of the bodies/organisations listed in the Appointments Register covers all aspects of city life and Council activities and therefore affects all wards, the decision to appoint to them is of administrative affect only.	
RECOMMENDATIONS:	
(i)	That the executive appointments for the 2018/19 Municipal Year be approved as set out in the attached revised Register; and
(ii)	That all appointments be for one year save where the terms of reference and or constitution of the body or organisation concerned specify the duration of an appointment or where the decision on any nomination by the City Council to their membership is reserved to the body or organisation concerned to determine the appointment or continuation of appointments, in light of any changes in City Council Administration.
REASONS FOR REPORT RECOMMENDATIONS	
1.	Member appointments are required to a number of statutory and best practice bodies, as well as a number of external organisations with which the Council has links.
2.	Under the constitution or terms of reference in respect of some outside organisations appointments are in some cases specified as having a term of office/appointment longer than one year or are nominations, the final decision on appointment lying with the body itself. In such cases when a change of Administration occurs and the appointment term has not expired and is of significance to the incoming administration that member/appointee should be encouraged to step down in favour of a new appointee from the incoming

	administration but noting that the final decision in some cases lies with the organisation or outside body concerned.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
3.	No other options are presented, it is a matter for the Cabinet to determine whether it wishes to approve the revised appointments and be represented on all the bodies set out in the attached revised Register of Appointments.
DETAIL (Including consultation carried out)	
4.	The executive appointments set out in the appendix to this report have been the subject of consultation and agreement with all political groups represented on the City Council.
5.	After Annual Council, numerous appointments to a variety of statutory, best practice and external organisations and bodies which require City Council Member representation need to be made by the Cabinet.
6.	The following appointments were made at the Annual Council on 16 May, 2018:- <ul style="list-style-type: none"> • South East Employers; • Local Democracy Network for Councillors; • Hampshire Fire and Rescue Authority; • Partnership for Urban South Hampshire – Overview and Scrutiny Committee; and • Hampshire Police and Crime Panel
7.	Appointments are categorised into groups developed by the Service Director, Legal and Governance as follows:- <ol style="list-style-type: none"> a) Statutory Partnership; b) Non-Statutory Partnership; c) Informal Groups; d) Appointments and/or Financial Commitments to Outside Bodies; e) Commercial Partnerships; f) Commercial or Contractual Agreements; and g) Legally Defined Arrangements.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
8.	The cost of travel and subsistence costs for Members meeting the commitment of serving as a representative on an executive appointment are met from existing budgets.
<u>Property/Other</u>	
9.	None.
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
10.	The Local Government Acts 1972 and 2000 and the Localism Act 2011.
<u>Other Legal Implications:</u>	
11.	None.

RISK MANAGEMENT IMPLICATIONS	
12.	None.
POLICY FRAMEWORK IMPLICATIONS	
13.	Cabinet approval of the appointments listed in the Register of Appointments appended to this report are in line with the City Council's Policy Framework.

KEY DECISION?	No
WARDS/COMMUNITIES AFFECTED:	None
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	Revised Register of Appointments 2018/19
2.	

Documents In Members' Rooms

1.	None.
2.	

Equality Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	No
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Data Protection Impact Assessment

Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	No
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Other Background Documents

Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	
2.	

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REVISED REGISTER OF APPOINTMENTS 2018-2019

Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
A1	Cabinet	Joint Pension Fund Panel and Board	The Pension Fund Panel monitors the performance of the investment managers and advises the Audit Committee on matters requiring decisions in connection with the investment of the pension fund. Shared seat with Portsmouth City Council. 2018/19 PCC will have the main seat with SCC as a deputy.	1	No	1 Yr	Chaloner	June 18	May 19	Mel Creighton (023 8083 4897)
A2	Cabinet	Health and Wellbeing Board	Council determines the number of places allocated to Elected Members on the Board.	5	Yes	1 Yr	Taggart Payne Murphy Shields Paffey	June 18	May 19	Dr. J Horsley (023 8083 3818)
A3	Cabinet	Joint Commissioning Board	Board established to make joint decisions on behalf of the Council and CCG on certain agreed functions related to health and care.	3	No	1 Yr	Hammond Payne Shields	June 18	May 19	Claire Heather (023 8083 2412)
A4	Cabinet	Learning Disabilities Partnership Board	Partnership Board established to take responsibility for local delivery of the Government's Valuing People White Paper, led by the Council with the active participation of all key stakeholders.	3	No		Payne Coombs Laurent	June 18	May 19	Kate Dench (023 8083 4787)
A5	Cabinet	Safe City Partnership	The Partnership brings together senior representatives of all the local agencies involved in community safety and includes; Southampton City Council, Hampshire Constabulary, Hampshire Fire and Rescue Service, Youth Offending, Primary Care Trust and Hampshire Probation established 1998 as the primary vehicle for tackling crime and disorder issues in Southampton.	1	No	1 Yr	Shields	June 18	May 19	Emma Lewis (023 8091 7984)

Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
A6	Cabinet	Schools Forum	To receive information on and comment on LEA's school funding formula, other issues in connection with schools budgets and service contracts.	1	No	1 Yr	Taggart	June 18	May 19	Hilary Brooks (023 8083 4899)
A7	Cabinet	Southampton International Airport Consultative Committee	To act as the consultative body in relation to the Airport for the purposes of Section and of the Civil Aviation Act 1968, between the airport management, users, local authorities and local organisations and the county.	6	Yes	1 Yr	Fielker Mintoff Vassiliou	June 18	May 19	Mitch Sanders (023 8083 3613)
A8	Cabinet	Southern Health NHS Foundation Trust	To set the strategic direction of the organisation within the priorities set by the government and NHS, to oversee delivery of planned targets and ensure effective financial stewardship.	1	No	1 Yr	Leggett	June 18	May 19	Katie Bartolomeo (023 8083 4162)
A9	Cabinet	Clinical Commissioning Group	Clinical Commissioning Group (CCG) helping to meet the health and care needs of local people. They are allocated a budget of just over £350 million a year to achieve this and use it to plan and pay for (or 'commission') health and care services from a number of service providers (such as hospitals, mental health and community trusts).	1	No	1 Yr	Shields	June 18	May 19	Katie Bartolomeo (023 8083 4162)
A10	Cabinet	Southern Inshore Fisheries and Conservation Authority (IFCA) and Appeal and Scrutiny Sub Committee	To regulate sea fisheries within the Southern Sea Fisheries District, (coasts of Hampshire, Dorset and the Isle of Wight).	1	No	1 Yr	Savage	June 18	May 19	Sandra Westacott (023 8083 3992)
A11	Cabinet	Standing Advisory Council for	Constructed under the Education Reform Act 1998 to advise the Authority on	4	Yes	1 Yr	J Baillie Laurent	June 18	May 19	Hilary Brooks (023 8083 4899)

Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
		Religious Education (S A C R E)	matters connected with collective worship and the teaching of RE in City Schools.				Kataria Jordan			
A12	Cabinet	Port Health Consultative Board		2	Yes	1 Yr	Rayment Shields	June 18	May 19	Mitch Sanders (023 8083 3613)
A13	Cabinet	Business Improvement Board	Go! Southampton is an independent nonprofit Business Improvement District, businesses can influence the future of our City Centre and take the initiative on specific issues that businesses face.	1	Yes	1 Yr	Bogle Rayment (Deputy)	June 18	May 19	Denise Edghill (023 8083 4095)
A14	Cabinet	Community Chest Advisory Panel		1	Yes	1 Yr	Houghton	June 18	May 19	Jo Hughes (023 8083 4067)
B1	Cabinet	ECO Partnership	The Partnership for Urban South Hampshire (PUSH) has been instrumental in developing a local authority Green Deal Scheme in Hampshire. To maximise the benefits of this scheme all Local Authorities in Hampshire have been invited to join at one of two levels. With the result that membership of the scheme is wider than PUSH authorities.	1	No.	1 Yr	Payne	June 18	May 19	Mitch Sanders (023 8083 3613)
B2	Cabinet	Hampshire Partnership	The Hampshire Partnership is a voluntary collaboration made up partner agencies across Hampshire to promote and facilitate better cross-agency working.	2	No	1 Yr	Hammond Fitzhenry	June 18	May 19	Richard Crouch (023 8083 3360)
B3	Cabinet	King Edward VI School	Governor	1	No	1 Yr	Chaloner	June 18	May 19	Hilary Brooks (023 8083 4899)
B4	Cabinet	F.W. Smith Bequest Purchasing	To provide/buy pictures for the Art Gallery principally from English artists from the income of the F.W. Smith	2	No	1 Yr	Bogle Parnell	June 18	May 19	Mike Harris (023 8083 2882)

Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
		Committee	Bequest.							
B5	Cabinet	Solent NHS Trust	The Trust works closely with other trusts, primary care, social care providers and the voluntary sector to ensure care is joined-up and organised around individuals.	1	No	1 Yr	Payne	June 18	May 19	Donna Chapman (023 8029 6004)
B6	Cabinet	Solent Transport Board	To promote the sub regional transport agenda, implement schemes of a sub-regional nature and lobby and/or influence on all other associated aspects of life within the TfSH Area.	1	No	1 Yr	Rayment Hammond (Deputy)	June 18	May 19	Pete Boustred (023 8083 4743)
B7	Cabinet	Southampton Adult Mental Health Partnership Board	Objectives of the Board are: <ul style="list-style-type: none"> to bring together a wide group of stakeholders to enable a joint approach to delivering the national strategy; to focus on practical work streams which have positive benefit in improving the mental health of the local population; to provide a focus for raising the profile of mental health issues within the City; and to contribute to needs assessment and other strategic work to ensure that mental health issues are included. 	1	No	1 Yr	Shields	June 18	May 19	Paul Juan (023 8083 2530)
B8	Cabinet	Southampton Cultural Development Trust	To promote the educational and economic benefits of the cultural sector in the City	1	No	1 Yr	Mitchell	June 18	May 19	Mike Harris (023 8083 2882)
B9	Cabinet	Southampton Energy Partnership	The Energy Partnership brings together organisations and businesses in the City with high energy usage. To share information on best practice and local	1	Yes	1 Yr	Hammond	June 18	May 19	Jason Taylor (023 8083 2641)

Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
			case studies the Partnership of organisations with the ability and commitment to take action to reduce energy needs and costs, and to reduce the carbon footprint of the City.							
B10	Cabinet	Southampton Housing Partnership	A multi-tenure forum that represents all housing interests in the city.	1	No	1 Yr	Payne	June 18	May 19	Mark Bradbury (023 8083 2261)
B11	Cabinet	Standing Conf on Problems Associated with The Coastline (SCOPAC)	To provide a more co-ordinated approach to coastal engineering and related matters between authorities on the Central South coast - Lyme Bay to Worthing	1	No	1 Yr	Hammond	June 18	May 19	Mitch Sanders (023 8083 3613)
B12	Cabinet	University Hospital Southampton NHS Foundation Trust	The principal purpose of the Trust is the provision of goods and services for the purposes of the health service in England.	1	No	1 Yr	Blatchford	June 18	May 19	Dr. Horsley (023 8083 3818)
B13	Cabinet	The Wulfris Educational Foundation	Provision of school clothing, books and equipment to the needy children resident in Southampton.	1	No	1 Yr	Paffey	June 18	May 19	Hilary Brooks (023 8083 4899)
B14	Cabinet	Employment, Skills and Learning Partnership		1	No	1 Yr	Paffey	June 18	May 19	Denise Edghill (023 8083 4095)
C1	Cabinet	Corporate Parenting	The Council acting as a parent for children in care.	5	Yes	1 Yr	Savage Mintoff Paffey Morrell J Baillie	June 18	May 19	Hilary Brooks (023 8083 4899)
D1	Cabinet	Hampshire British Legion Poppy Appeal	Armed Forces charity providing care and support to all members of the British Armed Forces past and present and their families, administering and supporting the delivery of welfare services and the	1	No	1 Yr	Mr D Burke	June 18	May 19	Judy Cordell (023 8083 2766)

Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
			membership and fundraising activities of the Legion's branches and clubs throughout Hampshire. It also acts as the national Custodian of Remembrance and safeguards the Military Covenant between the nation and its Armed Forces.							
D2	Cabinet	Nuffield Theatre - Southampton Theatre Trust Ltd Board	As Board Members, the Councillor's role is to monitor the affairs of the Trust, oversee policy changes and development of the company.	2	No	1 Yr	Keogh Mitchell	June 18	May 19	Carolyn Abel (023 8083 4516)
D3	Cabinet	Solent Skies - Board Of Directors	To preserve the aviation heritage of Southampton. (Conditional appointment subject to satisfactory conclusion of lease and management agreement).	1	No	1 Yr	Bogle	June 18	May 19	Mike Harris (023 8083 2882)
D4	Cabinet	Southampton Record Series	To represent the City at the Joint Committee of the Southampton Record Series with the University.	3	Yes	3 Yr	Furnell Blatchford Fitzhenry	June 18	May 19	Sue Woolgar (023 8083 2631)
D5	Cabinet	Southampton Solent University Board Of Governors	Co-opted external Governor to sit on the Southampton Solent University Board of Governors to form a link between the Council and the Institute as one of the providers of higher education in the City.	1	No	4 Yr	Kaur	June 18	May 19	Hilary Brooks (023 8083 4899)
D6	Cabinet	Southampton Voluntary Services	To provide a focus for the voluntary sector activities in Southampton and to act as a local development agency for voluntary action.	2	No	1 Yr	Bell Noon	June 18	May 19	Emma Lewis (023 8091 7984)
D7	Cabinet	Thorner's Homes	Almshouse Charity providing accommodation for women over 55 in limited financial circumstances.	1	No	1 Yr	Taggart	June 18	May 19	Mark Bradbury (023 8083 2261)
E1	Cabinet	Business South	To provide engagement between the private, public and voluntary sectors and promote Southampton City Region	1	No	1 Yr	Hammond (Rayment deputy)	June 18	May 19	Richard Crouch (023 8083 3360)

Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
E2	Cabinet	Community Champion For Older Persons	To lead consultation with relevant groups at both local and city wide level.	1	No	1 Yr	Murphy	Sept 18	May 19	Paul Juan (023 8083 2530)
E3	Cabinet	Community Champion for Armed Forces	To strengthen relationships between Southampton's Armed Forces community and the City Council through overseeing the Armed Forces Community Covenant.	1	No	1 Yr	Rayment	June 18	May 19	Emma Lewis (023 8091 7984)
E4	Cabinet	Hampshire and Isle of Wight Joint Health Scrutiny Panel	A Cross Council Panel monitoring the provision of Health Services.	1	No	1 Yr	White	June 18	May 19	Mark Pirnie (023 8083 3886)
E5	Cabinet	Street Lighting PFI Network Board	The Board comprises of representatives of the Authority and Service Provider to secure a working relationship between those involved in meeting or contributing to the Authority's objectives with a view to ensuring that all decisions support the Authority's compliance with its duties.	1	No	1 Yr	Rayment	June 18	May 19	Mitch Sanders (023 8083 3613)
F1	Cabinet	Local Government Association	Pressure Group and lobbying organisation providing an overall national voice for local government in England with a view to promoting and protecting the interests of member councils by providing advice and support.	4	Yes	1 Yr	Hammond Payne Whitbread Fitzhenry	June 18	May 19	Emma Lewis (023 8091 7984)
F2	Cabinet	Local Government Association City Regions Board		1	No	1 Yr	Hammond	June 18	May 19	Richard Crouch (023 8083 3360)
F3	Cabinet	Local Government Information Unit	Independent research and information organisation with the principal aim of making the case for strong democratic Local Government together with information and support services to member authorities and individual councillors.	1	No	1 Yr	Paffey	June 18	May 19	Emma Lewis (023 8091 7984)

Ref No	Appt by	Committee/ Panel/ Group/ Organisation	Summary of terms of reference or purpose of organisation	No. Appts	Prop	Term	Membership	Appt Date	Appt till	Link Officer
G1	Cabinet	Partnership for Urban South Hampshire (PUSH)	To promote sustainable, economic-led growth and development of South Hampshire supported by enhanced transport and other infrastructure and to lobby and/or influence on all other associated aspects of life within the PUSH Area.	1	No	1 Yr	Hammond	June 18	May 19	Richard Crouch (023 8083 3360)
G2	Cabinet	Project Integra Strategic Board	Partnership body consisting of all Local Authorities in Hampshire to deal with waste management in the County.	2	No	1 Yr	Rayment Hammond (Deputy)	June 18	May 19	Mitch Sanders (023 8083 3613)
G3	Cabinet	Solent Local Enterprise Partnership	To provide a private sector led Local Enterprise Partnership to promote the economic wellbeing of South Hampshire and the Isle of Wight	1	No	1Yr	Hammond	June 18	May 19	Richard Crouch (023 8083 3360)
G4	Cabinet	Solent Credit Union				1 Yr	Fielker	June 18	May 19	Sue Cuerden (023 8083 4153)

DECISION-MAKER:	CABINET		
SUBJECT:	CLEAN AIR ZONE CONSULTATION		
DATE OF DECISION:	19 JUNE 2018		
REPORT OF:	LEADER OF THE COUNCIL		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Steve Guppy, Service Manager, Scientific Services	Tel: 023 8091 7525
	E-mail:	Steve.Guppy@southampton.gov.uk	
Director	Name:	Mitch Sanders, Service Director, Transactions and Universal Services	Tel: 023 8083 3613
	E-mail:	Mitch.Sanders@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

None

BRIEF SUMMARY

Southampton City Council is one of the first five local authorities in England outside of London required to assess the need for a Clean Air Zone. The primary objective of a Clean Air Zone (CAZ) is to bring about compliance with EU Ambient Air Quality Directive limits of nitrogen dioxide (NO₂) within the shortest possible time. New Forest District Council have subsequently been identified as also needing to undertake an assessment to improve air quality to legal levels, and are working in partnership with Southampton City Council to ensure the city's proposals deliver legal compliance in both areas. The options have been derived and assessed in accordance with the Government's Clean Air Zone Framework, and have been undertaken with technical support from consultants Ricardo and Systra in collaboration with government's Joint Air Quality Unit (JAQU). The work has been funded by JAQU. The outcome of the assessment to date concludes that New Forest District Council are compliant with legal levels without additional measures. Without intervention by 2020, levels of nitrogen dioxide in Southampton will likely remain in breach of legal limits.

The Council published its Clean Air Strategy in 2016 which identified its intent to implement a charging Clean Air Zone for commercial vehicles by 2019/20. A city wide Class B Clean Air Zone continues to be the preferred option for implementing a Clean Air Zone. Under a city wide Class B, Buses, Coaches, Taxis (Hackney Carriage and Private Hire) and Heavy Goods Vehicles (HGVs) would be charged to enter the Clean Air Zone should the vehicle fail to meet minimum emission standards (Euro 4 petrol/Euro 6 diesel/Euro VI diesel). The preferred option would **not** charge any private vehicles, light goods vehicles (LGVs), minibuses, motorcycles or mopeds. The evidence base supporting the preferred option has progressed to a stage where it is appropriate to begin consultation with the public and other interested parties and organisations, to commence 21st June 2018, and to be undertaken as a joint exercise with New Forest District Council.

RECOMMENDATIONS:

	(i)	That Cabinet supports commencement of a 12 week public consultation exercise concerning proposals to introduce a Clean Air Zone in Southampton.
	(ii)	That Cabinet endorses the outcome of the Clean Air Zone Outline Business Case to date, the preferred option identified and its consistency with SCC's Clean Air Strategy 2016-2025 (published November 2016).
	(iii)	That Cabinet agrees to consider the outcome of the consultation at its meeting on 16th October 2018.

REASONS FOR REPORT RECOMMENDATIONS

1.	Southampton City Council are required to assess the need for a Clean Air Zone to bring about compliance with EU Ambient Air Quality Directive levels of nitrogen dioxide within the shortest possible time and by the end of 2019 at the latest. The evidence base for this assessment which includes an air quality technical assessment and economic appraisal of options, has now progressed to a stage that is appropriate for the options to be considered through public consultation.
2.	The requirements for consultation and charging schemes are set out in s.170 Transport Act 2000 where it is confirmed that it is for the individual authority to undertake consultation as they consider appropriate. Consultation must however take place at a formative stage of the proposals and allow sufficient time to engage consultees and consider responses in line with recent case law on consultation practice. For a consultation of this significance the consultation period of 12 weeks is considered appropriate and in line with case law and Cabinet Office guidance on public consultations.
3.	The Clean Air Zone Framework requires both Southampton City Council and New Forest District Council to undertake extensive engagement and consultation with neighbouring authorities, local communities and businesses to: explain the aims, including the potential health and economic benefits; understand any concerns; and assess the need for any mitigating actions or identify alternative options for consideration.
4.	While the formal 12 week consultation will mean Southampton will not achieve the date set out in the Ministerial Direction for the submission of the Full Business Case (15 th September 2018), it will not affect the date of implementing the scheme and will therefore not impact on the Council's ability to achieve compliance with the nitrogen dioxide limits within the shortest possible time. By undertaking a thorough, transparent and open consultation in line with existing case law and government guidance it minimises the risk of facing future legal challenges and therefore adds confidence that the scheme can be implemented by the end of 2019.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5.	That the Council shorten consultation timeframe and hold extraordinary meetings to ensure the Full Business Case for the preferred option can be submitted to the Secretary of State by 15 th September 2018 and meet the Ministerial Direction. It was considered that the scale of the scheme and potential impacts on the city socially and economically required the most thorough consultation in accordance with national case law, Cabinet Office guidance and the Southampton Compact Code of Good Practice. A full 12 week
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	consultation will also ensure that implementation of the approved scheme is unlikely to be delayed as a result of challenge to the Council's failure to follow standard practice, thereby providing more assurance that the Council's decision on the preferred option in due course can be put in place with the aim of achieving compliance with EU Ambient Air Quality Directive limits within the shortest possible time.
6.	That the Council do not consult on the proposals. The Transport Act (2000) s170, the Clean Air Zone Framework 2017, national case law, Cabinet Office Guidance and the local Compact Code of Good Practice require meaningful and extensive consultation and engagement to be undertaken at a formative stage of the proposals.
DETAIL (Including consultation carried out)	
7.	In 2015, Defra identified Southampton as needing to deliver compliance with EU Ambient Air Quality Directive levels for nitrogen dioxide by introducing a Class B Clean Air Zone, indicating that legislation would be passed to this effect. In 2017, a subsequent iteration of the plan revised this requirement. Southampton City Council were instead required to undertake a feasibility assessment to determine what class of clean air zone is required and to what geographic extent and produce a Full Business Case for a Clean Air Zone based on the outcome. The Council have been directed to deliver the Full Business Case to the Secretary of State by 15th September 2018 and have received a Ministerial Direction to that effect. The plan proposed within the Full Business Case and approved by the Secretary of State must be implemented as soon as possible and by the end of 2019.
8.	The technical assessment has concluded that the business as usual (existing measures only) in Southampton is not enough to achieve legal levels of nitrogen dioxide within the shortest possible time. Therefore, action is required to accelerate the improvement of nitrogen dioxide concentrations in the city, a number of options have been explored to assess their impact on air quality alongside an associated economic appraisal.
9.	New Forest District Council (NFDC) were subsequently identified as having to undertake a feasibility assessment to establish how to bring about compliance with nitrogen dioxide limits. The area exceeding in NFDC is an extension of the area being assessed in Southampton. Therefore, NFDC are now included within Southampton's assessment and has concluded that NFDC will be compliant without intervention by 2020. Measures implemented by Southampton will deliver additional improvements in nitrogen dioxide concentrations in NFDC.

Clean Air Zone Implementation Options											
10.	<p>Table 1 Options excluded at initial assessment screening</p> <table border="1"> <thead> <tr> <th>Any option including following component:</th> <th>Reason for exclusion</th> </tr> </thead> <tbody> <tr> <td>Smaller area (i.e. City centre only)</td> <td>Causes adverse traffic impacts</td> </tr> <tr> <td>Less Stringent CAZ Class (i.e. Class A which includes only buses and taxis)</td> <td>Fails to deliver objective</td> </tr> <tr> <td>More stringent CAZ Class (i.e. Class C & D which include LGVs and Private Cars)</td> <td>Class B sufficient to deliver objective therefore associated economic impacts considered excessive and unjustified.</td> </tr> <tr> <td>Use specific components of the CAZ framework (i.e. charge HGV's, LGV's or cars only)</td> <td>Fails to maintain national consistency with CAZ framework</td> </tr> </tbody> </table>	Any option including following component:	Reason for exclusion	Smaller area (i.e. City centre only)	Causes adverse traffic impacts	Less Stringent CAZ Class (i.e. Class A which includes only buses and taxis)	Fails to deliver objective	More stringent CAZ Class (i.e. Class C & D which include LGVs and Private Cars)	Class B sufficient to deliver objective therefore associated economic impacts considered excessive and unjustified.	Use specific components of the CAZ framework (i.e. charge HGV's, LGV's or cars only)	Fails to maintain national consistency with CAZ framework
Any option including following component:	Reason for exclusion										
Smaller area (i.e. City centre only)	Causes adverse traffic impacts										
Less Stringent CAZ Class (i.e. Class A which includes only buses and taxis)	Fails to deliver objective										
More stringent CAZ Class (i.e. Class C & D which include LGVs and Private Cars)	Class B sufficient to deliver objective therefore associated economic impacts considered excessive and unjustified.										
Use specific components of the CAZ framework (i.e. charge HGV's, LGV's or cars only)	Fails to maintain national consistency with CAZ framework										
11.	<p><i>Preferred Option for Consultation:</i> The current preferred option, a city wide Class B Clean Air Zone, would charge Buses, Coaches, Taxis (Private Hire and Hackney Carriage) and Heavy Goods Vehicles (HGVs) to enter the zone. The provisional charges are based on London's Ultra-Low Emission scheme which are as follows:</p> <ul style="list-style-type: none"> • Buses, Coaches and HGVs not meeting Euro VI: £100 per day • Taxis (Private Hire and Hackney Carriage) not meeting Euro 6 diesel/Euro 4 petrol: £12.50 per day <p>Any charges introduced will not exceeded these amounts and the consultation exercise will seek to identify a lower charge that can still be effective in delivering the necessary level of behaviour change needed to achieve compliance.</p> <p>Penalties would be issued to vehicles that do not meet minimum emission standards and fail to pay the charge within 24 hours of accessing the Clean Air Zone. Private cars, light goods vehicles (LGVs), motorcycles and minibuses would not be charged to enter the Clean Air Zone.</p> <p>The scheme would be enforced using a network of Automatic Number Plate Recognition (ANPR) cameras to identify vehicles that do not meet minimum emission standards.</p>										

Table 2 Preferred Option – City wide Class B

			<i>Preferred Option</i>
Description	Business As Usual (No CAZ)	Non-charging CAZ	City wide Class B Charging CAZ (Buses, Coaches, HGVs, Hackney Carriage and Private Hire)
Meet NO ₂ objective by 2020	✘	✘	✓
Meet NO ₂ objective by 2020 in New Forest District Council	✓	✓	✓
Support Measures for Effected Stakeholders	Not applicable	✓	✓
Implementation Cost	None	Lowest	Highest
Economic Impact	Negative*	Positive	Positive

*Based on persistent exceedance of EU objective as barrier to future economic growth and indicator for ongoing detrimental health costs.

12. ***Alternative Option:*** More stringent classes of Clean Air Zone to include light goods vehicles (LGVs) and/or private cars but has not been selected as the preferred option as the adverse economic impact of introducing LGVs and private cars is unlikely to be supported locally and is not required as the preferred option is sufficient to deliver compliance within the shortest possible time.

13. ***Alternative Option:*** A non-charging Clean Air Zone has also undergone assessment. The feasibility assessment has to date concluded that a non-charging proposal consisting of alternative mechanisms to charging to enforce compliance with Clean Air Zone minimum emission standards will not meet legal limits within the shortest possible time or by 2020.

14. ***Alternative Option:*** A less stringent Class and smaller geographic extent has also been considered, a city centre Class A Clean Air Zone (charging Buses, Coaches, Private Hire and Hackney Carriage vehicles). The feasibility assessment has to date concluded that this option will not meet legal limits within the shortest possible time or by 2020. A citywide scheme has also been shown to be the only option that effectively prevents secondary congestion and local air quality issues caused by traffic diverting.

15. ***Alternative Option:*** An option that is not consistent with the Clean Air Zone Framework has been assessed. This option is city wide and enforces non-compliant Buses, Hackney Carriage and Private Hire Vehicles through alternative mechanisms and levies a charge on non-compliant HGVs. While this delivers compliance within the same timeframe as the preferred option, though there is a higher levels of uncertainty of achieving compliance associated with the alternate mechanisms of enforcement. Inconsistency with the Framework also results in a lack of consistency with other authorities implementing Clean Air Zones.

16. The preferred option would include a range of mitigation measures to support local businesses and organisations adversely impacted by the introduction of the scheme. If subsequently approved, this will include discounts and exemptions from the charge. Access would also be available to funds for supporting the replacement of non-compliant vehicles with compliant vehicles and to support sustainable and Clean Air Zone compliant practice, for example choosing to consolidate goods and use compliant vehicles to undertake deliveries within the Clean Air Zone. An overview of the proposed mitigation measures for each vehicle class is outlined in table 3.

Table 3 Proposed Mitigation Measures

Vehicle Type	Draft Proposed Mitigation for Local Businesses & Organisations
Taxi	Discounts on charge for eligible vehicles. Incentives for upgrading to Clean Air Zone compliant vehicles for eligible vehicles.
Bus	Clean Bus Technology Fund already received to retrofit buses in Southampton with accredited retrofit technology.
Coach	Exemptions and discounts on charge for eligible vehicles. Incentives for upgrading to CAZ compliant vehicles. Access to support for promoting CAZ complaint operations.
Heavy Goods Vehicle	Exemptions and discounts on charge for eligible vehicles. Incentives for upgrading to CAZ compliant vehicles. Access to support for promoting CAZ compliant logistical operations.

The consultation will aid identification of any other potential options and mitigation measures that could be included in the current preferred option. The consultation will also provide an opportunity for stakeholders to consider the proposed mitigation measures and any alternatives.

17. The consultation will seek the views of all residents, business, organisations and individuals who will be impacted by a proposed Clean Air Zone, and will launch on 21st June 2018. A detailed consultation plan is being drafted. The preferred option would impact most likely impact those businesses and organisations that operate vehicles within Class B of the Clean Air Zone Framework (Buses, Coaches, Taxis and HGVs). This includes the taxi trade, local buses and buses that enter the zone for servicing and maintenance. HGVs servicing the port, construction, logistics and suppliers that enter the zone would also be impacted. The consultation will provide adequate opportunity for respondents to comment on the proposals and offer their own alternatives for Cabinet to consider before finalising proposals for submission to government. The consultation will be open for responses for 12 weeks, closing September 20th 2018. It will be undertaken as a joint exercise with NFDC. An Equality and Safety Impact Assessment (ESIA) has been undertaken to identify protected groups under the Equalities Act 2010 who may be impacted by the proposal and indicates how those impacts will be mitigated. The ESIA identifies concessionary bus users, users of Home to School transport, and taxi users with mobility issues as being impacted with mitigations identified. During the consultation process, efforts will be made to seek feedback on any potential impacts that may not have been identified and on other mitigating actions that may not have been considered. Positive impacts with regards to improvements in public health due to reductions in air pollution are also identified, in particular

	the elderly, young and those with existing health conditions will see the most benefit. The ESIA will be subject to consultation, if there are any particular groups that have so far not been recognised we would expect them to be identified through this process.
18.	A Campaign Plan has been drafted and includes public meetings, physical consultation materials, digital marketing, information on websites, external signage across the city (e.g. billboards), face-to-face meetings with stakeholders and press releases.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
19.	Significant Capital expenditure is required for installation of any enforcement system (including ANPR cameras, road signage, markings and associated infrastructure), and back office requirements for administration of any scheme. Government funding for implementing Clean Air Zones is being made available through JAQU's Clean Air Implementation Fund, and the financial model assumes the implementation of the scheme will be fully funded through this source. The scheme is viable subject to full Government funding being available to cover the Council's costs.
20.	There will be no statutory duty to deliver the CAZ in the absence of funding from central government. SCC anticipate that confirmation of funding will be confirmed with the Ministerial Direction requiring its implementation. That is anticipated in early 2019.
21.	The annual running costs of a Clean Air Zone will be met from the revenue generated from the enforcement system. Residual income will then be ring fenced for economic mitigation measures in accordance with the Clean Air Zone Framework.
22.	The scheme presents some financial risks to SCC if the grant funding received does not meet the capital cost of setting up the Clean Air Zone, and that revenue generated is not sufficient to reinvest in mitigation measures. A financial model is being developed to accompany the Full Business Case to ensure that any scheme is fully and accurately costed, and that appropriate sensitivity analysis on revenues and running costs are included.
<u>Property/Other</u>	
23.	None
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
24.	Part III Transport Act 2000 and s.1 Localism Act 2011.
<u>Other Legal Implications:</u>	
25.	The requirement to carry out consultation on a proposal of this nature is determined in accordance with the Transport Act 2000 together with recent case law on the adequacy of public consultation such as the Mosely and Leicestershire cases. The proposals require a full Equality Impact Assessment under the Equalities Act 2010, which has been carried out at a formative stage of the process to inform options and consultation requirements and is being updated at every stage of the process to identify potential impacts and

	mitigation. In carrying out the consultation and proposals the Council has regard to its duties under s.149 of the Equalities Act 2010 (the public sector equality duty) and in particular the need to ensure the proposals are compiled having due regard to the need to eliminate unlawful discrimination, harassment and victimisation, advance equality of opportunity between people who share protected characteristics under the Act and to foster good relations between people who share protected characteristics and those who do not.
26.	The UK Government is currently facing legal action from the European Union that could result in significant fines for infraction of nitrogen dioxide limits. The UK Government holds discretionary power within Part 2 of the Localism Act 2011 that could require responsible authorities to pay all or part of an infraction fine if compliance is not achieved by the relevant deadlines, subject to a warning and appeal process.
27.	A Data Protection Impact Assessment Statement has been completed for the consultation exercise and concluded that it is not necessary to conduct a full Data Protection Impact Assessment at this time. However, any subsequent decision made on implementing a Clean Air Zone charging scheme will require further review and is likely to require a full Data Protection Impact Assessment at that time.
RISK MANAGEMENT IMPLICATIONS	
28.	Southampton City Council has received a ministerial direction from the Parliamentary Under Secretary of State for Environment, Food and Rural Affairs to prepare and submit to the Secretary of State a Full Business Case by 15th September 2018. This must set out detailed proposals for a scheme which is the authority's preferred measure to deliver compliance in its area with legal limit value for nitrogen dioxide in the shortest possible time. Under section 85(7) of the Environment Act it is the duty of a local authority to comply with a direction given to it. A formal 12 week written consultation will mean that Southampton will not be able to submit a preferred option to the Secretary of State by September 15th 2018. However, the scale of the proposal and the potential wide reaching social and economic impacts it was not deemed appropriate to shorten the time frame. By undertaking a 12 week consultation, the risk of a future legal challenge that may delay implementation of the preferred option is minimised and outweighs the risk to the Council of the government seeking specific performance in relation to the ministerial deadline. This gives greater robustness to the scheme and in it being able to meet the objective of improving nitrogen dioxide to compliant levels within the shortest possible time.
29.	SCC's Strategic Risk Register includes "Failure to improve air quality to legal levels" and is subject to regular Service Director oversight.
POLICY FRAMEWORK IMPLICATIONS	
30.	The recommendations are consistent with SCC's Clean Air Strategy 2016-2025 (published 2016) which identifies the need to improve air quality in the city as a priority. The introduction of charging Clean Air Zone is also cited as a delivery objective in the Strategy.
31.	The recommendations are consistent with the Health and Wellbeing Strategy 2017-2025 within which an outcome is to ensure Southampton is a healthy

	place to live and work with strong active communities. This is to be achieved by delivering a cleaner environment through a Clean Air Zone with vehicle access restrictions to the city.
32.	The recommendation is consistent with the priority within the Southampton City Council strategy 2016-2020 to “improve air quality”.

KEY DECISION?	No
WARDS/COMMUNITIES AFFECTED:	
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	Equality Safety and Impact Assessment
2.	Data Protection Impact Assessment

Documents In Members’ Rooms

1.	None
Equality Impact Assessment	
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	Yes
Data Protection Impact Assessment	
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out?	Yes
Other Background Documents	
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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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 proposals and consider mitigating action.

Name or Brief Description of Proposal	Southampton and New Forest District Council Local Plan for Compliance with NO ₂ EU AQ Directive Within the Shortest Possible Time.
Brief Service Profile (including number of customers)	
<p>Clean Air Zones are areas where there is a focus on improving air quality by reducing harmful emissions. The creation of Clean Air Zones in major UK cities is part of the government’s Air Quality Plan which aims to improve air quality and address sources of pollution.</p> <p>Southampton is assessing the need for a Clean Air Zone because levels of air pollution in the area are above required European Union legal standards. The specific pollutant that Southampton City Council must reduce to legal levels is nitrogen dioxide (NO₂). New Forest District Council must also produce a plan to reduce levels of air pollution to legal levels and are working in partnership with Southampton City Council to achieve this.</p> <p>The proposal to introduce a Clean Air Zone in Southampton and the New Forest will see the most polluting vehicles discouraged from entering the zone through charges. A significant source of nitrogen dioxide in the UK is road transport. The aim of the Clean Air Zone is to bring pollution down to legal levels by replacing older, more polluting vehicles with modern, cleaner vehicles and by encouraging a shift towards more sustainable and active transport.</p> <p>The preferred option is to introduce a citywide Class B Clean Air Zone. This means buses, taxis (private hire and hackney carriage), coaches and heavy goods vehicles that do not meet minimum emission standards will be charged to enter the zone.</p>	

Summary of Impact and Issues

Nitrogen Dioxide Impacts on Health

Air pollution is a major cause of death and illness worldwide with impacts ranging from increased hospital admissions to increase risk of premature death. Studies have shown that symptoms of respiratory conditions in children increase in association with long-term exposure to NO₂. Reduced lung function growth is also linked to nitrogen dioxide at concentrations currently measured (or observed) in cities of Europe and North America (WHO¹). Air pollution is also linked with a range of other conditions including diabetes, neurodevelopment, cardiovascular, cancer and obesity. The Royal College of Physicians produced a report in 2016 (RCP, 2016²) highlighting that while air pollution is harmful to everyone, some people suffer more than others because they:

- live in deprived areas, which often have higher levels of air pollution,
- live, learn or work near busy roads,
- are more vulnerable because of their age or existing medical conditions.

Clean Air Zone Impacts on Health

The proposed preferred option for the introduction of a Clean Air Zone aims to achieve compliance with legal levels of nitrogen dioxide by reducing concentrations. This means that residents will be exposed to reduced levels of nitrogen dioxide as a result of the preferred option and will therefore see associated health benefits (reduction of the negative impacts identified above). The proposed scope of the Clean Air Zone is citywide and will therefore deliver benefits across the city.

Clean Air Zone Impacts on Households

The preferred option is unlikely to directly impact households as private vehicles will not be subject to a charge, however the selected options may still have indirect effects on some households through impacts on businesses. For example, households which include individuals employed in freight/delivery operator businesses that are affected by the introduction of a Clean Air Zone. .

Furthermore, the extent that businesses pass on any additional costs to consumers could have a disproportionate impact on lower income households:

- Buses, as a cheaper mode of transport, are used more by lower income households³ than other groups. Therefore any increased costs of tickets as a result of pass-through costs could have a greater impacts on these households.
- Taxis are often relied upon by disabled persons, who may therefore also face a disproportionate impact of any costs passed through.

The preferred option also includes a number of measures designed to mitigate these possibilities.

Clean Air Zone Impacts on Business and Sole Traders

The proposal is to charge non-compliant vehicles which are likely to be owned and/or operated by businesses or sole traders.

¹ <http://www.who.int/airpollution/ambient/health-impacts/en/>

² <https://www.rcplondon.ac.uk/projects/outputs/every-breath-we-take-lifelong-impact-air-pollution>

³ <https://www.ucl.ac.uk/transport-institute/pdfs/transport-poverty>

It is likely therefore that all businesses located in and around the CAZ will be affected to some extent, many indirectly. That extent will be determined by a number of

parameters, in particular by the location and type of the business, and also by what complementary funding and support is made available to affected businesses to mitigate any negative effects. A draft Economic Impact Assessment will be published with the outline Business Case.

Potential Positive Impacts

- The introduction of a Clean Air Zone using the preferred option will reduce emissions of nitrogen oxides (NO_x) including nitrogen dioxide from HGVs, taxis, buses and coaches on a citywide scale that will deliver positive benefits for public and environmental health.
- Improve concentrations of nitrogen dioxide within the Clean Air Zone and into New Forest District Council.
- Deliver compliance with the European Union Air Quality Directive within the shortest possible time in Southampton and New Forest (below 40µg/m³ at locations relevant to the EU AQ Directive).
- Health benefits as a result of improving air quality.
- Potential to deliver a reduction in noise and accidents due to reduced HGVs on the road (those cancelling/avoiding or choosing to utilise freight consolidation and delivery and service planning) and improve accessibility for other road users.

The overall economic impact assessment concludes a positive economic impact for the preferred option.

Responsible Service Manager	Steve Guppy, Service Manager – Scientific Service
Date	24/05/2018
Approved by Senior Manager	Mitch Sanders, Service Director – Transactions and Universal Services
Date	

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	<p><u>Asthma Incidence 0-14 year olds and 15 years+</u></p> <p>The preferred option will reduce NO₂ concentration across the city so all areas will see benefits for those suffering with respiratory conditions including asthma.</p> <p>Rates of asthma prevalence in 0-14 year olds significantly higher in Redbridge compared to the rest of Southampton. The preferred option will deliver compliance with the EU AQ Directive at exceedances identified in this area at the A33. NO₂ concentrations and asthma prevalence are associated therefore improving NO₂ concentrations will have a positive impact on this area of significantly increased asthma prevalence (see appendix 1).</p> <p>Rates of asthma prevalence 15 years+ similarly identifies Redbridge area as having a significantly higher prevalence than the Southampton average.</p> <p>The preferred option will reduce NO₂ concentration across the city so all areas will see positive impact in terms of asthma prevalence.</p>	N/A – positive impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	<p><u>Concessionary Bus Use</u> Total concessionary bus journeys in Southampton (including senior citizen and disability passes) across four bus operators Apr 2017-Mar 2018 totalled 4,385,932.</p> <p>There are currently 27,442 senior citizen bus passes issued in Southampton. The cost to operators will not be passed onto those eligible for concessionary bus travel as the pass allows for free travel.</p> <p>However, measures to force emission improvements could potentially make some routes financially unviable and concessionary trips unavailable.</p>	<p><u>Concessionary Bus Use</u> A fund will be available which offers non-compliant buses the option to retrofit to an accredited Clean Air Zone compliant standard.</p>
	<p><u>Home to School Transport</u> 41 Taxis with 4 seats, 2 Taxis with 6 seats, 1 Taxi with 7 seats and 3 Wheel Chair Accessible Taxis are used for Home to School Transport in Southampton. Currently, there is limited availability of accessible vehicles and capital costs are often higher than a standard vehicle.</p> <p>Measures to force emission improvements could make some services financially unviable and restrict access to suitable vehicles.</p>	<p><u>Home to School Transport</u> Will seek to identify opportunities to exempt or relax requirements to support a suitable supply of wheel chair accessible vehicles. Incentive schemes to be introduced to support the transition to compliant vehicles.</p>
<p>Disability</p>	<p><u>Home to School Transport</u> 41 Taxis with 4 seats, 2 Taxis with 6 seats, 1 Taxi with 7 seats and 3 Wheel Chair Accessible Taxis are currently used for Home to School Transport in Southampton. There is limited availability of accessible vehicles, and capital costs are often higher than a standard vehicle. A Clean Air Zone could impact the numbers of specialist vehicles operating in the city.</p>	<p><u>Home to School Transport</u> Will seek to identify opportunities to exempt or relax requirements to support a suitable supply of wheel chair accessible vehicles. Incentive schemes to be introduced to support the transition to compliant vehicles.</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	<p><u>Concessionary Bus Travel</u> Total concessionary bus journeys in Southampton (including senior citizen and disability passes) across four bus operators Apr 2017-Mar 2018 totalled 4,385,932.</p> <p>There are currently 2,717 disability bus passes issued in Southampton. However, measures to force emission improvements could potentially make some routes financially unviable and concessionary trips unavailable.</p> <p><u>Taxi Use and Mobility</u> In 2015, the latest data available on mobility, on average, adults (16+) with mobility difficulties use taxis or PHVs more than people who do not (16 trips per person vs. 10 trips per person). These figures have remained broadly stable since 2010. Taxi or PHV usage makes up 3% of all their trips, compared to just 1% for those without mobility difficulties. These figures have remained broadly stable since 2010. Though a charge will not be levied on taxis, other enforcement mechanisms including bus lane enforcement for non-CAZ compliant taxis will potentially add journey time for non-CAZ compliant wheel chair accessible vehicles.</p>	<p><u>Concessionary Bus Travel</u> Offering non-compliant buses the option to retrofit to an accredited CAZ compliant standard through the Council's £2.7m Clean Bus Technology fund will ensure operators are not adversely economically impacted by the preferred option, preventing routes becoming unviable.</p> <p><u>Taxi Use and Mobility</u> Will seek to identify opportunities to exempt or relax requirements to support a suitable supply of wheel chair accessible vehicles. Incentive schemes to be introduced to support the transition to compliant vehicles.</p>
Gender Reassignment	No impact	
Marriage and Civil Partnership	No impact	
Pregnancy and Maternity	Exposure to outdoor air pollution is linked to premature birth, stillbirth and organ damage during development. The proposal will improve air quality across the city with positive impacts in terms of pregnancy and maternity seen in wards with birth rates significantly higher than the Southampton average 2014-2016 (including Redbridge and Millbrook where the	N/A – positive impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	<p>EU AQD exceedance will be addressed).</p> <p>Birth Weight Traffic related air pollution is estimated to contribute to one-fifth of low birth weight at term cases. Southampton's low birth weight value in 2015 was 6.7%, similar to the national average 7.4%⁴. Very low birth weight in Southampton in 2015 was 1.26%, similar to the national average 1.57%⁵. Therefore, there is limited evidence that air pollution is currently affecting birth weight in the city, but the Clean Air Zone will continue to reduce risks.</p>	N/A – positive impact
Race	<p>22.3% of the Southampton's population are non-White British, including 14% who are residents from Black or Minority Ethnic backgrounds.</p> <p>Citywide improvements in air quality will also mean all ethnic groups across the city will experience positive health benefits.</p>	N/A – positive impact
Religion or Belief	No impact	
Sex	<p>Deaths from COPD by gender COPD incidence and earlier onset is associated with exposure to air pollution². In Southampton, COPD is attributed to the deaths of 103.47 males per 100,000 and 56.73 females per 100,000 in 2014-2016. Improving air quality as a result of the Clean Air Zone will benefit both males and females.</p>	N/A – Positive Impact
Sexual Orientation	No impact	
Community	No impact	

⁴<https://fingertips.phe.org.uk/search/birthweight#page/3/gid/1/pat/6/par/E12000008/ati/102/are/E06000045/iid/92531/age/29/sex/4>

⁵<https://fingertips.phe.org.uk/search/birthweight#page/3/gid/1/pat/6/par/E12000008/ati/102/are/E06000045/iid/92532/age/29/sex/4>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Safety		
Poverty	<p><u>Lower Income Households</u> Nationally, the health impacts associated with air pollution are likely to fall to a greater extent on poorer households for a range of reasons⁶. Citywide improvements in Southampton's air quality will be greatest in and around the city centre and in vicinity of main roads, which score lower on the Indices of Multiple Deprivation scale (IMD) (i.e. are more deprived).</p> <p>For example, a number of the current Air Quality Management Areas (AQMAs) are located in some of the most deprived neighbourhoods, such as those in Redbridge, Bevois and Bargate. In addition, evidence shows that people resident in the most deprived neighbourhoods in the city are 2.7 times more likely to suffer from COPD and 1.4 times more likely to suffer from asthma compared to the least deprived neighbourhoods; conditions known to be exacerbated by poor air quality.</p>	N/A – Positive Impact
Health & Wellbeing	Health impacts associated with age, disability and pregnancy and maternity are previously discussed.	
	<p><u>Emergency COPD Admission 35 years+</u></p> <p>Emergency chronic obstructive pulmonary disorder (COPD) admissions for those 35+ are</p>	N/A – positive impact

⁶ <http://www.instituteofhealthequity.org/resources-reports/fair-society-healthy-lives-the-marmot-review>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	<p>significantly higher at Redbridge in comparison to the Southampton average. There are also other areas across the city with significantly higher emergency COPD admissions for this age group. The preferred option will deliver citywide improvements to air quality so will have a positive impact at all areas.</p> <p>Wellbeing The introduction of a charging scheme could be increase stress levels to those who perceive the financial implications to adversely affect them.</p>	<p>Wellbeing Communications strategy will ensure the proposals including mitigation measures are accessible, accurate and clearly reported across all relevant groups.</p> <p>Mitigation measures will target those groups most financially affected and seek to provide assurances regarding delivery.</p>
Other Significant Impacts		

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What is a Data Protection Impact Assessment?

A Data Protection Impact Assessment (“DPIA”) is a process that assists organisations in identifying and minimising the privacy risks of new projects or policies.

Projects of all sizes could impact on personal data.

The DPIA will help to ensure that potential problems are identified at an early stage, when addressing them will often be simpler and less costly.

Conducting a DPIA should benefit the Council by producing better policies and systems, and improving the relationship with individuals.

Why should I carry out a DPIA?

Carrying out an effective DPIA should benefit the people affected by a project and also the organisation carrying out the project.

Whilst not a legal requirement, it is often the most effective way to demonstrate to the Information Commissioner’s Officer how personal data processing complies with data protection legislation.

A project which has been subject to a DPIA should be less privacy intrusive and therefore less likely to affect individuals in a negative way.

A DPIA should improve transparency and make it easier for individuals to understand how and why their information is being used.

When should I carry out a DPIA?

The core principles of DPIA can be applied to any project that involves the use of personal data, or to any other activity that could have an impact on the privacy of individuals.

Answering the screening questions in **Section 1** of this document should help you identify the need for a DPIA at an early stage of your project, which can then be built into your project management or other business process.

Who should carry out a DPIA?

Responsibility for conducting a DPIA should be placed at senior manager level. A DPIA has strategic significance and direct responsibility for the DPIA must, therefore, be assumed by a senior manager.

The senior manager should ensure effective management of the privacy impacts arising from the project, and avoid expensive re-work and retro-fitting of features by discovering issues early.

A senior manager can delegate responsibilities for conducting a DPIA to three alternatives:

- a) An appointment within the overall project team;
- b) Someone who is outside the project; or
- c) An external consultant.

Each of these alternatives has its own advantages and disadvantages, and careful consideration should be given on each project as to who would be best-placed for carrying out the DPIA.

How do I carry out a DPIA?

Working through each section of this document will guide you through the DPIA process.

The requirement for a DPIA will be identified by answering the questions in **Section 1**. If a requirement has been identified, you should complete all the remaining sections in order.

The Data Protection Impact Assessment Statement in **Section 7** should be completed in all cases, and a copy of this document should be sent to the Information Lawyer (Data Protection Officer) to record and review.

The Information Lawyer (Data Protection Officer) will review the DPIA within 14 days of receipt, and a draft DPIA report will be issued within 28 days. The report will confirm whether the proposed measures to address the privacy risks identified are adequate, and make recommendations for additional measures needed.

These measures will be reviewed once in place to ensure that they are effective.

Advice can be found at the beginning of each section, but if further information or assistance is required, please contact the Information Lawyer (Data Protection Officer) on 023 8083 2676 or at information@southampton.gov.uk.

Section 1 - Screening Statements

The following statements will help you decide whether a DPIA is necessary for your project.

Please tick all that apply.

The project will involve the collection of new information about individuals.

The project will compel individuals to provide information about themselves.

Information about individuals will be disclosed to organisations or people who have not previously had routine access to the information.

You are using information about individuals for a purpose it is not currently used for, or in a way it is not currently used.

The project involves you using new technology which might be perceived as being privacy intrusive. For example, the use of biometrics, facial recognition, or profiling.

The project will result in you making decisions or taking action against individuals in ways which can have a significant impact on them.

The information about individuals is of a kind particularly likely to raise privacy concerns or expectations. For example, health records, criminal records, or other information that people would consider to be particularly private.

The project will require you to contact individuals in ways which they may find intrusive.

The project involves making changes to the way personal information is obtained, recorded, transmitted, deleted, or held.

If any of these statements apply to your project, it is an indication that a DPIA would be a useful exercise, and you should complete the rest of the assessment, including the Data Protection Impact Assessment Statement in **Section 5**.

If none of these statements apply, it is not necessary to carry out a DPIA for your project, but you will still need to complete the Data Protection Impact Assessment Statement in **Section 5**.

Section 2 - Identifying the Need for a DPIA

Briefly explain what the project aims to achieve, what the benefits will be to the Council, to individuals, and to other parties.

Section 3 - Describe the Information Flows

The collection, use, sharing, and deletion of personal data should be described here.

Section 4 - Identifying the Privacy Risks

Answering the questions below will help identify the key privacy risks, and the associated compliance and corporate risks.

The questions cover the key data protection principles, and whilst all may not be relevant to your project, they may prompt you to consider areas of risk which aren't initially apparent.

Principle 1

Personal data shall be processed lawfully, fairly and in a transparent manner in relation to the data subject.

What personal data will be collected and/or shared?

With whom will the personal data be shared?

How will individuals be told about the use of their personal data?

Conditions for processing

For all data (tick all that apply):

The data subject has given consent to the processing.

The processing is necessary for the performance of a contract to which the data subject is party or in order to take steps at the request of the data subject prior to entering into a contract.

The processing is necessary for compliance with a legal obligation to which the Council is subject.

The processing is necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Council.

Does your project involves the processing of the following?

Tick all that apply:

data revealing racial or ethnic origin

political opinions

religious or philosophical beliefs

trade-union membership

genetic data or biometric data for the purpose of uniquely identifying a natural person

data concerning health

data concerning a natural person's sex life or sexual orientation

If so, which of the following apply?

The data subject has given explicit consent to the processing.

The processing is necessary for the purposes of carrying out the obligations and exercising specific rights of the Council or of the data subject in the field of employment and social security and social protection law.

The processing is necessary for the establishment, exercise, or defence of legal claims, or whenever courts are acting in their judicial capacity.

The processing is necessary for reasons of substantial public interest.

The processing is necessary for the purposes of preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, the provision of health or social care or treatment or the management of health or social care systems and services.

The processing is necessary for reasons of public interest in the area of public health, such as protecting against serious cross-border threats to health or ensuring high standards of quality and safety of health care and of medicinal products or medical devices.

The processing is necessary for archiving purposes in the public interest, scientific or historical research purposes or statistical purposes.

If you are relying on consent to process personal data, how will this be collected and recorded?

What will you do if consent is withheld or withdrawn? How will this be recorded?

Can an alternative condition for processing (see page 7) be used instead of consent? If yes, please provide details. See conditions on page 6 for options.

How will individuals be informed at the point of collection about how their personal data will be used?

Will any personal data be published on the Internet or in other media? If yes, please provide details.

Will a third party contractor be processing the personal data on our behalf, or involved at any stage in the data processing process?

Principle 2

Personal data shall be collected for specified, explicit, and legitimate purposes, and not further processed in a manner that is incompatible with those purposes.

Do you envisage using the personal data for any other purpose in the future? If so, please provide details.

Principle 3

Personal data shall be adequate, relevant, and limited to what is necessary in relation to the purposes for which they are processed.

Are you satisfied that the personal data processed is of good enough quality for the purposes proposed? If not, why not?

Is there any personal data that you could not use, without compromising the needs of the project? If yes, please provide details.

How will you ensure that only personal data that is adequate, relevant, and not excessive in relation to the purpose for which it is processed?

Principle 4

Personal data shall be accurate and, where necessary, kept up to date.

Are you able to update and amend personal data when necessary, after it has been collected and recorded? Please provide details.

How will you ensure that personal data obtained from individuals or other organisations is accurate?

Principle 5

Personal data shall be kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed.

What retention periods are suitable for the personal data you will be processing?

How will you ensure the personal data is deleted in line with your retention periods?

What processes will be put in place for the destruction of the personal data?

Principle 6

Personal data shall be processed in accordance with the rights of data subjects under this Act.

If an individual requested a copy of the personal data held about them, detail how this would be provided to them.

If the project involves marketing, have you got a procedure for individuals to opt out of their personal data being used for that purpose?

Principle 7

Personal data shall be processed in a manner that ensures appropriate security of the personal data, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organisational measures.

Where, and in what format, will the personal data be kept?

Will an IT system or application be used to process the personal data? Please provide details.

How will this system provide protection against security risks to the personal data?

What training and instructions are necessary to ensure that staff know how to operate the system securely?

Will staff ever process the personal data away from the office (e.g. via paper files, on laptops, tablets, or smart phones)? If so, please provide details.

How will access to the personal data be controlled?

Principle 8

Personal data shall not be transferred to a country or territory outside the European Economic Area (EEA) unless that country or territory ensures and adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

Will the project require you to transfer personal data outside of the EEA? If yes, please provide details.

If you will be making transfers, how will you ensure that the personal data is adequately protected?

If a contractor is being used to process the personal data, where are they (and their data stores) based?

Section 5 - Data Protection Impact Assessment Statement

This statement must be completed for all projects, regardless of whether a DPIA was deemed to be necessary on completion of the screening questions in Section 1.

Name:

Position:

Project Summary:

Estimated date of project completion:

Please choose one of the following options:

None of the screening statements in Section 1 of this document apply to the above project, and I have determined that it is not necessary to conduct a Data Protection Impact Assessment.

Some of the screening statements in Section 1 of this document apply to the above project, and a need to carry out a Data Protection Impact Assessment was identified. The assessment has been carried out, and the outcomes will be integrated into the project plan to be developed and implemented.

Date:

Once completed, please send a copy of this document to Corporate Legal.

Email: information@southampton.gov.uk

Internal post: Corporate Legal, Civic Centre, Municipal, Ground Floor West

Document Information

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Author: Chris Thornton, Senior Legal Assistant (Information)

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