

CABINET

**Monday, 12th March, 2012
at 5.00 pm**

Council Chamber

This meeting is open to the public

Members

Councillor Smith, Leader of the Council
Councillor Moulton, Cabinet Member for Children's
Services and Learning
Councillor Baillie, Cabinet Member for Housing
Councillor Fitzhenry, Cabinet Member for
Environment and Transport
Councillor Hannides, Cabinet Member for
Resources, Leisure and Culture
Councillor White, Cabinet Member for Adult Social
Care and Health

(QUORUM – 2)

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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 (Mondays)

2011	2012
6 June	16 January
4 July	6 February
1 August	13 February
5 September	12 March
26 September	16 April
24 October	
21 November	
19 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.

BUSINESS TO BE DISCUSSED

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

RULES OF PROCEDURE

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

QUORUM

The minimum number of appointed Members required to be in attendance to hold the meeting is 2.

DISCLOSURE OF INTERESTS

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

PERSONAL INTERESTS

A Member must regard himself or herself as having a personal interest in any matter:

- (i) if the matter relates to an interest in the Member's register of interests; or
- (ii) if a decision upon a matter might reasonably be regarded as affecting to a greater extent than other Council Tax payers, ratepayers and inhabitants of the District, the wellbeing or financial position of himself or herself, a relative or a friend or:-
 - (a) any employment or business carried on by such person;
 - (b) any person who employs or has appointed such a person, any firm in which such a person is a partner, or any company of which such a person is a director;
 - (c) any corporate body in which such a person has a beneficial interest in a class of securities exceeding the nominal value of £5,000; or
 - (d) any body listed in Article 14(a) to (e) in which such a person holds a position of general control or management.

A Member must disclose a personal interest.

Cont/...

Prejudicial Interests

Having identified a personal interest, a Member must consider whether a member of the public with knowledge of the relevant facts would reasonably think that the interest was so significant and particular that it could prejudice that Member's judgement of the public interest. If that is the case, the interest must be regarded as "prejudicial" and the Member must disclose the interest and withdraw from the meeting room during discussion on the item.

It should be noted that a prejudicial interest may apply to part or the whole of an item.

Where there are a series of inter-related financial or resource matters, with a limited resource available, under consideration a prejudicial interest in one matter relating to that resource may lead to a member being excluded from considering the other matters relating to that same limited resource.

There are some limited exceptions.

Note: Members are encouraged to seek advice from the Monitoring Officer or his staff in Democratic Services if they have any problems or concerns in relation to the above.

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 PREJUDICIAL INTERESTS

In accordance with the Local Government Act, 2000, and the Council's Code of Conduct adopted on 16th May, 2007, Members to disclose any personal or prejudicial interests in any matter included on the agenda for this meeting.

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

3 STATEMENT FROM THE LEADER

4 RECORD OF THE PREVIOUS DECISION MAKING

Record of the decision making held on the 6th and 13th February 2012, attached.

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

There are no matters referred for reconsideration.

6 REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (IF ANY)

There are no items for consideration

7 EXECUTIVE APPOINTMENTS

To deal with any executive appointments, as required.

ITEMS FOR DECISION BY CABINET

8 PROCESS FOR AWARDING GRANTS TO VOLUNTARY ORGANISATIONS FROM 2013/14

Report of the Cabinet Member for Housing, recommending a process for awarding grants to voluntary organisations from 2013/14, attached.

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

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

Confidential Appendix 7 is not for publication by virtue of category 5 (legal professional privilege) of paragraph 10.4 of the Council's access to information procedure rules as contained in the council's constitution. It is not in the public interest to disclose this information as it would prejudice the Council's legal position in relation to litigation that may result as a consequence of the Council's decision.

10 SAINT GEORGE CATHOLIC VA COLLEGE SOUTHAMPTON PROPOSALS TO CHANGE STATUS TO A MIXED-SEX SCHOOL

Report of the Cabinet Member for Children's Services and Learning seeking a decision from Cabinet in accordance with statutory School Organisation procedures in regard to a proposal brought forward by Saint George Catholic Voluntary Aided College Southampton to change its current status as a single-sex boys' school to a mixed-sex school for both boys and girls from September 2013, attached.

11 ADMISSION ARRANGEMENTS FOR COMMUNITY AND VOLUNTARY CONTROLLED SCHOOLS FOR ACADEMIC YEAR 2013/14

Report of the Cabinet Member for Children's Services and Learning seeking to determine the admission arrangements for the Local Authority as the admission authority for community and voluntary controlled schools in the City, attached.

12 HOUSES IN MULTIPLE OCCUPATION SUPPLEMENTARY PLANNING DOCUMENT (SPD)

Report of the Cabinet Member for Environment and Transport seeking approval and adoption of a Supplementary Planning Document (SPD) setting out guidance on how to assess planning applications for Houses in Multiple Occupation (HMO).attached.

13 APPROVAL TO SPEND CAPITAL FUNDING ON ENVIRONMENT AND TRANSPORT PORTFOLIO SCHEMES 2012/13

Report of the Cabinet Member for Environment and Transport, seeking approval to amend and approve capital expenditure, in accordance with Financial Procedure Rules, on schemes within the Environment and Transport capital programme for 2012/13, attached.

14 DELIVERY OF THE LOCAL SUSTAINABLE TRANSPORT FUND AND EUROPEAN REGIONAL DEVELOPMENT FUND PROGRAMMES

Report of the Cabinet Member for Environment and Transport, outlining the delivery of the Local Sustainable Transport Fund and European Regional Development Fund programmes, attached.

15 HOUSING REVENUE ACCOUNT (HRA) - VARIOUS SCHEME APPROVAL CAPITAL PROGRAMME 2012/13 PHASE 1

Report of the Cabinet Member for Housing, seeking the commencement of repairs and refurbishment works as defined within the approved 5 year plan, attached.

16 LOCALISM ACT: CONSULTATION - TENANCY STRATEGY 2012-2016

Report of the Cabinet Member for Housing, seeking to set the strategic direction of the Local Housing Authority in relation to the housing provisions of the Localism Act 2011 in order that consultation with stakeholders is undertaken, attached.

17 MASTER PLAN FOR ESTATE REGENERATION FOR TOWNHILL PARK

Report of the Cabinet Member for Housing, seeking to set the strategic direction of the Local Housing Authority in relation to the housing provisions of the Localism Act 2011 in order that consultation with stakeholders is undertaken, attached.

18 FREEMANTLE COMMON: DISPOSAL OF PROPERTY AND DE-REGISTRATION/EXCHANGE OF COMMON LAND

Report of the Cabinet Member for Resources, Leisure and Culture to enable the development and disposal of land which currently accommodates Ridgeway House School and Prospect House, attached.

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

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

Confidential Appendix 3 to this report contains information deemed to be exempt from general publication based on Category 3 of Paragraph 10.4 of the Council's Access to Information Procedure Rules. The appendix includes a table showing the rental income and values of property which, if disclosed prior to entering into any contracts, could put the Council at a commercial disadvantage. In applying the public interest test it is not considered appropriate to publish this information as it could influence bids for a property which may be to the Council's financial detriment

20 PROPERTY DISPOSAL PROGRAMME - APPROVAL TO DETAILED TERMS

Report of the Cabinet Member for Resources, Leisure and Culture seeking approval for the disposal of The Shirley Centre and The David Lloyd Leisure Centre freehold investments, attached.

21 DRAFT PUBLIC HEALTH TRANSITION PLAN (YEAR 2)

Report of the Director of Public Health seeking approval for a draft transition plan, attached.

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Agenda Item 4

CABINET
12th MARCH 2012

Cabinet will be asked to note the Records of Decision Making on:

- 6th February 2012; and
- 13th February 2012.

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EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 6 FEBRUARY 2012

Present:

Councillor Smith	-	Leader of the Council
Councillor Moulton	-	Cabinet Member for Children's Services and Learning
Councillor Baillie	-	Cabinet Member for Housing
Councillor Fitzhenry	-	Cabinet Member for Environment and Transport
Councillor Hannides	-	Cabinet Member for Resources, Leisure and Culture
Councillor White	-	Cabinet Member for Adult Social Care and Health

72. HOUSING REVENUE ACCOUNT BUDGET REPORT AND BUSINESS PLAN

DECISION MADE: (Ref: CAB 11/12 7533)

On consideration of the report of the Cabinet Member for Housing and having receiving representations from Members of the Council, Cabinet agreed that the following recommendations be made to Council at the meeting on 15 February 2012:

- (i) To thank Tenant Association Representatives for their input to the capital and revenue budget setting process and to note their views as set out in this report.
- (ii) Following the completion of the full financial assessment of the changes to target rents approved by Council on 16 November 2011 to:
 - Confirm that the target rent for houses will be increased by 5%,
 - Approve a further reduction in the target rent for flats of 0.06% (giving a total reduction of 2.96%) so that the overall average target rent for all dwellings remains unchanged,
 - Approve the indexing of the £2.00 factor in the individual property rent restructuring calculation by RPI plus 0.5% from 2001/02 and the phased implementation of the amended calculation in equal instalments between 2013/14 and 2015/16
 - Confirm that from 2 April 2012, all new tenants will be charged the target rent for the property they move into.
 - Confirm that in all other respects, rents should be set using the Governments Rent Restructuring regime.
- (iii) To agree that, with effect from the 2 April 2012, the current average weekly dwelling rent figure of £69.73 should increase by 7.54%, which equates to an average increase of £5.26 per week, and to approve the following to calculate this increase:
 - That the percentage increase applied to all dwelling rents should be 6.1%, equivalent to an increase of £4.25 per week; and
 - That the rent restructuring component of the increase should follow the arrangements set out in recommendation (ii) above, giving an increase in average rent levels of 1.44% (£1.01 per week) and

to note that:

- The total percentage increase in individual rents will vary according to the restructured rent of their property
- (iv) To approve the following weekly service charges from 2 April 2012 based on the full cost recovery approach agreed by Council in November 2011:
- Digital TV £0.42 (unchanged from 2011/12)
 - Concierge £1.20 (increased by £0.08 from 2011/12)
 - Tower Block Wardens £4.97 (reduced by £0.14 from 2011/12)
- (v) To note that the service charges in supported accommodation will not change from 2 April 2012 but that these will be reviewed in the spring of 2012 in consultation with tenants, with any changes taking effect from October 2012,
- (vi) Subject to consultation with tenants, to approve the introduction of a new cleaning charge for walk up blocks of £0.91 per week, the start date for which will be agreed with tenants
- (vii) To agree that the charges for garages and parking spaces for 2012/13 should be increased by 5.6% in line with the increase in RPI used in the calculation of the increase in average rents.
- (viii) To approve the increase in minimum HRA balances to £2M.
- (ix) To approve the Housing Revenue Account Revenue Estimates as set out in the attached Appendix 1.
- (x) To approve the revised Housing Revenue Account Capital Programme set out in Appendix 2.
- (xi) To approve the 30 year capital and revenue business plans set out in appendices 4 and 5
- (xii) To approve the principles underlying capital spending plans that have been included in the business plan as set out in appendix 6
- (xiii) To note the HRA business planning assumptions set out in appendix 7.
- (xiv) To note that rental income and service charge payments will be paid by tenants over a 48 week period.
- (xv) To note the intention to develop a HRA efficiency programme during 2012/13

73. GENERAL FUND REVENUE BUDGET 2012/13 TO 2014/15

DECISION MADE: (Ref: CAB 11/12 7534)

On consideration of the report of the Cabinet Member for Resources, Leisure and Culture and having received representations from Members of the Council, Cabinet agreed to do the following:

- (a) Note the position on the estimated outturn and revised budget for 2011/12 as set out in paragraphs 9 to 18.
- (b) Approve that the Executive Director for Health & Adult Social Care enter into an agreement with NHS Southampton City (NHSSC) under section 256 National Health Act 2006 for a period of two years from 1 April 2011 to transfer a budget to the Council to spend on both services that benefit health and for post discharge services / re-ablement, as directed within the Local Government Finance Settlement announced on 13 December 2010. The

- sums to be transferred by NHSSC will be £3.8M and an estimated £4.4M in 2011/12 and 2012/13 respectively.
- (c) Delegate authority to the Executive Director for Health & Adult Social Care, in consultation with the Chief Financial Officer and the Head of Legal, HR & Democratic Services, to extend, renegotiate, or enter into any further agreements with NHSSC in relation to any funding streams allocated to NHSSC, or successor body, with the specific purpose of being transferred to the Local Authority under a S256 arrangement and add any such sums to the budget.
 - (d) Note the position on the forecast roll forward budget for 2012/13 as set out in paragraphs 23 to 35.
 - (e) Note and approve the arrangements made by the Leader, in accordance with the Local Government Act 2000, for the Cabinet Member for Resources, Leisure & Culture to have responsibility for financial management and budgetary policies and strategies, and that the Cabinet Member for Resources, Leisure & Culture 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 2012/13, in consultation with the Leader, for submission to Full Council on 15 February 2012.
 - (f) Recommend 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 outlined in Appendix 2
 - iii. Approves the revised estimate for 2011/12 as set out in Appendix 3.
 - iv. Approves the use of £563,000 of in year under spend to increase the Interest Equalisation Reserve in 2011/12 to ensure that adequate provision is made for the future increase in interest costs associated with the ongoing utilisation of variable interest rates.
 - v. Notes the position on the forecast roll forward budget for 2012/13 as set out in paragraphs 23 to 35.
 - vi. Approves the revenue bids set out in Appendix 4.
 - vii. Approves the efficiencies, income and service reductions as set out in Appendix 5.
 - viii. Approves the setting up of a Pay Reserve, as set out in paragraph 63.
 - ix. Approves the changes to the discretionary redundancy policy as set out in paragraphs 65 to 72.
 - x. Notes the position of the current negotiations with Trade Unions with respect to Terms & Conditions changes implemented on 11 July.as set out in paragraphs 55 to 64.
 - xi. Agrees to accept the one off Council Tax freeze grant funding for 2012/13 of £2.1M.
 - xii. Approves the General Fund Revenue Budget as set out in Appendix 6, which implements a council tax freeze.
 - xiii. 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.

- xiv. Approves a revised minimum balance of £5.0M as recommended by the Chief Financial Officer in line with the policy guidance outlined in paragraphs 81 to 83.
- xv. Notes that after taking these items into account, there is an estimated General Fund balance of £5.1M at the end of 2013/14 as detailed in paragraph 84.
- xvi. Delegates authority to the Chief Financial Officer, in consultation with the Executive Director of Corporate Services, to do anything necessary to give effect to the recommendations in this report.
- xvii. Sets the Council Tax Requirement for 2012/13 at £83,205,500.
- xviii. Notes the estimates of precepts on the Council Tax collection fund for 2012/13 as set out in Appendix 8.
- xix. Notes the Medium Term Forecast as set out in Appendix 9.
- xx. 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 2013/14 and 2014/15 and continue to develop options to close the remaining projected gaps in those years.

74. GENERAL FUND CAPITAL BUDGET 2012/13 TO 2014/15

DECISION MADE: (Ref: CAB 11/12 7587)

On consideration of the report of the Cabinet Member for Resources, Leisure and Culture and having received representations from Members of the Council, Cabinet agreed to do the following:

Recommend that Full Council:

- i) Approve the revised General Fund Capital Programme, which totals £168.5M (as detailed in paragraph 4) and the use of resources.
- ii) Approve the forecast over programming of £751,000 as detailed in paragraph 11, which is within the previously approved tolerances and can be compared to the figure reported to Council in September of £8.1M.
- iii) Note that the reduction in the funding deficit is largely down to additional or increased forecast future capital receipts where the timing and exact value is to a degree uncertain.
- iv) Note the forecast funding deficit in 2011/12 as detailed in paragraph 15 that is likely to require temporary borrowing, the revenue implications of which have been reflected in the budget forecast for the General Fund.
- v) Add £4,084,000 to the Environment & Transport capital programme in 2012/13 for Roads which is currently to be funded by direct revenue financing (£2,672,000), Council Resources (£1,272,000 unsupported borrowing), on-street parking surplus contributions (£90,000) and other revenue contributions (£50,000).
- vi) Add £408,000 to the Environment & Transport capital programme for the Salix Energy Efficiency scheme in 2012/13 to be funded by government grants.
- vii) Add £519,000 to the Leisure & Culture capital programme phased £110,000 in 2012/13, £170,000 in 2013/14 and £239,000 in 2014/15 to carry out essential works at the Guildhall to be funded by Council Resources.

- viii) Add £805,000 to the Adult Social Care & Health capital programme for essential refurbishment and improvements at care homes in 2012/13 to be funded by government grant.
- ix) Delegate authority to the Chief Finance Officer in consultation with the Executive Director of Environment and following consultation with the Cabinet Member for Environment & Transport and the Cabinet Member for Resources, Leisure & Culture to add Salix schemes to the capital programme up to the value of £100,000 per year, funded from a self-sustaining budget created from savings generated.
- x) Note that the revised General Fund Capital Programme takes into account the Comprehensive Spending Review (CSR) for 2011/12 and future years.

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EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 13 FEBRUARY 2012

Present:

Councillor Smith	-	Leader of the Council
Councillor Moulton	-	Cabinet Member for Children's Services and Learning
Councillor Baillie	-	Cabinet Member for Housing
Councillor Fitzhenry	-	Cabinet Member for Environment and Transport
Councillor Hannides	-	Cabinet Member for Resources, Leisure and Culture
Councillor White	-	Cabinet Member for Adult Social Care and Health

75. RECORD OF THE PREVIOUS DECISION MAKING

The record of the Executive decision making held on 16th January 2012 were received and noted as a correct record.

76. EXECUTIVE APPOINTMENTS

Councillors Smith and Hannides relinquished their appointments on the Spitfire Tribute Foundation Board and that no further Southampton City Council appointment would be made to the Board in the future.

77. THIRD QUARTER PERFORMANCE MONITORING FOR 2011/12

On consideration of the report of the Leader of the Council, Cabinet noted that 71% of Council's Key Critical Performance Indicators and 85% of the Service Improvement Actions and Projects set out in the 2011/12 Council Plan are reported to be on target.

78. CORPORATE REVENUE FINANCIAL MONITORING FOR THE PERIOD TO THE END OF DECEMBER 2011

On consideration of the report of the Cabinet Member for Resources, Leisure and Culture, Cabinet noted

- (i) the current General Fund revenue position for 2011/12 as at Month 9 (December), which is a forecast under spend at year end of £141,000 against the budget approved by Council on 16 February 2011, as outlined in paragraph 4. This can be compared against the reported under spend at Month 6 of £20,000; an improvement of £121,000;
- (ii) that the baseline forecast over spend for portfolios is £2.1M;
- (iii) that portfolios plan to take 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) that the Risk Fund includes £1.9M to cover service related risks, and that the estimated draw at Month 9 is £0.8M to cover expenditure which is included within the baseline forecast portfolio over spend of £2.1M. The Risk Fund has been reviewed and it has been assumed that £204,200 of the Fund will not be required in 2011/12;
- (v) that the Revenue Development Fund totals £1.2M. The Revenue Development Fund has been reviewed and it has been assumed that £100,000 of the Fund will not be required in 2011/12;
- (vi) Note that contingency of £250,000 which was originally built into the 2011/12 budget has been fully utilised;
- (vii) the revised minimum balance of £5.0M, subject to approval by Council on 15 February 2012, as recommended by the Chief Financial Officer in line with good practice guidance;
- (viii) the forecast level of balances which will not fall below the revised minimum level of £5.0M in the medium term based on the current forecast;
- (ix) the use of £563,000 of in year under spend to increase the Interest Equalisation Reserve in 2011/12 to ensure that adequate provision is made for the future increase in interest costs associated with the ongoing utilisation of variable interest rates;
- (x) the performance to date with regard to the delivery of the agreed savings proposals approved for 2011/12 as detailed in Appendix 9;
- (xi) the performance against the financial health indicators detailed in Appendix 10;
- (xii) the performance outlined in the Quarterly Treasury Management Report attached as Appendix 11; and
- (xiii) the current Housing Revenue Account budget monitoring position for 2011/12 as at Month 9 (December), which is a forecast under spend at year end of £4,400 against the revised budget which will presented to Council for approval on 15 February 2012 and as outlined in paragraph 37.

79. CORPORATE GENERAL FUND CAPITAL FINANCIAL MONITORING FOR THE PERIOD TO THE END OF DECEMBER 2011

On consideration of the report of the Cabinet Member for Resources, Leisure and Culture, Cabinet noted

- (i) the current General Fund capital budget monitoring position for 2011/12 as at Month 9 (December), which is an in-year forecast over spend of £396,000;
- (ii) the current General Fund capital budget monitoring position for the overall programme, which is a forecast over spend for all schemes of £87,000;
- (iii) that two schemes (0.9%) out of a total of 214 active schemes have an overall Red RAG status. This represents around £6.5M (2.2%) out of a total overall programme budget of £296M;
- (iv) the capital funding position which is an overall forecast deficit of £751,000 in the programme as detailed in paragraph 8. This is within the previously approved tolerances and can be compared to the figure reported to Council in September of £8.1M;
- (v) the reduction in the forecast funding deficit is largely down to additional or increased forecast future capital receipts where the timing and exact value is to a degree uncertain; and

- (vi) that the deficit will need to be met from new resources and note that any shortfall in funding at the end of 2011/12 will need to be met through the use of delegated powers to undertake temporary borrowing the revenue implications of which have been reflected in the budget forecast for the General Fund.

80. APPOINTMENT OF LOCAL AUTHORITY GOVERNORS

DECISION MADE (Ref: CAB 11/12 7599)

On consideration of the report of the Assistant Director of Children's Services and Learning the Cabinet Member for Children's Services and Learning made the following decision:

- (i) To support the appointment of Local Authority governors to governing bodies of all schools in Southampton.
- (ii) To agree a code of practice for the appointment of Local Authority governors and to approve a procedure for removal of LA governors as set out in appendix 1 and 2 to the report.

81. COLLABORATIVE PROCUREMENT OF INDEPENDENT FOSTERING AGENCY PLACEMENTS

DECISION MADE (Ref: CAB 11/12 7283)

On consideration of the report of the Assistant Director of Children's Services and Learning, the Cabinet Member for Children's Services and Learning made the following decision:

- (i) To appoint the organisations set out in Appendix 1 to the frameworks and to delegate to the Head of Legal, HR and Democratic Services, following consultation with the Executive Director for Children's Services and Learning and the Head of Finance, authority to enter into contractual arrangements with such organisations and to do all such ancillary activities as may be necessary to give effect to the proposals contained in this report.
- (ii) To delegate to the Executive Director for Children's Services and Learning the authority to purchase Independent Fostering Agency placements via those Framework Contracts, where placements are bought at a pre-agreed price on a spot purchase basis as required.

82. 2012/13 GRANTS TO VOLUNTARY ORGANISATIONS

DECISION MADE (Ref: CAB 11/12 7589)

On consideration of the report of the Cabinet Member for Housing, Cabinet made the following decision:

- (i) To approve the grant recommendations set out in the attached Appendix 1.
- (ii) To delegate authority to the Manager of the Communities Team following consultation with the Cabinet Member for Housing to allocate Community Chest grants during the year.
- (iii) To delegate authority to the Manager of the Communities Team following consultation with the Cabinet Member for Housing to allocate the unallocated budget of £31,721 during the year as grants to voluntary organisations for crisis funding, exceptional projects or any ad hoc grant applications received during the year that meet the council's funding priorities.
- (iv) To delegate authority to the Director of Economic Development following consultation with the Cabinet Member for Housing to:
 - determine any outstanding applications for grants for 2012/13 and to authorise grants to applicants subject to remaining within approved budgets
 - do anything necessary to give effect to allocation of grants for 2012/13

83. OXFORD STREET CONSERVATION AREA APPRAISAL

DECISION MADE: (Ref: CAB 11/12 7685)

On consideration of the report of the Cabinet Member for Environment and Transport, Cabinet agreed to adopt the Conservation Area Appraisal and to agree that the policies contained within the Management Proposals will guide future development proposals in the Conservation Area.

84. CONCESSIONARY FARES REIMBURSEMENT RATE FOR 2012 - 2013

DECISION MADE: (Ref: CAB 11/12 7747)

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

- (i) To reimburse operators at a rate of 48.0p in the £, plus 6.7p per generated journey in accordance with the guidance given by the Department for Transport (DfT);
- (ii) To introduce an administration payment of 0.2p for each journey undertaken on the scheme to cover operator administration costs;

- (iii) 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;
- (iv) To delegate authority to the Head of Planning and Sustainability to enter into arrangements with some smaller operators to agree reimbursement at a fixed rate in accordance with the revised DfT guidance for 2012/13;
- (v) To delegate authority to the Head of Planning and Sustainability in consultation with the Head of Finance and the Executive Director of Corporate Services following consultation with the Cabinet Members for Environment and Transport and Leisure, Culture and Resources to make any necessary variations or changes for 2012/13 year scheme arising from the outstanding appeal to take any action necessary to give effect to the recommendations 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 2012/13; and
- (vi) To delegate authority to the Head of Planning and Sustainability in consultation with the Director of Corporate Services following consultation with the Cabinet Members for Environment and Transport and Leisure, Culture and Resources to consider any operators claim for additional capacity and capital costs subject to overall affordability.

85. CITY-WIDE MASTERPLANNING FOR ESTATE REGENERATION

DECISION MADE: (Ref: CAB 11/12 7692)

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

- (i) To delegate authority to the Director for Economic Development, following consultation with the Cabinet Member for Housing and Director for Environment to commence a programme of consultation and engagement with residents and stakeholders and to procure and appoint consultants to prepare a city wide Estate Regeneration Framework document.
- (ii) Subject to the approval of the HRA capital programme by Council on 15 February 2012, to approve for the purposes of Financial Procedure Rules, capital spending of £50,000 in 2011/12, and up to £450,000 in 2012/13 on the masterplanning of a city wide Estate Regeneration Framework and associated fees and costs, provision for which exists in the HRA capital programme being submitted to Council on 15 February 2012.

86. HOUSING REVENUE ACCOUNT LAND SALES

DECISION MADE: (Ref: CAB 11/12 7687)

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

- (i) Where requests to purchase HRA land are received the authority will seek, wherever possible and in its best interests, to sell the land rather than to grant a lease or licence.
- (ii) The existing mechanism of granting a lease or licence will be retained for situations where sale of the land would not be in the authority's best interests, for instance, where this might prejudice a subsequent development.

87. GUILDHALL CONTRACT EXTENSION

DECISION MADE: (Ref: CAB 11/12 7770)

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

- (i) To approve an extension of the existing Southampton Guildhall management contract with Live Nation (Music) UK Limited for an immediate 5 years from February 2013 to February 2018 and a joint commitment to extend for a further 5 years from February 2018 to February 2023 subject to the building fabric being of sufficient standard to provide the contract areas as fit for purpose.
- (ii) To delegate authority to the Head of Legal, HR and Democratic Services to do anything necessary to give effect to this decision
- (iii) To delegate authority to the Head of Legal, HR and Democratic Services after consultation with the Director of Economic Development and the Cabinet Member for Resources, Leisure and Culture, to amend or vary the contract and, if necessary, extend the contract for the remaining 5 year term to the maximum term permitted in the contract of 25 years from February 2023 to February 2028.
- (iv) Subject to full Council agreement to add the proposed works to the Guildhall to the Leisure and Culture Capital Programme on 15th February 2012; to approve in accordance with Financial Procedure Rules, capital expenditure totalling £519,000, phased £110,000 in 2012/13, £170,000 in 2013/14 and £239,000 in 2014/15, from the Leisure and Culture Capital Programme to carry out works at the Guildhall as set out in paragraph 22.

Agenda Item 8

DECISION-MAKER:	CABINET
SUBJECT:	PROCESS FOR AWARDING GRANTS TO VOLUNTARY ORGANISATIONS FROM 2013/14
DATE OF DECISION:	12 MARCH 2012
REPORT OF:	CABINET MEMBER FOR HOUSING
STATEMENT OF CONFIDENTIALITY	
Not applicable	

BRIEF SUMMARY

This report seeks “in principle approval” to move from a traditional grants model to an outcome-based commissioned model to award grants from the Grants to Voluntary Organisations budget from 2013/14. It also makes recommendations in respect of the publication of “help in kind” such as nominal/peppercorn rents and discretionary rate relief that the council provides to the voluntary and community sector.

RECOMMENDATIONS:

- (i) To approve in principle, an outcome-based commissioned grants model to award longer term grants (2 or 3 years) from the Grants to Voluntary Organisations budget from 2013/14.
- (ii) To approve the annual publication of the value of “help in kind” contribution from the council to the voluntary and community sector from 2013/14.
- (iii) To delegate authority to the Director of Economic Development, following consultation with the Cabinet Member for Housing, to do anything necessary to give effect to the recommendations contained in this report.

REASONS FOR REPORT RECOMMENDATIONS

1. The recommendations detailed in this report will ensure that, in a time of reduced public sector funding, the council continues to have a fair, transparent and informed long term strategic decision making process in place to award grants to the voluntary and community sector. This will enable the council to ensure that council grants meet needs and strategic priorities, achieve best value for the residents of the city and provide greater access and stability for the voluntary and community sector (VCS) in Southampton.
2. The recommendations also ensure that the “help in kind” over and above grants that the council awards to the VCS is recognised and included in the overall total value of council support to the sector.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. The option of continuing the current open, competitive grant application process for awarding all grants from 2013/14 was supported by some consultation respondents (mainly those that are currently funded) but was rejected as it perpetuates the current annual short term decision making when the council needs to be making long term strategic decisions about its grant making process.

DETAIL (Including consultation carried out)

Background

4. Southampton City Council's current financial support to the voluntary and community sector is through the following main routes:
 - Allocating grants for core or project funding restricted to voluntary and community groups.
 - "Help in Kind" such as peppercorn/nominal rents and discretionary rate relief.
 - Activities and services over £100,000 are advertised and secured through a commissioned procurement process with tenders invited against detailed specifications. A contract is then awarded to the chosen provider, whether from the private, public or voluntary sector.
 - Activities and services between £10,000 and £100,000 are advertised and secured by purchase order having considered a minimum of 3 quotations.
 - Activities and services under £10,000 are secured by a purchase order against a single quotation.
5. On 23rd November 2009 Cabinet approved the continued use of grants as well as contracts and the use of the Grants Flowchart (Appendix 1) as a guide for officers to determine the most appropriate route. However, since then the difficult economic situation and reduction in public spending has resulted in huge pressures on council budgets. This, together with the increasing number of council contracts with grant aided voluntary organisations funded from service budgets, means that council needs to avoid potential duplication and achieve best value from each funding stream.
6. Following a review in 2009 changes were made to the grants process and some new grants were awarded in 2010/11. However a reduction in central government funding in the following year meant that the council had to manage a reduction to budgets including a reduction in its Grants to Voluntary Organisations budget (although at a lower percentage than many other councils). This resulted in no new grants being awarded and a number of grants being reduced or discontinued. Nonetheless, the council remains committed to opening up the Grants to Voluntary Organisations budget to new applications in future years. The council has protected the 2012/13 Grants to Voluntary Organisations budget. However, in light of the significant financial challenges faced by the council and the current economic situation the council will have to make difficult decisions in the coming years which may mean that the only way for the council to fund new applications in the future will be by reviewing some existing grants in line with changing priorities. This may result in some grants being reduced or discontinued in the future following appropriate consultation.
7. In order to consider how these various issues might be addressed Cabinet, at its meeting on 14th March 2011, delegated authority to officers "to conduct a review of whether it would be more appropriate to move towards commissioning and purchasing some of the services that are currently grant aided". The need to review current grant funding practice was also supported by responses to the stakeholder consultation undertaken in

August/September 2011 (to inform the decision on whether to roll forward 2011/12 grants into 2012/13).

8. Following consultation an officer delegated decision was taken on 27th October 2011 to
 - Suspend the grant application process for awarding grants from the corporate grants budget for 2012/13 and
 - Renew 2011/12 grants at current levels, excluding any paid notice, for a further year until 31st March 2013 subject to satisfactory monitoring
9. This provided stability for current grant aided organisations and ensured that there was sufficient time to review, develop and consult on options for the future allocation of grants and to give notice of and implement any changes for 2013/14 and beyond.

Outcome-based commissioned grants

10. This situation is not peculiar to Southampton and many other councils have reviewed or are reviewing their grant making practices. Some authorities (Westminster) have transferred most of their grants budget/s into their procurement budgets and outsourced small grants. However, others (Bristol, Isle of Wight) have moved to various hybrid models of outcome-based commissioned grants where the council clearly states, but does not specify in detail, what outcomes (linked to strategic priorities, plans and key areas of work) it wants to achieve and then requires applicants to demonstrate clearly how those outcomes will be achieved.
11. The main difference between this model and Southampton's current model is that it is proactive in what can be funded rather than reactive to requests for core or project funding that meet the organisation's rather than the council's identified needs and priorities. This approach allows for good ideas, new initiatives and innovation, but expects them to be in support of the outcomes the council wants to achieve.

Consultation

12. The council's current grant making process and practice has been in place for many years. Therefore stakeholders need to be informed of any significant changes over a 12 week consultation period. A consultation exercise (open to anyone who wished to participate) was therefore undertaken between 8th November 2011 and 3rd February 2012. Two meetings (one during the day and one in the evening) held at Southampton Voluntary Services (SVS) were attended by 46 people representing 35 voluntary organisations (28 currently funded and 18 not funded). The online consultation attracted 16 responses, 9 from voluntary and community organisations (8 funded and 1 unfunded), one from SVS as the umbrella body for the local voluntary sector and 6 from council staff and other statutory agencies.

Key findings of consultation

13. Most respondents agreed that outcome-based commissioned grants are a suitable way to allocate the budget, with a minority voicing reservations about the general principle. However, most felt that "the devil was in the detail" of the final process and raised many queries and concerns about how it would

work in practice. Consultation details, model and responses are attached at Appendix 2. Concerns expressed included

- the process could increase bureaucracy for both the voluntary sector and the council
- the process could be difficult for smaller organisations especially those without a dedicated fundraiser or paid staff
- Transfer of Undertakings (Protection of Employment) Regulations (TUPE) issues
- whether there is a need for change (for the most part raised by currently funded organisations)
- whether the model would result in some areas of an organisation's work not being funded

Suggestions for improvement included

- encouraging collaboration between voluntary organisations and joint applications
- consulting with and involving voluntary organisations in agreeing the outcomes against which grants will be funded as they have knowledge of the needs
- involving community representatives (residents) in the grant allocation process

14. Most council staff who responded agreed in principle with outcomes-based commissioned grants but raised concerns about

- whether the model would result in sufficient change or perpetuate the status quo
- increased workload

Suggestions for improvement included

- some long standing grant aided services should move to contracts
- the budget should be held by directorate grant appraisers/commissioners rather than corporately

15. In the light of these findings it is recommended that in principle an outcome-based commissioned grants model is adopted to award longer term (2 or 3 year) grants from the corporate Grants to Voluntary Organisations budget from 2013/14. These grants would take the form of 2 or 3 year funding agreements that would be subject to annual review in line with budget approvals.

Joint Integrated Commissioning

16. The council and Health have been working over a number of years in successfully commissioning jointly, on an integrated basis, services for particular groups of clients. These arrangements have included a number of joint funded commissioning posts and pooled budgets. This work with Health will be further strengthened by the integration of Public Health when these responsibilities transfer to Southampton City Council from April 2013. To maximise support to the voluntary and community sector at a time of reduced resources, it is proposed to explore opportunities with Health for developing a joint outcome-based commissioned model for grants to the voluntary and

community sector. A further report will be brought to Cabinet in June 2012 providing details of the final model and timescales for implementation.

“Help in Kind”

17. The council also supports the voluntary and community sector with “help in kind” such as nominal/peppercorn rents and rate relief. As this support is less visible than grants and contracts, Cabinet delegated authority on 14th March 2011 to progress work to establish the value of this “help in kind”.

Nominal/Peppercorn Rent

18. Local Authorities are required to obtain best consideration when disposing of land (including selling and leasing). However an exception can be made for amounts of less than £2M provided the following factors are formally considered when the decision is made:
- The purpose should be to secure the promotion or improvement of the economic, social or environmental well being of the area
 - The council must have robust and consistent decision making processes in place in order to regulate undervalue disposals
 - Clear and realistic professional valuation advice must be obtained to verify the actual amount of any proposed undervalue transaction
 - Consideration of accountability and fiduciary duty to local people
 - Consideration must be given to the Community Strategy
 - Compliance with all normal and prudent commercial practices
 - Compliance with State Aid Rules
19. Generally any decision to award a nominal/peppercorn rent is approved by Cabinet and the income is lost to the budget of the Portfolio with responsibility for the specific property in question. The circumstances under which they have been granted in the past include
- To retain a facility
 - To contribute to the regeneration of an area
 - To access external funding
 - To tenant an otherwise empty building
 - To support a volunteer run activity
 - To host a partner service
20. Some arrangements commenced many years ago and will continue for many years to come. Others are “holding over” i.e. the term has ended and the arrangement continues on a year by year basis. Responsibility for repair and maintenance can rest with either the tenant or the council.
21. Appendix 3 (based on a February 2010 Capita report) shows that 77 statutory, voluntary and community organisations rent council land and/or buildings at less than market value. The value of this support/loss of income to the council is estimated to be some £715,600 per annum (£720,000 market rent less the £4,400 peppercorn rent that is actually received). It must be emphasised that this is an estimate as there is no commercial demand for buildings such as museums and swimming pools hence a notional figure for

such properties has been included.

22. Six of the 77 organisations currently receive grants from the council whilst some others have contracts with the council. The grants to some voluntary and community organisations contribute to market rents paid to the council and other landlords.

Reviewing existing nominal/peppercorn rents

23. Should the council wish to review existing nominal/peppercorn rents, given the various different existing nominal/peppercorn rent lease arrangements and many voluntary and community organisations that currently benefit, any such review would need to be on a case by case basis.
24. The exception is for groups of similar organisations such as scouts/guides and community centres where a ‘best consideration’ determination would result in a consistent standard approach. These organisations are generally run entirely by volunteers and income from subscriptions, charges and fund-raising usually only covers running and activity costs but not market rents.
25. Work is underway to develop a standard nominal/peppercorn rent lease for these groups which will enable them to access external grants and funding and demonstrates the council’s support for such grassroots groups.
26. To review the other more disparate range of nominal/peppercorn rents requires an audit of individual leases to identify those where the income from any increased rent is likely to exceed the cost of renegotiating the lease. Furthermore, renegotiation may not be possible where a lease fixes the rent contractually for the whole of the term granted with no review provision as the lease holder would have no incentive to replace a nominal/peppercorn rent with a market rent.
27. Therefore the more realistic option is to review those leases that are “holding over” or have provision for renegotiation when they come up for renewal or reach a break clause and consider whether a full or partial market rent is appropriate. Where consideration is given to a market or increased rent it will be done in full consultation with the tenant involved.

Funding market rent from overall income

28. Whilst the council bears the full cost of nominal/peppercorn rents, some of the organisations that benefit are funded from various sources including earned income, contracts and grants from the council and other funders. One council is moving away from such rents by asking organisations to apportion their overheads including rent across all their income/funding streams. This means that the cost of rent is borne by all the funders, not just the council as the landlord. However, this is not recommended as an option as it is recognised that few funders fund on a full cost recovery basis and a nominal/peppercorn rent can often help an organisation to “lever in” other funding. .

Funding market rent from the Grants to Voluntary Organisations budget

29. The corporate grants budget is over subscribed and grants for market rents can only be awarded if other grants are reduced or the income from the market rent is credited to the budget. This “recycling” of budgets internally

would be bureaucratic and increase administration costs. Furthermore grants are usually awarded annually whilst leases cover a longer period leaving organisations and trustees with a long term expenditure commitment but no corresponding guaranteed income. This is not, therefore, recommended as an option.

Being transparent about nominal/peppercorn rents

30. A number of other local authorities continue to support organisations with nominal/peppercorn rents but make the support explicit and transparent by publishing a list of all organisations supported in this way. They also include the value of the support in their overall calculation of voluntary and community sector support. It is proposed that Southampton follows this practice and publishes a list of recipients and values of nominal/peppercorn rents from 2013/14.

Guidelines for considering nominal/peppercorn rents

31. Paragraph 19 details the circumstances under which nominal/peppercorn rents have been awarded in the past. To ensure that a consistent corporate approach is followed work has been undertaken to codify the guidelines currently applied by the council to requests for peppercorn or nominal rents. These guidelines are attached at Appendix 4 to this report. It should be noted that the Asset Transfer Policy that is currently being developed will need to be consistent with these guidelines. It will also be necessary to be clear about the impact of the new Community Right to Buy once the Government Regulations are published.

Rate Relief

32. The two elements of rate relief advertised on the council's website are mandatory and discretionary relief:
- 80% Mandatory Rate Relief - any registered charity is entitled to receive this and the cost is met by an allowance against a local authorities contribution to the National Non Domestic Rates (NNDR) pool. This means the only cost to the council is the administration cost. 206 registered charities (including schools and higher education establishments) receive this support to the value of some £6.6M.
33. There is a robust application process and criteria (based on national regulations) in place to determine which groups receive this support, administered by the council's Local Taxation Service (part of the Capita contract). Decisions in respect of Mandatory Rate Relief are clear cut in that an organisation is either a registered charity or not and the costs are mainly borne by central government. It is therefore in the Council's interests to encourage as many registered charities as possible to apply.
34. Discretionary Rate Relief - non-profit making organisations that are not registered charities but have charitable objectives can apply for up to 100% discretionary rate relief. Registered charities already in receipt of mandatory 80% relief can also apply for discretionary relief on the remaining 20%. 75% of discretionary relief is met by an allowance against a local authority's contribution to the NNDR pool and the remaining 25% is funded by the local authority. Therefore of the £57,000 awarded by the council in 2010/11

largely to sports groups £43,300 was funded from the NNDR and £14,500 by the council.

35. There is also a robust application process and criteria (based on national regulations) in place to determine which groups receive this support, also administered by the council's Local Taxation Service (part of the Capita contract). However, decisions in respect of Discretionary Rate Relief (made by the council's Revenue and Benefits Client Team Manager) are not so clear cut and with 25% of the cost falling to the council it is proposed that a review of groups that currently benefit is undertaken and that criteria for future applicants is strengthened. Notice of any changes would have to be given to existing recipients.
36. It is also proposed that the support provided by the council is made explicit and transparent by publishing a list of recipients and values of discretionary rate relief from 2013/14.

Housing Revenue Account (HRA)

37. On 14th March 2011 Cabinet delegated authority "to explore the possibility of additional grants being made available to voluntary organisations from the Housing Revenue Account (HRA) for activities of benefit to council tenants".
38. The HRA records all income and expenditure in relation to the provision and management of council owned homes in the city. Expenditure from the HRA must be linked directly to the Council's landlord function. Part II of Chapter 68 of the Housing Act 1985 enables a local authority to "provide in connection with the provision of housing accommodation by them such welfare services, that is to say, service for promoting the welfare of the persons for whom the accommodation is so provided, as accords with the needs of those persons".
39. The council already funds some welfare work/projects and contributes to some specific housing related grants from the HRA. Any new grant application can be considered for HRA funding using the criteria detailed in the paragraph above. Where it is appropriate to use HRA funding for new work or projects that contribute to the welfare of council tenants a case can be made so that the affordability to the HRA can be assessed and prioritised against other budget demands. Approval for the use of HRA funds in this way will be given by the Senior Manager, Housing Services in consultation with the Director of Environment. If it is decided to go ahead and allocate HRA funding in this way the budget can be transferred to the Grants for Voluntary Organisations cost centre within the General Fund.

Allocation of 2012/13 Reserve

40. On 13th February 2012 Cabinet approved the renewal of 2011/12 grants at current levels, excluding any paid notice, for a further year until 31st March 2013. Cabinet also delegated authority to the Manager of the Communities Team, following consultation with the Cabinet Member for Housing, to allocate the unallocated balance of £31,721 of the budget during 2012/13 as grants to voluntary organisations for crisis funding, exceptional projects or any ad hoc grant applications received during the year that meet the council's funding priorities. Officers are now finalising the criteria and application process for this reserve. Details of how voluntary organisations can register

an interest in this funding are currently available on the Grants and Funding pages of the council's website. Full details will be available in early April 2012.

RESOURCE IMPLICATIONS

Capital/Revenue

- 41. There are no capital implications contained within this report and any revenue implications will be contained within existing budgets.

Property/Other

- 42. The property implications in this report in respect of help in kind detailed in paragraphs 18-33 will not require any increased resources.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

- 43. The review of the grants process is undertaken in accordance with Section 1 of the Localism Act 2011. The exercise of this power is subject to any pre-commencement restrictions or prohibitions contained in the statutory powers used to award individual grants as detailed in Appendix 1 of the 2012/13 Grants to Voluntary Organisations report to Cabinet dated 13 February 2012.

Other Legal Implications:

Notice

- 44. In order to introduce the new model and comply with consultation and notice requirements it will be necessary to ensure that sufficient formal notice is given to currently funded organisations of the council's intention to end the current grant schemes. This will ensure no expectations of continuing grants and allow equal opportunity for voluntary organisations to apply for a grant whether currently funded or not.
- 45. 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 Integrated Impact Assessments (IIAs).

POLICY FRAMEWORK IMPLICATIONS

- 46. 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.

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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

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

on-line

Appendices

1.	Grants Flowchart
2.	Results of consultation on process for awarding Grants to Voluntary Organisations from 2013/14
3.	Analysis of Buildings Let at Less than Market Rent
4.	Guidelines for Awarding Nominal/Peppercorn Rent
5.	Integrated Impact Assessment (IIA), Stage 1

Documents In Members' Rooms

1.	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.	Yes, attached – Appendix 5
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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.	2011/12 Grants to Voluntary Organisations Report to Cabinet 14.3.2011	
2.	2012/13 Grants to Voluntary Organisations Report to Cabinet 1.8.2011	
3.	2012/13 Grants to Voluntary Organisations Delegated Officer Report 27.10.2011	
4.	2012/13 Grants to Voluntary Organisations Report to Cabinet 13.2.2012	

DECISION-MAKER:	CABINET
SUBJECT:	SAINT GEORGE CATHOLIC VA COLLEGE SOUTHAMPTON PROPOSALS TO CHANGE STATUS TO A MIXED SEX SCHOOL
DATE OF DECISION:	12 MARCH 2012
REPORT OF:	CABINET MEMBER FOR CHILDREN'S SERVICES AND LEARNING

STATEMENT OF CONFIDENTIALITY Confidential Appendix 7 is not for publication by virtue of category 5 (legal professional privilege) of paragraph 10.4 of the Council's access to information procedure rules as contained in the council's constitution. It is not in the public interest to disclose this information as it would prejudice the Council's legal position in relation to litigation that may result as a consequence of the Council's decision.

BRIEF SUMMARY

Cabinet is requested to determine a proposal from Saint George Catholic Voluntary Aided College Southampton to make a prescribed alteration to change from a single-sex boys' school to a mixed-sex school, by admitting both boys and girls into Year 7 from 2013, and every year thereafter until the whole school has mixed sex year groups from September 2017.

RECOMMENDATIONS:

- (i) To consider and take into account the outcome of stakeholder consultation, as set out in Appendices 2 and 6.
- (ii) Having had regard to the statutory decision makers guidance and the legal implications under the Equality Act 2010 set out in Confidential Appendix 7, to approve the prescribed alteration to Saint George Catholic VA College by changing the character of the school from a single sex boys school to a mixed school by admitting both boys and girls to year 7 from 1st September 2013.
- (iii) In order to give effect to the proposals above Cabinet is asked to grant a Transitional Exemption Order in relation to the Sex Discrimination Act 1975 (the 'SDA') for a period of four years from the date of implementation of the proposals to allow for the change from single sex to co-educational to be phased, as set out in the published proposals.

REASONS FOR REPORT RECOMMENDATIONS

The school have put forward the following reasons in support of their proposal:

1. A large number of people within the Catholic community have expressed a strong preference for there to be a non-fee paying Catholic secondary school within Southampton that both boys and girls can attend together, something that does not currently exist as an option for those parents. St George opened as a mixed-sex school in 1958 and many parents wish to see a return to that status.

2. As a consequence of this view, the school carried out an extensive period of consultation; 2,820 response forms were distributed and 322 responses were submitted. The majority (231 out of 322) of the adults who responded to the consultation wanted Saint George Catholic VA College to change to become co-educational and no longer remain single sex. 89 respondents opposed the proposal and 2 abstained. As a Catholic school, it is also important to note that of the 204 Catholics who responded, 165 preferred Saint George to become a mixed-sex school. Indeed, when Southampton City Council carried out its Learning Futures consultation in 2006, there was no overwhelming evidence supporting single sex education within the city and therefore all single sex schools other than Saint George and St Anne's have already been either closed or merged into co-educational schools.
3. Nor does there appear to be any demand for single sex education at Key Stage 2, since all primary schools in Southampton are mixed-sex. Every child that has attended a Catholic primary school has, up until the age of 11 years, been in a co-educational setting. Catholic children do not currently have the option to access Catholic secondary education in the city with friends and family of both sexes.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. As statutory decision maker the Council has the following options:
 - Reject the proposals
 - Approve the proposals as published
 - Approve the proposals subject to minor modifications (e.g. to implementation date), or
 - Approve the proposals subject to limited statutory conditions (e.g. subject to planning permission).

DETAIL (Including consultation carried out)

The school, as proposer under the school organisation legislation, have put forward the following arguments in favour of these proposals:

5. Consultation was carried out between 05/09/11 – 21/10/11, where the following groups were invited to submit their views; The Governing Body of Saint George Catholic VA College; Both the Portsmouth Catholic Diocese and the Portsmouth Church of England Diocese; Trustees of Saint George Catholic VA College; The families of pupils at Saint George Catholic VA College; Teachers and other staff at Saint George Catholic VA College; Southampton and Hampshire Local Education Authority's; Teachers, staff and the families of pupils at any other school who may be affected by the proposals including the families of pupils at our six Catholic feeder primary schools; Trade unions; MPs and Councillors in Southampton. A consultation document and response form (see Appendix 1) were distributed to these groups as a means of collecting a variety of views and opinions. The college website also acted as a means of advertising the proposals, and an email address was created specifically to gather feedback. A public meeting was held at Saint George on 22nd September 2011, and meetings were held at each of the six primary Catholic feeder schools, as well as at key Catholic parishes. Notices of the public meeting were sent to every primary school in

Southampton, as well as the central city library.

6. There was a good response to this stage of the consultation process, with 231, out of 322 responses received, in favour of Saint George admitting both girls and boys from September 2013. 89 of the 322 responses received were opposed to the proposal and concerns were raised (see bullet points below), but the college has stated that they have created a working group of staff, governors, current and prospective parents to plan strategies to deal with such concerns. Those that opposed the proposal did so on the following grounds:

- It would remove the option of single sex boys education in Southampton
- Boys perform better in a single sex environment
- The admittance of girls to the school would have a negative impact on boys' educational achievement/performance
- Girls would be a distraction for male pupils
- It may have a negative impact on pupil numbers at St Anne's,
- If there is a girls' schools in the city there should also be a boys' school
- The school is already performing well so there is no need to make any changes
- Concerns about how the existing arrangements at the school would change to accommodate female pupils and how this could negatively impact on male pupils currently at the school

In response the school has stated that:

- staff review their curriculum annually, and teach according to the needs of the *individual*, regardless of their gender
- results do not indicate that single sex schools achieve better results than mixed sex schools. Recent research has failed to prove that there is any benefit in single sex education. There appear to be more important factors that contribute to pupil performance, such as the quality of their teacher and resources, pupil socio-economic background, parental support and so on.

7. The majority of responses favoured the proposals, with one of the most popular arguments being the social benefits of educating boys and girls together. As one adult stated "*this mix affords the opportunity for both genders to see each other as partners in building a more progressive and inclusive society irrespective of one's gender and background*". Many simply disagreed with single-sex education and feel they have no choice currently if they want to pursue a Catholic education for their child: "*I think this would be fantastic. I don't agree with single sex schools but would like my children to carry on with Catholic education*" and "*This is a very exciting prospect for our family as we thought we would have no choice but to send our children to different secondary schools. We look forward to a positive outcome for Catholic families with a yes for a mixed St George*". A summary of all responses to the first consultation period is included in Appendix 2.

8. Statutory consultation took place between 03/01/2012 and 14/02/2012. On 3 January 2012 statutory notices (see Appendix 3) were published in 2 local newspapers (the Daily Echo and Hampshire Chronicle) and at the school entrance. A copy of the statutory notice was also sent to Southampton Central Library for publication. Copies of the statutory notice and the full statutory proposals (see Appendices 3 & 4) were sent to the Local Authority and the Department for Education, School Organisation unit. Similar to the first phase of the consultation, the majority of responses, 43 out of 45 received, were fully in support of the proposals. A summary of all the responses received can be found in Appendix 6.
- 9 The headteacher, Chair of Governors and Trustees of St Anne's Catholic School and Sixth Form College responded to statutory consultation and objected on the following grounds:
 1. A huge increase in the number of Catholics is not predicted so fewer Catholic girls may attend St Anne's if the option of mixed sex Catholic education is available in the city. The school may have to reduce in size to maintain its proportion of Catholic students/Catholic ethos of the school.
 2. It is not the school's single sex status that has caused the St George to have low pupil numbers in the past and therefore a change to mixed sex status may not be the answer to low numbers at the school.
 3. St Anne's would like single sex education to remain as an option for boys and girls in the city as there are already mixed secondary schools in the city for those that prefer mixed sex education.
 4. Many girls perform well academically in a single sex environment and St Anne's object to a proposal that could reduce or impoverish the provision there.
 5. There are enough mixed sex schools in the city to satisfy demand.
 6. Object to proposal due to negative affect it would have on St Anne's roll.

In response to these objections:

1. If St George did admit female pupils, these would not necessarily be pupils that would have gone to St Anne's. Some Catholic families may have opted for a mixed sex non-Catholic school rather than a single sex Catholic school. St Anne's & St George currently take the majority of their pupils from Southampton schools so there is considerable scope for St George to attract pupils from its feeder schools outside Southampton (St Peter's, St Anthony's, St Swithun Wells). Several responses to the consultation are from parents who do not live in Southampton, so this is a possibility.
2. The proposal would increase choice for parents and pupils. It is not just about increasing numbers at the school – there is no plan to enlarge the school. Proposals to go mixed were also born out of parental demand rather than the school addressing any issues about its number on roll.
3. Girls' single sex provision will remain unchanged. Responses to the

consultation indicate that there is strong demand for a mixed-sexed Catholic school in the city and little opposition to the removal of single sex boys education.

4. There are no plans to alter the provision that is currently available at St Anne's and the quality of education that the school offers should not be affected by this proposal.
5. Consultation indicates that there is plenty of demand for a mixed Catholic secondary school and the council has a duty to satisfy parental demand.
6. The combined PAN of the Catholic feeder schools is currently 330 compared to a current combined PAN of St George and St Anne's of 320. Given that primary school numbers are on the increase (and that demand for places at Primary Catholic schools is currently exceeding supply) we do not believe that pupil numbers at St Anne's would significantly alter as a result of this proposal. The Council will certainly not be supporting or proposing any plans to reduce capacity in the secondary sector. Contrarily, we will have to increase the capacity of secondary schools in the city in the next 4-5 years.

10. There are currently 2 single sex schools in Southampton:

- St George Catholic College (the subject of these proposals) is an 11-16 all boys school. It has a Published Admission Number of 120 and a Net Capacity of 600.
- St Anne's Catholic School, which is an 11-16 all girls school with a mixed sex sixth form. It has a Published Admission Number of 200 and a Net Capacity of 1079.

If these proposals were approved there would be no single sex boys' provision available in Southampton. The nearest single sex boys' school would be The City of Portsmouth Boys' School, which is approximately 20 miles away. Free school travel to a single sex school is only available if the school less than 15 miles from any Southampton address so this is unlikely to be available for many Southampton based pupils that would like to attend a single sex school.

Details of the effect on the balance of provision for boys and girls in the area and details of the transitional period to be included in any Transitional Exemption Order under the Sex Discrimination Act 1975.

The Transitional Exemption Order will apply for admissions to year 7 at St George Catholic College from September 2013 until the admissions year commencing September 2017. This is to ensure that current all boy year groups already admitted to the school remain single sex. It is the judgement of the Local Authority, headteacher and governors that this approach is most likely to ensure an effective transition of the school from single sex to mixed status.

If approved, the proposal would be implemented on a year by year basis i.e. boys and girls would be admitted to year 7 only in September 2013. This would continue year on year until September 2017 when all year groups would be mixed sex.

LA OFFICER RESPONSE TO THE PROPOSALS

11. On 21 July 2011, officers from Children's Services met with the Headteacher and a selection of other school staff and governors to discuss the school's proposal to convert to co-educational status from September 2013.

Officers and Senior Managers from Children's Service acknowledge that the approval of this proposal would result in an inequality of single sex education in the city as there would be a single sex girls' school, but no single sex provision for boys. The decision makers guidance states, "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". The responses to the consultation carried out by the school indicate that there is no great parental demand for single sex boys' education in the city (out of 322 responses received, 231 were in favour, 89 were opposed and 2 abstained and 43 out of 45 responses to the statutory notice favoured the proposal).

Children's Services view the proposal as satisfying demand for a mixed catholic secondary school in the city and believe the alteration will better meet the aspirations of parents. Wider research shows that whilst there is parental demand for all-girl schools for female children, there is a stronger preference for mixed education amongst parents of male children. Historically, girls outperform boys nationally and locally at secondary school age. Admitting female pupils offers the opportunity for St George to further improve both their curriculum and student outcomes, in line with parental demand. There is strong local evidence to suggest that that less than successful all-boys' schools can be significantly improved by strong leadership and becoming mixed sex.

In recent years, the school has had relatively low numbers on roll; the current year 11 consists of just over 70 pupils, compared to a PAN of 150 when they entered the school. In 2010/2011 the PAN was reduced to 120 and they are currently close to full in this year group. The Authority believes that this proposal would enable the school to attract and retain a higher number of pupils, which could benefit its development. On a city wide scale it may also help to retain a greater number of Southampton children at Southampton schools. It may even encourage pupils from outside the city to attend Southampton secondary schools. A number of responses to the consultation were from Hampshire residents who indicated that they would be more likely to apply for a place at St George if it was mixed sex.

As this proposal does not include any plan to increase the Published Admission Number or the Net Capacity of the school we do not foresee this proposal, if approved, having a significantly detrimental affect on other schools in the city, although we recognise that some parents may prefer their child to attend a mixed sex catholic school (as opposed to a single sex girls' school or a mixed-sex non-faith school) whilst some parents may not wish to send their children to St George if it no longer offers single sex provision.

There is currently no mixed sex catholic provision at secondary level in the city. The closest school that does offer this is 30 miles away. If the proposal is approved it may help retain a greater number of Southampton pupils in Southampton schools. Anything that limits or reverses this trend would be

welcomed by the LA and would be a positive step for the educational community in the city.

RESOURCE IMPLICATIONS

Capital/Revenue

12. Saint George Catholic VA College's budget share is part of the Schools Budget funded by the Dedicated Schools Grant. The proposed change will not directly affect their revenue funding. Any increase in number on roll as a result of the change will be met from the Schools' Budget.

It is envisaged that essential capital spending will be required for toilets and changing facilities as estimated in the table below:

Changing facilities – redecoration & refurbishment	£10,000
Toilet facilities – re-designation and upgrading	£50,000
Total	£60,000

These costs would be met from the Department for Education Locally Co-ordinated Voluntary Aided Programme (LCVAP) funding, via the Catholic Diocese of Portsmouth. This is central government funding ring fenced for capital works at voluntary aided schools. The Diocese has confirmed that this funding will be available to the school to fund these capital works.

Property/Other

13. Not Applicable

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

14. The power to change the provision of a school from single sex to mixed sex is contained in 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 (Amendments)(England) Regulations 2007 which came into force on 21 January 2008). It contains both statutory guidance (i.e. guidance to which proposers and decision makers have a statutory duty to have regard) and non-statutory guidance on the process for making changes to school provision. The statutory guidance sections are indicated by shading. The relevant provisions of EIA 2006 came into effect on 25 May 2007

Other Legal Implications:

15. In making any school organisation decision as set out in the report, the decision maker has a statutory duty to have regard to the Statutory Guidance issued by the Secretary of State as set out at Appendix 5 of this report. The Council must also determine the proposals having regard to the Equalities Act 2010 and s.17 Crime and Disorder Act 1998 (duty to exercise its functions having regard to the need to reduce Crime and Disorder in its area).
16. The proposals in this report have serious implications for the Council under the Equalities Act 2010 in relation to its role as strategic commissioner of school places and its duty to secure parity of provision for pupils of both sexes. As such, the Council has previously (in the context of its previous

Building Schools for the Future proposals) taken leading Counsel's Opinion on the Equalities implications of such proposals and the impact of removing the only remaining single sex boys provision in the city while retaining single sex provision for girls at St Anne's. A summary of the legal advice obtained in this regard is set out at Confidential Appendix 7 and decision makers must have regard to that advice in relation to both determining these proposals and in relation to its statutory duties to plan and provide school places as a consequence of any decision taken in this regard.

POLICY FRAMEWORK IMPLICATIONS

17. Children & Young Peoples Plan (CYPP)

14-19 Strategy

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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

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

Appendices

1.	Consultation Documents
2.	Responses to Pre-Statutory Consultation
3.	Statutory Notice
4.	Full Statutory Proposals
5.	Decision Maker Guidance – Making Changes to a Maintained Mainstream School
6.	Responses to Statutory Consultation
7.	CONFIDENTIAL APPENDIX

Documents In Members' Rooms

1.	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.	Yes
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Other Background Documents: None

Integrated Impact Assessment and Other Background documents available for inspection at: Children's Services and Learning, Southbrook Rise

Document is Confidential

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DECISION-MAKER:	CABINET
SUBJECT:	DETERMINATION OF ADMISSION ARRANGEMENTS 2013-2014
DATE OF DECISION:	12 MARCH 2012
REPORT OF:	CABINET MEMBER FOR CHILDREN'S SERVICES
STATEMENT OF CONFIDENTIALITY	
None	

BRIEF SUMMARY

The Council is required to approve its admission policies and arrangements for the academic year starting September 2013 and arrangements for co-ordination of in year applications from 1 September 2012 (including PANs) by 15 April 2012 to meet the statutory requirement. Agreement by this date allows for the admissions process for September 2013 to begin for all schools in September 2012. This report therefore describes the legal and procedural background to the admissions arrangements, including:

- admissions policy for Infant, Junior, Primary, Secondary and Sixth Form pupils to community and voluntary controlled schools, see appendix 1;
- the outcomes of the annual consultation with school governing bodies and the relevant Church of England and Roman Catholic dioceses, see appendix 2;
- the co-ordinated scheme for year R entry to infant/primary schools see appendix 3;
- the co-ordinated schemes for entry to junior school, see appendix 4;
- the co-ordinated scheme for primary to secondary transfer, see appendix 5;
- published admission numbers (PANS) for community and voluntary controlled schools, see appendix 6;
- the coordinated scheme for in year transfers 2012/13, see appendix 7.

RECOMMENDATIONS: It is recommended that:

- (i) the responses from the consultation with Southampton Admissions Forum, schools, other relevant admission authorities, and the Church of England and Roman Catholic dioceses be noted;
- (ii) the admissions policies and the published admission numbers (PANs) for community and voluntary controlled schools, including Bitterne Park selection by aptitude and 6th form arrangements; the schemes for co-ordinating primary and secondary admissions for the academic year 2013-14; and the scheme for co-ordinating in year admissions from September 2012 as set out in Appendices 1- 7 be approved;
- (iii) the Executive Director for Children's Services and Learning be authorised to take any action necessary to give effect to the above proposals and to make any changes necessary to the Admissions Policies where required to give effect to any Acts, Regulations or revised Admissions or Admissions Appeals Codes or binding Schools Adjudicator. Court or Ombudsman decisions whensoever's arising.

REASONS FOR REPORT RECOMMENDATIONS

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

DETAIL (Including consultation carried out)

2. It is a statutory requirement that school admissions authorities determine the admission policy each year to approve the allocation of school places to Southampton pupils and to pupils applying for a place in a Southampton school from outside the city. The city council is the admissions authority for all community and voluntary controlled schools within Southampton and is therefore responsible for determining the admission arrangements for these schools. Regulations require all admissions authorities, i.e. Local Authorities, governing bodies of voluntary aided and foundation schools, to determine their admission arrangements for the school year 2013-14 by 15 April 2012 and to have notified the fact to other admission authorities within 14 days of this date at the latest.
3. The principles of Southampton's admissions policies are well established. They seek to fulfil the requirement that they be 'fair, clear and objective' (School Admissions Code, 2012). The proposed policies seek to make this process as transparent as possible. In particular, they enable the local authority, schools, and parents:
 - (a) to protect the rights of vulnerable children;
 - (b) to meet significant medical and psychological needs of individual children;
 - (c) to develop, strengthen and support immediate family ties;
 - (d) to develop and strengthen links between designated feeder school(s); and
 - (e) to have access to clear, objective, and fair criteria that avoid ambiguity in the interpretation of the policy.
4. If the Local authority wants to make changes, consultation must take place. Consultation must be with schools, other admissions authorities, the local dioceses, the admissions forum and the public.

This year, the local authorities have consulted on making two changes to the admission arrangements. The two changes are:

 - To amend the wording of the criterion for children in care to reflect the required extension of the definition required by the new School Admissions Code. The new criterion extends the definition of a looked after child to include children who were looked after immediately before being made the subject of an adoption order, special guardianship order or a residence order.
 - To make 16 April 2013 the offer date for year R and Infant to Junior School Transfer for 2013-14 academic year

The rationales for these changes are:

- To bring our criteria into line with a requirement of the School Admissions Code; and

- To coordinate with Hampshire County Council and Portsmouth City Council for 2013 entry and to adopt a year early the date set as a National Primary Offer date for 2014 entry.
5. Consultations with schools and admission authorities (Catholic and Church of England Diocesan Education Authorities, Hampshire County Council, Portsmouth City Council and schools that are foundation, voluntary aided and Academies) started on 3 January 2012 and ends on 29 February 2012.
 6. The Local Authority works with Southampton's Admissions Forum and as such the co-ordinated scheme, proposed changes to the admissions policies from the arrangements for 2013 were discussed at the Forum meeting in January 2012.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

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

RESOURCE IMPLICATIONS

Capital/Revenue

8. There are no additional revenue costs to the general fund arising directly from the approval of the admissions policies for the academic year 2012-2013.

Property/Other

9. Property Services have no comments on these proposals.

LEGAL IMPLICATIONS

Statutory Power to undertake the proposals in the report:

10. Admissions Authorities are legally required to undertake a consultation on admissions policies for 2013-14 in order to determine their admission arrangements, including PANs, under the School Standards and Framework Act 1998 as amended by the Education Act 2002 and the Education and Inspections Act 2006 if there are changes from the previous years arrangements. They need only consult every 7 years thereafter unless they propose changes be made to them.
11. In accordance with the above, the deadline for determining admission arrangements is 15 April 2012. Following determination (the date of the relevant Cabinet meeting) the local authority has 14 days to notify all schools in writing of the outcome of its decision. Schools' governing bodies then have six weeks to object to their respective PANs (but no other aspect of the admissions policy).
12. Notice of the change must be published in a local newspaper setting out appeal arrangements.
13. Where the Council approves a PAN which is below the indicated admission number set by the net capacity assessment, it is required to publish an appropriate notice in a local newspaper. This notice must include an explanation of why a lower number has been set and that any parent

affected by the setting of the PAN has a right of objection to the Schools Adjudicator.

Other Legal Implications:

14. The Education Acts, Regulations made pursuant to them and the School Admissions Code (February 2012) require local authorities to formulate co-ordinated admissions schemes for dealing with applications to infant, primary, junior and secondary schools at the relevant age of transfer. Such schemes should also include admissions to schools where the local authority is not the admission authority e.g. voluntary aided schools, Foundation School and Academies. The schemes must ensure that every parent receives an offer of one, and only one, school place on the same day. A national offer date of 1 March has been set for secondary admissions and local authorities are required to implement a single offer date for primary sector admissions as well. The Regulations specify closing dates for applications for entry into Year R and for entry into secondary school. These dates are 15 January in the offer year for applications for year R and 31 October in the offer year for applications for secondary school.
15. In drawing up co-ordinated schemes, the local authority must consult with other relevant admission authorities, i.e. the governing bodies of voluntary aided schools, trust and foundation school, Academies, and Hampshire County Council. The schemes appended to this report provide the detail of the admission arrangements for September 2013 and coordination of in year applications from September 2012.
16. The Code also requires consultation with schools on their proposed Published Admission Numbers (PANs) which legally comprise part of the formal admissions policies. The PANs are calculated in accordance with the net capacity assessments for each school and adjusted, if required, to take account of forecast numbers and predicted school place requirements.
17. The annual consultation process must also include any proposals to change catchment areas and links between infant, junior and secondary schools. There are no such proposals being made this year as part of the admissions policy consultation.
18. All parents have the right to express a preference for the school that they wish their children to attend. There is a parallel duty placed on local authorities to meet that preference, subject to a further legal requirement not to 'prejudice efficient education or the efficient use of resources' and by statutory limits on infant class sizes.
19. In practice, this means that schools cannot refuse admission to any applicant up to the limit of its PAN (again, subject to a number of very limited legal exceptions). It also means that when the number of applications a school receives is greater than the number of places available there has to be a mechanism in place to enable the school to prioritise those applications. This, essentially, is the function of the admissions policy.
20. It is a statutory requirement that the local authority must have consulted on its proposed admission arrangements, and have made a determination on them, by 1 March and 15 April respectively in the year prior to the new admission arrangements coming into effect. Other admission authorities in

Southampton's area, i.e. the governors of voluntary aided schools, foundation schools, trust schools and Academies must also have consulted on, and determined, their admission arrangements by the same dates.

21. It is also a statutory requirement that, within 14 days of the admission arrangements being determined, admission authorities notify consultees (i.e. other admission authorities and all community/controlled schools) of their determined admission arrangements.

POLICY FRAMEWORK IMPLICATIONS

22. The recommended admissions arrangements proposed in the report are consistent with the Southampton City Council Plan 2011-2014.

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SUPPORTING DOCUMENTATION

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

Appendices

1.	Admission policy for Infant, Junior, Primary, Secondary and Sixth Form pupils to community and voluntary controlled schools 2013-14
2.	The outcomes of the annual consultation with school governing bodies and the relevant Church of England and Roman Catholic dioceses
3.	Co-ordinated scheme for year R entry to infant/primary schools 2013-14
4.	Co-ordinated admissions scheme for entry to Junior Schools 2013-14
5.	Co-ordinated admissions scheme for entry to Secondary Schools 2013-14
6.	Proposed published admissions numbers for all community and voluntary controlled schools 2013-14
7.	Co-ordinated admissions scheme for In Year Admissions 2012

Documents In Members' Rooms

1.	None
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Integrated Impact Assessment

Do the implications/subject/recommendations in the report require an Integrated Impact Assessment to be carried out.	No
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Other Background Documents

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.		

WARDS/COMMUNITIES AFFECTED:	ALL
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DECISION-MAKER:	CABINET
SUBJECT:	HOUSES IN MULTIPLE OCCUPATION SUPPLEMENTARY PLANNING DOCUMENT (SPD)
DATE OF DECISION:	12 MARCH 2012
REPORT OF:	CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT
STATEMENT OF CONFIDENTIALITY	
Not applicable	

BRIEF SUMMARY

The Houses in Multiple Occupation (HMO) Supplementary Planning Document (SPD) has been prepared to provide guidance for determining planning applications for HMOs. This guidance will come into operation once the Article 4(1) direction to remove the permitted development rights for HMOs city wide becomes effective on 23rd March 2012. The SPD will provide more detail on how policies H 4 of the Local Plan Review and CS 16 of the Core Strategy will be applied when assessing planning applications.

The report is seeking adoption of the SPD subject to any changes Members wish to make as a result of the comments received through the formal consultation process that took place between 22nd December 2011 and 1st February 2012.

RECOMMENDATIONS:

- (i) To consider the comments received during the consultation exercise undertaken on the Houses in Multiple Occupation Supplementary Planning Document as set out in the Schedule of Comments attached as Appendix 1.
- (ii) To adopt the Houses in Multiple Occupation Supplementary Planning Document attached as Appendix 2 on 23rd March 2012.
- (iii) To delegate authority to the Senior Manager, Planning Transport and Sustainability to make minor editing changes to the document prior to publication.

REASONS FOR REPORT RECOMMENDATIONS

1. The final version of the SPD needs to be adopted in order that it provides guidance when determining planning applications for HMOs when the Article 4 direction becomes effective on 23rd March 2012.
2. The statutory processes for preparing SPDs require the council to consider the responses made during the formal consultation period and make amendments to the SPD if appropriate.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. Not approve and adopt the SPD. This would mean that there would be no detailed guidance available for officers, developers and the general public on how planning applications for HMOs will be determined when the Article 4 direction becomes operative on 23rd March 2012.

DETAIL (Including consultation carried out)

4. On 14th March 2011 Cabinet resolved to make an Article 4(1) direction to remove the permitted development rights for HMOs city wide. The introduction of this Article 4(1) direction was confirmed at Cabinet on 24th October 2011. When this comes into effect on 23rd March 2012, planning permission will be required to convert a dwelling from C3 (dwelling house) to C4 (HMO). This will enable the Council to control the location (and thus concentration) of HMOs through the planning system.
5. A draft HMO SPD was published for formal public consultation for 6 weeks from 22nd December 2011 to 1st February 2012. The guidance will apply to C4 HMOs and sui generis HMOs i.e. HMOs with 7 or more occupiers. It expands and provides more detail to policies H 4 from the Local Plan Review and CS 16 from the Core Strategy.
6. The draft SPD proposed that a 10% threshold would apply in the northern wards of Bassett, Portswood and Swaythling and a 20% threshold across the rest of the city. A radius of 40 metres from the application property will be used to determine the area of impact within which the threshold will be applied.
7. The SPD also provides guidance on extensions to existing HMOs, flipping between C3 and C4 uses and amenity standards. In addition it deals with parking standards for HMOs. The SPD proposes that specific parking standards are included that relate to the number of bedrooms per HMO household.
8. The draft SPD has been informed by earlier informal consultation. A Working Party meeting was held with representatives from residents' associations, landlords and the University of Southampton to discuss the options for guidance in the SPD. The content of the draft SPD was informed by the Working Party's discussion.
9. 115 representations have been received (8 after the closing date) mainly from residents, residents associations, landlords and landlords associations. There is support for the document particularly from residents in those areas where there are concentrations of HMOs. However landlords generally consider that there should be no controls such as thresholds over HMOs. The comments have been summarised and are attached at Appendix 1. In addition a list of frequently asked questions and the council's response is attached as Appendix 3.
10. The comments are wide-ranging but the main points are considered below.

Status of the document

Comments: The landlords consider that the guidance set out in the document is of such significance that it should be dealt with by way of a statutory development plan document (DPD) rather than an SPD. In this way it could be independently examined. The respondents have referred to the recommendations made by planning inspectors to Portsmouth City Council's and Manchester City Council's Core Strategies HMO policies and guidance.

Response: It is considered that the draft SPD has been prepared in accordance with paragraph 6.1 of PPS12 'Creating strong, safe and

prosperous communities through Local Spatial Planning' and provides greater detail on Core Strategy policy CS16 and saved policy H4 from the Local Plan Review. The question of whether the content should be contained in a DPD or SPD is complex, as reflected in the different approaches taken by the inspectors examining the Portsmouth Core Strategy and the Manchester Core Strategy. The inspector for the Portsmouth Core Strategy (which is now adopted) supports our approach whereas the inspector for the Manchester Core Strategy recommended that, in that case, the detail should be contained in a DPD. It is our view that the SPD provides guidance on the application of the detailed HMO policies provided in the Core Strategy and Local Plan Review and that this is a defensible and legitimate approach

An advantage of producing a SPD rather than a statutory DPD is that an SPD can be more easily reviewed and amended if it is found that circumstances have changed and that the guidance needs to be revised.

11. **Threshold**

Comments: The comments are varied.

- Many residents support the 10% threshold for the wards of Bassett, Portswood and Swaythling (northern wards)
- Others query the justification for the percentage in the northern wards differing from the rest of the city.
- Some support for Bevois ward to also have a 10% threshold
- Some suggest a figure of 12 to 15 % across the city; some landlords suggest 50%
- Some query the use of a ward basis for the threshold and for grouping wards together.
- Some query the evidence for setting the thresholds at the levels proposed.

Response: A two tier threshold was proposed in the draft SPD of 10% in the northern wards and 20% elsewhere in the city. These thresholds are designed to provide a mix of housing types in each area and to reduce to a minimum any further loss of family homes across the city, whilst taking account of the character and amenity of each area. The northern wards and the central wards of the city (Bargate, Bevois and Freemantle) are the areas with the highest numbers of HMOs. The lower threshold in the northern wards will safeguard the character and balance of the communities in these wards from the level of HMO concentration which affects the central wards and aims to prevent the further loss of family homes in these areas. The overall impact of additional HMOs is somewhat reduced in the central wards where the range of properties is greater, the density higher and the population is more transient. The threshold of 20% in these areas (and elsewhere across the city) will serve to provide a mix of housing types in each area.

It is considered that a threshold lower than 20% should not be applied across the rest of the city as this will not allow for any further growth in HMOs in the city. Currently some 9.3% of the properties in the city are HMOs. There will continue to be a demand for further HMOs due to the recent changes in Local Housing Allowance affecting single under 35s and the impact of the current

economic climate affecting the cost of property, particularly for young single people although it is acknowledged that future demand for student accommodation is uncertain. Conversely it is considered that a threshold as high as 50% is not likely to prevent more properties being converted into HMOs in the existing areas and streets of the city where there are already high concentrations of HMOs. Taking into account the need for other household types, such as families, it is considered that this threshold would not sustain a balanced and mixed community.

It is therefore proposed to retain the 10% threshold for the northern wards and 20% for the rest of the city.

With regard to the queries about the evidence it is acknowledged in the draft SPD that there is no clear advice about how to identify the tipping point when a concentration of HMOs in a local area begins to adversely change the character and balance of the community. However it is generally acknowledged that concentrations of HMOs can have an adverse impact on an area. With regard to respondents' comments that the wards should not be grouped together as some parts of the areas are likely to have more HMOs than others, the council does not have up to date evidence on a ward basis.

12. **Radius**

There is general support for this approach which is welcomed.

13. **Car Parking**

Comments: Residents consider that the parking standards should be minimum provision rather than maximum provision.

Response: The car parking standards accord with the general approach in the adopted Parking Standards SPD which refers to maximum parking standards. Maximum rather than minimum standards provide more flexibility to provide the right amount of parking for a development based on individual circumstances and maximum rather than minimum standards apply across the city to many forms of development. It would not be reasonable to have a blanket minimum in the light of car ownership levels in HMOs and the range and type of properties, many of which are in highly accessible locations.

14. **Other powers**

Comments: Many respondents consider that the council should be considering greater use of other powers to deal with noise, litter, parking and so on. There have been suggestions that there should be additional licensing of HMOs.

Response: The Council has established a virtual HMO team consisting of all services that are involved with regulating HMOs in Southampton, including Planning, Housing, Environmental Health, Waste, Community Safety, Benefits and City Patrol. The team is working to improve the flow of information between teams to ensure a joined-up, cohesive approach to tackling resident and community concerns. This will also help to ensure a more targeted approach, in particular to environmental issues. The initial work programme includes developing a corporate HMO protocol, which will clearly set out legal powers and accountabilities; sharing Council data on HMOs; and cascading information to officers working in all teams so that they are aware of the support available to robustly tackle issues. It is planned to widen the virtual

team to include external agencies, such as the Universities and the Fire and Rescue Service

15. Other comments relate to technical matters set out in the document. It is proposed that a number of detailed changes be made to the SPD and these are set out in the summary of comments in Appendix 1.
16. In November 2011 the National Landlords Association and the Residential Landlords Association applied to the Secretary of State for Communities and Local Government for the revocation of the Article 4 Direction made by the city council and 18 other local authorities. The Council is currently waiting to hear the outcome of this. In the meantime it is recommended that the Council proceed with the approval and adoption of the SPD.

RESOURCE IMPLICATIONS

Capital/Revenue

17. There are no capital implications.
18. Producing the SPD will be funded from the existing budget for the production of the Local Development Framework within the Environment and Transport Portfolio.

Property/Other

19. There are no property implications for the Council.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

20. The proposals in this report are consistent with the Council's powers and responsibilities under the Town and Country Planning (Local Development) (England) Regulations 2004 as amended June 2008 and April 2009, to make Supplementary Planning Documents in accordance with the regulations.

Other Legal Implications:

21. The Council's strategic planning functions must be exercised having regard to S.17 Crime & Disorder Act 1998 (exercise of function having regards to the need for the reduction of crime & disorder) and the provisions of the Human Rights Act 1998. In so far as any planning policy may amount to a fetter or restriction on the private use or development of land, it is considered that the proposed SPD is necessary and proportionate having regard to the need to control development for the benefit and needs of the wider community.
22. An Equalities Impact Assessment was prepared for the Core Strategy. This SPD provides further guidance on Policy CS 16 of the Core Strategy. The Equalities Impact Assessment found that policy CS 16 had a positive impact on disability, race, gender, faith and age.
23. The Integrated Impact Assessment identified three categories where there may be a negative impact. With regards to age the guidance may lead to a reduction in the supply of HMOs in some parts of the city thus affecting housing opportunities for young people, both employed people and students in some localities. However, the University of Southampton is looking for an extra 1000 residential spaces in the city so this is likely to reduce the demand for HMOs for students. With regards to the poverty and deprivation

category currently there is no evidence that the guidance in the SPD will result in fewer HMOs coming forward in the future in the city as a whole or that this will impact negatively on the housing choices of single people under 35 years who are in receipt of Local Housing Allowance. With regards to the contribution to the local economy category it is uncertain whether, if fewer new HMOs come forward in some parts of the city, this will significantly affect the range of property choices for students and young, single people seeking employment. The distribution of HMO accommodation is likely to be affected and this could mean longer journeys to work in some cases or local competition for some roles being reduced. Concentrations of HMOs can have an adverse impact on some businesses but positive impacts on others. The SPD will be monitored to assess what impact the guidance is having on the above matters.

POLICY FRAMEWORK IMPLICATIONS

- 24. This document provides further guidance on how policies H4 from the Local Plan and CS16 from the Core Strategy will be applied. The Local Plan Review and the Core Strategy comprise the statutory development plan for the city.

AUTHOR:	Name:	Deborah Mobbs	Tel:	023 8083 2549
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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

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

Appendices

1.	Schedule of comments received following formal consultation.
2.	Houses in Multiple Occupation Supplementary Planning Document
3.	Council's response to Frequently Asked Questions raised during consultation on the HMO SPD

Documents In Members' Rooms

1.	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.	Yes
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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.	Representations on the draft HMO SPD following public consultation	Planning Policy, Planning, Transport & Sustainability Division
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Agenda Item 13

DECISION-MAKER:	CABINET COUNCIL
SUBJECT:	APPROVAL TO SPEND CAPITAL FUNDING ON ENVIRONMENT AND TRANSPORT PORTFOLIO SCHEMES 2012/13
DATE OF DECISION:	12 MARCH 2012 14 MARCH 2012
REPORT OF:	CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT
STATEMENT OF CONFIDENTIALITY	
Not applicable.	

BRIEF SUMMARY

This report seeks approval to spend and provides details of the Environment and Transport Capital Programme in 2012/13.

The report also seeks approval to variations totalling £1,230,000 to the Environment and Transport Capital programme as agreed at Council on 15th February 2012.

RECOMMENDATIONS:

CABINET

- (i) Subject to approval of Council to capital variations and additional funding on 14th March 2012, to approve, in accordance with Financial Procedure Rules, capital expenditure of £10,257,000 in 2012/13, as detailed in Appendix 2, from the total Environment and Transport Capital Programme of £13,236,000
- (ii) To note the detail of the projects within the Capital Programme for 2012/13, as set out in Appendix 3, including a major scheme to resurface Redbridge Roundabout.

COUNCIL

- (i) To approve capital variations totalling £1,230,000 in 2012/13 to the programme agreed at Council on 15th February 2012, as detailed in Appendix 4;
- (ii) To approve the addition of £317,000 to the Environment and Transport Capital Programme funded from additional Local Transport Plan Government Grant, as detailed in Appendix 4;
- (iii) To note that as part of the above recommendations, a major scheme to resurface Redbridge Roundabout is created with a budget of £1,200,000;
- (iv) To note the £1,871,000 scheme for City Centre Improvements includes a Local Transport Plan contribution of £412,000 towards the Platform to Prosperity Project, which is the subject of a report elsewhere on the Agenda.

REASONS FOR REPORT RECOMMENDATIONS

1. Financial Procedure Rules require that approval to spend is secured to enable the delivery of the Councils Capital Programme each year.

2. The details of the projects are included to provide Members with relevant information.
3. To amend the funding allocations in response to the latest Transport Asset Management priorities for road surfacing projects.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. The proposed programme is fully funded and is based on available funding levels.
5. A smaller programme than that proposed would undermine the essential support for the ongoing development of the City, fail to meet the objectives set out in the Local Transport Plan (LTP3), or deliver any noticeable improvement in the basic highway infrastructure.

DETAIL (Including consultation carried out)

6. The Environment and Transport Capital Programme for 2011-12 included the delivery of a number of high profile highway infrastructure schemes such as:

- Chantry Bridge replacement
- Itchen Bridge bearing replacement
- Itchen bridge lighting enhancement
- Board Walk cycle facility adjacent to the Itchen river
- Over 20 miles of carriageway surfacing
- Over 3 miles of footway and kerbing reconstruction
- Over 60 miles of footway surface treatment (slurry)
- Havelock Road resurfacing to tie in with the SeaCity Museum
- Town Quay resurfacing
- Victoria Road footway improvements enhancing Woolston Shopping precinct
- Dock Gate 20 relocation

Car Parks lifts ongoing replacement programme

7. The Council is continuing to invest in the highway and public realm infrastructure of the City to help offset the continuing deterioration of the City's roads and footways.
8. The innovation and efficiency savings achieved through the contract with Balfour Beatty is enabling more surfacing of roads and footways to be delivered.
9. Appendix 3 shows a list of road surfacing projects and details of other non-roads schemes that will be carried out this year.
10. The Transport Asset Management Plan (TAMP) and Local Transport Plan (LTP3) have provided the priority for highways spend and the supporting transportation policies. Individual consultation will be undertaken on each project using the agreed consultation strategy.
11. A new road surfacing project for Redbridge Roundabout has been included in the programme in response to the rapid deterioration of the circulatory carriageway at this gateway junction. The latest inspections reveal that the existing surfacing may not last another winter.

12. The overall programme proposed for 2012-2013 totals £13,236,000.
13. Appendix 1 shows how the programme is funded.
14. Appendix 2 shows the Block Headings and the proposed spend by scheme, showing where approvals to spend are required.
15. Appendix 3 shows scheme descriptions and individual projects.
16. The Environment Directorate Capital and Major Projects Board has an overarching responsibility for the delivery of the Environment and Transport Capital Programme whilst individual Boards manage the interface for delivery with the partner contractors, review progress and performance and reports exceptions.
17. All Projects in the programme are managed through the corporate Project Management System, "PM Connect" which ensures the financial and timely delivery of individual projects within the overall programme. All projects will have an approved Project Initiation Document prior to commencement of works.
18. The road surfacing projects shown in Appendix 3 are based on the latest TAMP priorities. There may be some minor changes to this programme as the individual projects are designed and if further deterioration of the network requires alternative priority investment. Any variations will be subject to the appropriate change control process.

RESOURCE IMPLICATIONS

Capital/Revenue

19. The Capital Programme for Environment and Transport Portfolio in 2012/13 will be £13,236,000. This is in line with the budget approved by Council on 15th February 2012 but with the addition of £317,000 in Local Transport Plan (LTP) Government Grant, which has only recently been awarded.
20. This capital expenditure can be fully funded as detailed in Appendix 1.
21. Some of this expenditure has been previously approved, as indicated by the 'status of approval' column in Appendix 2.
22. This report seeks Cabinet 'approval to spend' for capital expenditure of £10,257,000 in 2012/13, in accordance with Financial Procedure Rules and as detailed in Appendix 3.
23. This is subject to Council approval for capital variations totalling £1,230,000 in 2012/13 and the addition of the £317,000 LTP funding, as detailed in Appendix 4. It is noted that these recommendations create a new capital highways maintenance scheme called Redbridge Roundabout with a budget of £1,200,000.
24. Subject to no increase in maintenance levels, the ongoing revenue consequences of these schemes can be accommodated within existing budgets.

Property/Other

25. There are no property implications as a result of this report.
26. There are no employment implications as a result of this report.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

27. Each Capital scheme will be delivered in accordance with a variety of Highways and Environmental legislation, including but not limited to the Highways Act 1980, Road Traffic Regulation Act 1994, Traffic Management Act 2004, and s.2 Local Government Act 2000 (having first had regard to the provisions of the Community Strategy).

Other Legal Implications:

28. Procurement of Schemes will be carried out in accordance with the Council's procurement strategy, existing and newly procured partnership contracts and in accordance with National and European procurement legislation and directives. Design and implementation of schemes will take into account the provisions of s.17 Crime & Disorder Act 1998 and the impact of schemes on individuals and communities will be assessed against Human Rights Act 1998 and Equalities legislation provisions.

POLICY FRAMEWORK IMPLICATIONS

29. The Capital Programme is compatible with the objectives of the Community Strategy.
30. The City Council is a Local Transport Authority as laid down in the Transport Act 2000 and the Council's relevant Policy Framework is the City of Southampton Local Transport Plan (LTP3).
31. The importance of the condition of the highway network in terms of defects, as well as its ability to assist in providing high quality transport for all modes cannot be understated in terms of providing an indication of the health and vitality of the City. Increased investment by the Council can only signal to businesses and residents that Southampton is a location to invest and commit to. Getting this message clearly across to key stakeholders in the City will be a priority once the programme is approved.

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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

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

Appendices

1.	Environment & Transport Capital Programme – Sources of Funding 2012/13
2.	Environment & Transport Capital Programme – Approval to spend 2012/13
3.	Environment & Transport Capital Programme – Description of Schemes 2012/13
4.	Environment & Transport Capital Programme – Variations to the programme

Documents In Members' Rooms

1.	The City of Southampton Local Transport Plan (LTP3)
2.	The City of Southampton Transport Asset Management Plan

Integrated Impact Assessment

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out.	Yes (An IIA will be prepared for the whole programme)
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Other Background Documents

Integrated Impact Assessment and Other Background documents available for inspection at: Highways Manager, Floor 5, One Guildhall Square Southampton.

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 14

DECISION-MAKER:	CABINET
SUBJECT:	DELIVERY OF THE LOCAL SUSTAINABLE TRANSPORT FUND AND EUROPEAN REGIONAL DEVELOPMENT FUND PROGRAMMES
DATE OF DECISION:	12 MARCH 2012
REPORT OF:	CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT
STATEMENT OF CONFIDENTIALITY	
Not applicable.	
BRIEF SUMMARY	

This report seeks agreement to establish a new delivery mechanism for the implementation of sustainable transport measures. Funding of £3.9m has been secured from the Department for Transport's (DfT) Local Sustainable Transport Fund (LSTF) over the next three years. A great proportion of this is revenue funding which requires an increase in capacity to be able to deliver. A number of delivery options are considered in this report and the one recommended for approval is one which is scalable, limits future revenue liabilities, creates opportunities for growth and economies of scale and maximises the capabilities and skills of existing partners.

The LSTF funded initiatives are designed to achieve a modal shift of 12% away from the private car to reduce congestion, thereby improving opportunities for economic growth while simultaneously reducing carbon emissions. This is to be achieved through a carefully targeted package of measures to encourage more sustainable travel habits. Among others, key measures that will be delivered include:

- Workplace, station, college and school travel plans
- Cycle training
- Street tread and other personalised travel planning including SEN transport
- Measures to promote clean fuel vehicles
- A branded travel campaign and public transport network
- Events like Sky Ride

RECOMMENDATIONS:

- (i) To delegate authority to the Director of Economic Development to establish a shared service 'soft partnership' to deliver Local Sustainable Transport Fund projects;
- (ii) To delegate authority to the Director of Economic Development to pursue shared service opportunities with Hampshire County Council, Poole and Bournemouth and other local authorities with appropriate risk share arrangements based on proportionality;
- (iii) To invite the University of Southampton, Sustrans, Hampshire County Council (when and if they confirm a wish to enter into a shared service arrangement), health representative and the Solent LEP, to form active project boards with appropriate terms of reference and governance arrangements to oversee delivery;

- (iv) To delegate authority to the Director of Economic Development in consultation with the Director of Corporate Services, the Head of Legal, HR and Democratic Services and the Senior Manager Finance and following consultation with the Cabinet member for Environment and Transport to finalise the following detail:
- (a) recruitment of up to three new three year fixed-term posts to the end of the funding agreement:
 - 1 x Travel Choices Programme Manager
 - 1 x LSTF Project Manager,
 - 1 x Marketing Officer;
 - (b) These new posts will join 3 existing staff from the Transport and Travel Team;
 - (c) agreeing a location for the team that maximises benefits to the operation of the partnership;
 - (d) arrangements for the secondment of 3 Sustrans staff (existing Sustrans employees to be seconded into SCC for the period of the funding);
 - (e) terms of reference and governance arrangements of the project board referred to in recommendation (iii);
 - (f) the content and form of any legal or other agreements , documentation or other arrangements necessary to implement and support the creation of a soft partnership (including entering into such agreements etc on behalf of the Council).

REASONS FOR REPORT RECOMMENDATIONS

1. The LSTF Project will deliver of a range of interventions that will bring about a modal shift of 10-12% towards sustainable modes of travel like walking, cycling, bus and more fuel efficient driving. Interventions are specifically targeted to encourage economic growth and jobs, while simultaneously reducing carbon emissions from transport. The measures and initiatives will produce other benefits such as the health improvements arising from active travel. Cabinet formally agreed to accept DfT funding under this Fund of £3.96m on 19 December 2011 and requested that details of the delivery method be reported to Cabinet in March 2012.
2. Success in funding has bought about the need to consider how best to deliver the project because of the need to:
 - increase capacity to deliver sustainable transport measures in Southampton totalling an increase in activity of £1.3m per annum over existing levels
 - maximise future opportunities to secure additional funding
 - facilitate shared services with other LA's where this is clearly of benefit to SCC through economies of scale
 - maximise the opportunities that can come from effective partnership working with other sectors (academic and voluntary in particular)
 - ensures the project has a legacy, in that it can continue to have a long lasting impact and create a delivery mechanism that can be self

sustaining

- mitigate staffing or other revenue liabilities to the greatest extent possible
3. Four options have been considered and tested with internal and external stakeholders including the Management Board of Directors. The preferred option emerged as a “soft partnership”. This is one in which Local Authorities and other partners remain fully independent but agree to work together voluntarily under service level agreements / Memorandum of Understanding or other similar arrangements. It is envisaged that in the first instance the delivery model would result in a new co-located team of staff made up of 3 existing SCC staff, 3 new staff employed by SCC, academic staff from the University of Southampton responsible for research and evaluation and Sustrans (the sustainable transport charity) responsible for delivery of certain projects. This would establish a core team capable, at least, of delivering the SCC project and would therefore meet our minimum requirement to deliver the project for which we have been granted funding. In effect, this is in house delivery with enhanced partnership working. In time and when appropriate reassurances and risk share agreements are in place the team may also deliver similar projects for other local authorities with Southampton taking a Lead Authority role. This would then be a fully operational “soft partnership” The benefit of working with other local authorities comes from economies of scale and joint procurement in a number of areas of significant commonality.
4. The soft partnership route is favoured because:
- it offers the flexibility to scale operations up quickly to meet new funding opportunities
 - It was deemed to be capable of delivering high quality outputs and value for money
 - it can be managed in a way which minimises future deliverability and risk liabilities for the authority
 - it enhances and strengthens existing partnerships which have been a critical success factor in bids and is likely to improve the City Council reputation with funding agencies
 - creates potential to establish economies of scale through shared services without weakening local expertise
 - through partnership with the University and Sustrans it is an ideal form of partnership to access other funding opportunities some of which would not normally be open to the City Council
 - it benefits from procurement flexibility as a result of both inter-authority shared services arrangements and the potential exemption afforded research and development services to be provided by the University of Southampton
5. The recommendations allow for the details of the “soft partnership” to be agreed under delegation to relevant Directors following consultation with the relevant Cabinet Member. This means it can be set up relatively quickly and without the need to come back to Cabinet for approvals as the “soft partnership” arrangements evolve.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

6. Officers appraised 3 other delivery options alongside the soft partnership. These were:
- Full outsourcing to private sector consultancy
 - Establishing an Arms Length Organisation (ALO)
 - In-house (with no partnership working with the University of Southampton or Sustrans)
7. In broad summary the reasons for rejecting these options are contained in the table under and briefly explained in the following bullet points:
- Full outsourcing to private sector consultancy. This option would not be conducive to shared services with other local authorities and with other partners that would have meant some of the key objectives of the delivery model would not have been achieved. Legacy potential was also poor.
 - Establishing an arms length organisation (ALO). This option could facilitate shared services with public sector organisations but is not so flexible should it wish to trade in the private sector. It was considered that this might be a future option once the delivery model had established a reputation for effective and affordable delivery. It was also relatively expensive because of high overhead costs and presented a potential time-lag in terms of mobilisation. TUPE issues would apply which make its acceptability to Unions problematic.
 - Totally in-house (with no partnership working). This option restricted the benefits of working in partnership and had limited legacy capability. In particular, it lacked the independent evaluation necessary for such projects to prove their worth. This has been a criticism of similar projects from other towns.

	In-House	Private Sector Consultant	ALO	Soft Partnership
Must not incur liabilities for the authority	M	M	H	H
Capacity to bid for new funding & scalability	L	L	H	M
Should have a long term future beyond initial funding	L	L	H	M
Allow shared services with other authorities	M	M	H	H
Allow for council savings to be achieved	H	H	H	H
Spend and mobilise quickly	M	M	M	H
Deliver the outputs required	M	H	H	H
Political acceptability	H	H	M	H
Entrepreneurship	L	H	H	H ⁴

8. Many variations upon or between these options are conceivable and in practice the options appraisal process revealed that the need for any delivery method for it to be flexible and capable of delivering the project in the best interests of the City Council and its residents.

DETAIL (Including consultation carried out)

9. The DfT Local Sustainable Transport Fund was established to support the ambitions carried in the Government White Paper *Creating Growth, Reducing Carbon*, published in January 2011. The principal purposes of the fund are to introduce measures that encourage economic growth, while simultaneously reducing carbon emissions from transport. The paper acknowledges that the measures and initiatives used to derive these economic and environmental benefits will also produce significant social benefits.
10. The Southampton programme will include:
 - a branded city wide travel awareness campaign and public transport image
 - a significant increase in travel planning work with schools, workplaces and transport interchanges
 - a step change in cycle training
 - an increase in the Street Tread programme
 - air quality initiatives
 - the potential for a number of new projects to be scoped out and defined in due course in discussion with partners
11. The bid process was overseen by a Steering Group comprising representatives from Southampton City Council, Hampshire City Council, Portsmouth City Council, Southampton Chamber of Commerce, Hampshire Economic Partnership, South Hampshire Bus Operators Association, Sustrans and the University of Southampton. A wide range of external organisations were consulted on the bid, with presentations being made to the Solent LEP amongst others.
12. Alongside these external and internal consultations, the Council conducted an independent travel attitude survey amongst 1500 homes spread evenly across 15 Mosaic groups in Southampton. As part of the survey the proposed projects were described to residents. Some 86% said it was an initiative that local authorities should invest in.
13. The process used to determine the most appropriate delivery route for the project was a simplified twin qualitative and financial appraisal, with assumptions tested by the internal legal, finance and HR teams and eventually the Management Board of Directors. Details of the appraisal assessment are available on request. In addition, engagement has been had with other nearby local authorities to judge the demand for further collaboration and project elements that the delivery team may seek to meet. It has been concluded that there are significant opportunities to develop the programme further.
14. The partnership will be governed by a Project Board with membership drawn from invitees operating at an appropriate level in the partner organisations, including experts from the academic, health, private and voluntary sectors. The terms of reference for the Board will establish a framework within which the partners can each operate on a collaborative basis toward shared goals and

targets.

15. A number of collaborative agreements / Memorandums of Understanding or Service Level Agreements will be entered into as appropriate and / or required in order to facilitate partnership working across the Board. Such agreements will reflect the principle that each organisation will be responsible for risk and delivery in accordance with their own engagement in the programme and in proportion to their contribution to the overall aims and targets of the projects they participate in.

RESOURCE IMPLICATIONS

Capital/Revenue

16. The December 2011 Cabinet accepted the LSTF funding in accordance with Financial Procedure Rules (E.14 A) for externally funded revenue activity. A summary follows:

£000's	2011-12	2012-13	2013-14	2014-15
Revenue	230	1080	1170	1030
Capital		170	170	110

17. Up to 3 new posts on fixed term contracts need to be created to deliver and manage the LSTF project which will be resourced in full from the LSTF funding. They include:
 - 1 x Travel Choices Programme Manager
 - 1 x LSTF Project Manager,
 - 1 x Marketing Officer
18. The report recommendation is worded in such a way that this is a maximum to recruit to and is subject to the agreement of the Director of Economic Development in consultation with the Portfolio Holder. A new marketing post is required in all eventualities. However, to deliver the SCC project alone there is potential to deliver with either the Centre Manager or LSTF Project Manager in post only. In such a circumstance the role of the delivery body would be concerned with delivery only and would lack the capacity to grow or effectively maximise other funding and business opportunities. In practice the delegated authority will allow the Director of Economic Development and the Portfolio Holder to respond flexibly as opportunities are secured or not. In the event that other Local Authorities engage in a shared service all three posts would be needed. Following informal market testing with other LAs there is a good indication that this will be the case and that those opportunities will require us to be able to respond at short notice.
19. It is also proposed that 3 existing staff will retain their substantive posts within the Travel and Transport Planning structure. There will be a 3 year saving from the SCC revenue budgets for these posts. At a point in time prior to the close of the two grant funded projects, a solution will need to be found to accommodate the posts, endeavouring to reduce any risk of potential redundancies - for both the existing and new posts. In the event that the staff are relocated to a new location as part of a collocated team some travel costs may apply but they are likely to be minimal and manageable within the funding allocation.

20. It is proposed that the grant be used to pay for support from a dedicated Accounting Technician post for the duration of the fund period. This is a reflection of the increased work load that will be placed on the finance resources of the authority. It presents opportunities for staff who are currently at risk of redundancy and puts off or mitigates pressure on potential redundancy costs for the authority.
21. The University are expected to deliver independent evaluation (research and development) of all of the initiatives and the whole package being delivered. Partnership working with the University was a stated strength of our bid to the DfT. There will be affordable revenue implications from this which will be met from the LSTF funding in full. The details of this are proposed to be a delegated decision.
22. Finally, the delivery of a number of projects will be in partnership with Sustrans. It is proposed to second their staff under an appropriate agreement to deliver some elements of the LSTF programme of activities including cycle training and Street Tread (a form of individual travel planning). The details of this engagement are also subject to a request for delegated authority.

Property/Other

23. There are no implications for property contained in this report.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

24. The proposed delivery mechanism for sustainable transport can be established pursuant to the Council's power of general competence under section 1 of the Localism Act 2011, the exercise of which is subject to any pre-commencement prohibitions or restrictions that may exist.

Other Legal Implications:

25. It is proposed that the details of board structure, service level agreements and any other legal work entailed in the setting up of the "soft partnership" will be a delegated decision as reflected in the report recommendations.
26. The contracting and/or grant mechanisms put in place will be structured to comply with public procurement legislation, equalities legislation and any relevant requirements in relation to State Aid.
27. Of particular relevance to this project are the following procurement flexibilities:
 - The University of Southampton can be commissioned on a research and development (including evaluation of such research and development) basis which covers their current anticipated involvement in the partnership without the need to undertake a separate procurement for the activities they will undertake
 - The seconding of Sustrans staff into the team is not caught by public procurement law
 - As long as they are structured appropriately, shared services arrangements between public bodies fall outside public procurement law

POLICY FRAMEWORK IMPLICATIONS

28. The LSTF project aims are consistent with the Council's Community Strategy, Economic Development Strategy and the Local Enterprise Partnership - helping

to create jobs in the area and strengthening the economy through more efficient optimisation of the transport network.

29. The LSTF projects aims are consistent with the Local Transport Plan 3, including contributions to the 14 objectives of the joint Strategy for Transport for South Hampshire (these are set out on page 8 of the LSTF bid which is available upon request) and the Council's Low Carbon Strategy in reducing congestion and reducing CO2.
30. The LTP 3 implementation plan includes a desire to implement all the measures proposed subject to funding. Now that the funding bids have been successful the strategy agreed and inherent in it is significantly more likely to be achievable.

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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	ALL
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SUPPORTING DOCUMENTATION

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

Appendices

1.	None
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Documents In Members' Rooms

1.	LSTF Tranche 1 Bid document "Southampton Sustainable Travel City"
2.	LSTF Large Bid Business Case document "A Better Connected South Hampshire"

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)

1.	<i>Creating Growth Reducing Carbon.</i> White Paper (January 2011)	ALL
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Agenda Item 15

DECISION-MAKER:	CABINET
SUBJECT:	HOUSING REVENUE ACCOUNT (HRA) VARIOUS SCHEME APPROVAL CAPITAL PROGRAMME PROJECT 2012/13, PHASE 1
DATE OF DECISION:	12 MARCH 2012
REPORT OF:	CABINET MEMBER FOR HOUSING
STATEMENT OF CONFIDENTIALITY	
Not applicable.	

BRIEF SUMMARY

This report seeks formal approval in accordance with Financial Procedure Rules for expenditure on various housing projects. These projects will contribute to the Council's strategic housing objectives through improving the facilities of our estates, the wellbeing and the satisfaction of our residents in areas where they live.

The proposals are consistent with the HRA Business Plan approved by Council in July 2011 and the new Capital Programme under the HRA self-financing regime as agreed at Council in November 2011. As part of our approach to self-financing we are required to plan for longer term investment in our housing stock and as such Council agreed a detailed 4 year capital programme. In order to now deliver this programme and secure suitable procurement efficiencies we now need to seek scheme approval to progress with planning, procurement and delivery of the associated projects many of which are significant in nature and therefore require suitable lead in time.

The proposed works cover elements under the four new headings of:

- Safe, Wind and Weather Tight
- Warm and Energy Efficient
- Modern Facilities
- Well Maintained Communal Facilities

RECOMMENDATIONS:

- (i) To approve in accordance with Financial Procedure Rules capital expenditure of £74,667,000 phased £9,924,000 in 2012/13, £21,884,000 in 2013/14, £23,235,000 in 2014/15 and £19,634,000 in 2015/16 provision for which exists within the unapproved section of the HRA Capital Programme, as detailed in the following table:

	2012/13	2013/14	2014/15	2015/16
	000's	000's	000's	000's
<u>Safe, wind and Weather tight.</u>				
Door Entry Systems	0	214	222	229
External Doors - Flats	0	4	123	117
External Doors - Houses	0	327	202	8
Supported Housing 2 Storey Walkway Repairs	N/A*	1,071	1,109	1,146
Pitched roofs	161	1,310	610	163
Flat Roofs (2012/13 includes International Way)	934	1,146	1,188	1,226
Chimney associated works	50	568	231	20
Wall structure and finish	155	940	1,562	289
Windows	978	380	424	211
Electrical Risers	459	964	998	0
Structural Works – various	414	428	444	458
<u>Total Safe, Wind and Weather Tight</u>	<u>3,151</u>	<u>7,352</u>	<u>7,113</u>	<u>3,867</u>
<u>Warm and Energy Efficient</u>				
Landlord Meter conversions	175	182	189	195
Loft insulation & pipe lagging	59	61	64	66
External Cladding (flats)	1,022	0	0	0
Electrical systems (communal areas)	1,033	701	491	259
<u>Total Warm and Energy Efficient</u>	<u>2,289</u>	<u>944</u>	<u>744</u>	<u>520</u>
<u>Modern Facilities</u>				
Bathroom Refurbishment	N/A*	2,956	3,063	3,163
Kitchen Refurbishment	N/A*	5,986	6,201	6,404
Central heating, Gas boiler replacement	1,351	1,782	1,846	1,906
Central heating (wet and electrical), pipework/circuits	133	238	1,570	1,570
Disabled Adaptations	927	964	998	1,031
Supported Housing Bathroom programme	412	428	444	458
Programme Management fees	535	N/A	N/A	N/A
<u>Total Modern Facilities</u>	<u>3,358</u>	<u>12,354</u>	<u>14,122</u>	<u>14,532</u>
<u>Well Maintained Communal Facilities</u>				
Communal Area Works	355	680	692	715
Lift refurbishment	621	554	564	0
Decent Neighbourhoods Schemes	250	0	0	0
<u>Total Well Maintained Communal Facilities</u>	<u>1,126</u>	<u>1,234</u>	<u>1,256</u>	<u>715</u>
<u>Total</u>	<u>9,924</u>	<u>21,884</u>	<u>23,235</u>	<u>19,634</u>

* The 2012/13 expenditure for these items have already received scheme approval in December 2011

* As above

REASONS FOR REPORT RECOMMENDATIONS

1. Financial Procedure Rules require that all schemes already in the capital programme costing more than £200,000 but less than £500,000 require approval by the relevant Chief Officer and Policy Co-ordinator following consultation with the relevant Cabinet Member and Chief Finance Officer. Schemes over £500,000 need to be approved by Cabinet.
2. Including sums in the Capital Programme does not give authority to spend the money. This is done by a separate scheme approval process. Financial Procedure Rules require that all schemes with a total of more than £500K be approved by Cabinet before they can proceed.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. There have been various consultation meetings with tenant groups and leaseholders during the last six months with regard to the proposed programme of capital expenditure associated with the Housing Revenue Account (HRA) and the new self-financing regime.
4. These works form part of the recently approved 4 year plan (formally approved in November 2011).
5. The alternative option of not undertaking the works identified would leave the Council's homes and surrounding areas in their present condition and would not accord with the view expressed during the consultation process or with the Council's policies of providing homes that comply with the four new headings:
 - Safe, Wind and Weather Tight
 - Warm and Energy Efficient
 - Modern Facilities
 - Well Maintained Communal Facilities

DETAIL (Including consultation carried out)

6. This report seeks permission to proceed with the development, procurement and implementation of capital projects which form part of the HRA Capital Programme for 2012/13, 2013/14, 2014/15 and 2015/16. This report deals with those new schemes that are currently ready for approval.
7. The programme outlined in this report is consistent with the Housing Strategy and HRA Business Plan 2011-2041 approved by Cabinet and Council in July 2011.
8. A key role in the development of the Capital Programme has been the involvement of the Tenant Focus Groups, Block Wardens, Tenant representatives, leaseholders and staff. Tenants and Leaseholders have also been closely involved in the production of our long term business plan for future investment.
9. Under self-financing our stock condition database is crucial to planning the works needed to our stock. Under our approach to developing a business plan we have identified through the stock database the properties where work is required over the next four years and we are now in a position to strategically plan the investment needed to complete the work identified.

Therefore the budgets identified and seeking approval are determined by the detail from our stock database to which we have then applied an accepted industry calculation for estimated value which is based on known costs and Building Research Establishment (BRE) national averages at this time.

Any additional information received on the stock condition from the detailed monitoring of Health and Safety compliance issues will also be reflected in the strategic planning of the programmes and the detail of the capital projects.

The detail in the following tables is therefore provided based on the detailed property assessments undertaken and is presented in unit quantities with a more detailed description of the work to be undertaken in the paragraphs below.

Safe, Wind and Weather Tight

Table 1

	2012/13	2013/14	2014/15	2015/16
	Quantity	Quantity	Quantity	Quantity
Safe, wind and Weather tight.				
Door entry Systems (blocks)	0	20	20	20
External Doors – Flats (property)	0	20	600	600
External Doors – Houses (property)	0	240	149	6
Supported Housing Walkway Repairs - 2 storey blocks (8-10 flats per block)	19	19	19	19
Pitched roofs	60	570	240	70
Flat Roofs (2012/13 includes International Way)	10	18	18	18
Wall structure & Finish (property)	40	250	425	75
Chimney associated works	50	500	200	20
Windows (dwellings)	158	60	60	34
Electrical Risers (blocks)	11	12	1	0
Structural Works - various (see Detail)	N/A	N/A	N/A	N/A

Door Entry Systems:

10. Our residents prioritise safety and security in their home very highly and we have previously delivered a programme of door entry and installation to high priority areas in the city. Working with the local housing teams and the Police we are prioritising 20 blocks a year where there are issues of antisocial behaviour and vandalism to provide increased security to residents. Although the capital investment for refurbishment works does not commence until 2013/14 it is imperative to tender the works in 2012/13 to ensure compliance for the maintenance works which are ongoing in 2012/13. Both the Capital investment works and the Revenue maintenance works are linked and are to be operated by the same contractor. This action will also allow Housing Investment to act promptly and efficiently should any request from Hampshire Police be received following acts of anti social behaviour without the requirement of requesting individual Exemptions from Procurement.

External Doors (flats within blocks):

11. As part of ongoing schemes of work i.e. cyclical external decoration and major improvement projects citywide we will be upgrading 1220 front doors to modern veneered high quality new front doors. The recently tendered 4 year

Housing Refurbishment Project has elements included within the specification for items such as door replacement. The contract was specifically written with a sliding scale of “discount” for increased levels of investment. By adding these works to this project not only will there be a discount saving of up to 2% but also a procurement saving as the works will not be subject to a further specific tender process.

External Doors (houses and ground floor flats):

12. Houses and some ground floor flats do not benefit from the security of a door entry system. Where this work has already been undertaken residents benefit from greater security and peace of mind - these doors need to be more robust than the traditional wooden doors and it is the intention to replace all wooden doors with a more secure GRP 5 lever latch door. This programme will replace 400 old doors. The recently tendered 4 year Housing Refurbishment Project has elements included within the specification for items such as door replacement. The contract was specifically written with a sliding scale of “discount” for increased levels of investment. By adding these works to this project not only will there be a discount saving but also a procurement saving as the works will not be subject to a further specific tender process.

Supported Housing 2 Storey Walkway Repairs:

13. In 2012/13 the existing walkway project will continue with Nutfield Court, Seagarth Lane, Curzon Court and Weston Court. As reported in the Scheme Approval of 19th December 2011 in a bid to reduce cost the anticipated works in 2012/13 were brought forward. An exemption under Health and Safety reasons for the works to proceed has been granted by Procurement for 2012/13. However, these are part of a 4 year programme and there are financial benefits in tendering the works in 2012/13. Surveys are ongoing on our other similar blocks and we will deliver improvements to 60 further blocks across the whole of the city.

Pitched Roofs:

14. The Stock Condition Database and information from our Repairs Service has identified a number of blocks and houses where the pitched roof needs to be either totally replaced or where the existing tiles need to be removed and a new breathable membrane installed and then retiled with the existing tiles. It is envisaged that the majority of these works will be carried out in 2013/14 and 2014/15. Although there are not many roofs being worked on in the 2012/13 financial year this is to allow for the procurement/ tender to take place. This tender process will be for both pitched and flat roofs, as well as chimney repairs and wall structure therefore reducing procurement costs to a minimum (only 1 procurement process not 4 separate ones).

Flat Roofs:

15. Following recent external inspections of roofs across the city there are a number of flat roofs that will need to be replaced in the next 5 years. It is intended that some of these re-roofing works will coincide with other major capital works and also allow for the installation of PV panels. In 2012/13 the 5 blocks at International Way are to have new roofs allowing for PV panel installation, with a further 5 medium rise blocks in the west of the city having new roofs. From 2013/14 onwards a further 54 blocks will be re-roofed. Although there are not many roofs being worked on in the 2012/13 financial year this is to allow for the procurement/tender to take place. This tender

process will be for both pitched and flat roofs, as well as chimney repairs and wall structure therefore reducing procurement costs to a minimum (only 1 procurement process not 4 separate ones).

Wall Structure and Finish:

16. Many properties are now in need of brickwork re-pointing, major repairs to pebbledash and to associated wall coverings/render. Due to the number of properties citywide, it is considered that a programme of work is required to ensure that all properties remain watertight and weatherproof, therefore reducing the need for future repairs. As mentioned in Item 14 and 15 the wall structure and finish works will be tendered in association with the roof contract.

Chimney-associated works:

17. There are a number/variety of chimneys across the city that are in need of capital investment with corrective works to cowls, flashings, mortar lines and render treatments. These works will be carried out wherever possible in conjunction with other major capital programmes i.e. re-roofing to reduce scaffolding costs. As mentioned in Item 14 and 15 the chimney-associated works will be tendered in association with the roof contract.

Windows:

18. Works for 2012/13 have recently been tendered and legal formation of contracts is ready to proceed. This will see the last of the Council's single glazed windows (either wood or metal framed) replaced. In future years there is a requirement to replace the original double glazed metal frame units which are proving to be problematic with "cold bridging" occurring. By tendering a 3 year contract there are financial savings to be had not only in procurement but also in prices submitted due to stability of work.

Electrical Risers:

19. The Council still has responsibility for a large number of electrical risers (supply networks) within blocks of flats. These are not only old but now also under-sized for modern day appliances/loads. In line with previous upgrades, further risers are now to be updated/replaced (with a financial contribution from the supply/utility company) and adopted by the supply company on completion of the programme, therefore removing responsibility from the Council for future maintenance. The number of blocks indicated in Table 1 does not actually reflect the level of investment. The investment across the 3 years will allow all of the Northam Estate excluding Princes Court, Princes House and Millbank House as well as the whole of Wyndham Court to be upgraded.

Structural Works:

20. Given the type and age of Council properties, it is essential that regular structural investigations are carried out together with any remedial works identified. Under the current SSP agreement, Capita are to carry out the surveys, then document and report on their findings and oversee any works required. The approximate level of surveys/works is a 40% surveys/60% works split. It is proposed that in 2012/13 surveys/inspections will be carried out by the Structures Team to Hampton, Havre, Copenhagen and Rotterdam Towers as well as 91 medium rise blocks in Central and Peartree. In 2013/14 surveys will be carried out to 3 tower blocks in Thornhill, Canberra Towers in

Weston and a further 102 medium rise blocks in Townhill and Weston areas of the city. In 2014/15, 3 tower blocks in Central will be surveyed together with 99 medium rise blocks in Thornhill. Finally, in 2015/16, 3 tower blocks in Millbrook and Central will be surveyed together with 102 medium rise blocks in the Maybush, Shirley and Lordshill areas. Upon completion of these surveys each year, any remedial works identified will be carried out in the following financial year. Inspections carried out in 2011/12 have already identified that Millbank House, Shirley Towers and Albion Towers need remedial works as well as 11 medium rise blocks in Shirley, Maybush and Lordshill areas of the city. This remedial work will take place in 2012/13.

Warm and Energy Efficient

Table 2				
	2012/13	2013/14	2014/15	2015/16
	Quantity	Quantity	Quantity	Quantity
Warm and Energy Efficient				
Landlord Meter conversions (property)	1,000	1,000	1,000	1,000
Loft insulation & pipe lagging (property)	50	50	50	50
External Cladding (Kingsland flats only)	8	0	0	0
Electrical systems (communal areas)	4	3	13	8

Landlord Meter Conversions:

- In 2011/12 a trial of removing tenants/leaseholders from the landlord heating system was carried out enabling residents to have complete control of their heating and pay for their actual usage direct to their chosen supplier. This scheme is now to be rolled out to our residents across the city with the plan of up to 1,000 residents per year switching to their own meter and supplier. It is the intention to switch residents to individual meters on a block by block basis in Northam as part of the riser upgrade project.

Loft Insulation and pipe lagging:

- In previous years loft insulation and some pipework lagging has been carried out across the city utilising HRA funding and grant funding. There are still some 200 properties across the city where access has not been forthcoming/allowed. It is anticipated that 50 of these properties per year will become accessible by either void processes or tenant request and will subsequently receive further levels of insulation.

External cladding – flats:

- In 2011/12 Asset Management and Repairs identified problems with the existing render to a total of 8 blocks on the Kingsland Estate (Priory House, Wooley House, Lewis House and Kingsland House). All blocks are non-traditional clay-pot construction with a weatherproof render. However, rainwater has penetrated the render and then frozen which has “blown” the render away from the wall thus creating severe damp and mould on internal walls. A new thermal “rockwool” and silicone render is to be applied to all blocks. This will not only weatherproof the block but also insulate the buildings and reducing heating costs.

Electrical Systems – communal areas:

24. The recent introduction of LED light fittings and movement sensor switching equipment to a number of Supported Housing blocks as well as Shirley Towers has identified both reduced running costs and lower levels of maintenance. Running costs are currently being monitored and assessed but the anticipation/expectation is that lighting costs will reduce by 30-50%. The level of maintenance and specifically the levels of vandalism to these lights has reduced by 80% mainly due to the actual lamps not able to simply disengage from the electrical supply. It is intended that these works will now be extended to other blocks across the city. In 2012/13 Sturminster House and 3 Supported Housing blocks will be converted to this form of lighting. In 2013/14 Albion Towers and 2 Supported Housing blocks will be converted as well as in 2014/15 the 3 tower blocks in Thornhill and 10 general purpose walk-up blocks will also be converted. In 2015/16 Millbrook and Redbridge Towers, together with Canberra Towers and a further 5 general purpose walk-up blocks will be converted.

Modern Facilities

Table 3				
	2012/13	2013/14	2014/15	2015/16
	Quantity	Quantity	Quantity	Quantity
Modern Facilities.				
Bathroom Refurbishment	N/A	820	820	820
Kitchen Refurbishment	N/A	840	840	840
Central heating, Gas boiler replacement	422	555	555	555
Central heating (wet and electrical), pipework/circuits	50	75	425	425
Disabled Adaptations (see Detail)	N/A	N/A	N/A	N/A
Supported Housing Bathroom programme	70	70	70	70
Programme Management fees (see Detail)	N/A	N/A	N/A	N/A

Bathroom Refurbishment:

25. A programme for 2012/13 was approved on 19 December 2011. A programme is now in place for the following three years and a full procurement process is virtually complete to ensure that properties are upgraded to modern standards as agreed with tenants.

Kitchen Refurbishment:

26. A programme for 2012/13 was approved on 19 December 2011. A programme is now in place for the following three years and a full procurement process is virtually complete to ensure that properties are upgraded to modern standards as agreed with tenants. To save costs, both identified kitchen and bathroom works will be carried out at the same time where appropriate.

Central Heating, gas boiler replacements:

27. In previous years a programme of work took place to replace the old and inefficient back-boiler units (BBU) which also contained an element of asbestos. This programme will continue in 2012/13. From 2013/14 through to 2015/16 programmes are planned to replace old and inefficient warm air units and also conventional boilers that have reached the end of the

serviceable life expectancy. All new boilers will be modern combination, condensing boilers meeting a high british standard specification representing an operating saving for the residents. The recently tendered 4 year Housing Refurbishment Project has elements included within the specification for items such as boiler replacement. The contract was specifically written with a sliding scale of “discount” for increased levels of investment. By adding these works to this project not only will there be a discount saving but also a procurement saving as the works will not be subject to a further specific tender process.

Central Heating (wet and electrical), pipework/circuits:

28. In conjunction with replacing boilers some systems will require upgrading or total replacement having reached the end of their expected serviceable life. In addition to this there are number of properties that have partial heating i.e. downstairs only whether wet or electrical. It is the intention that the system will be upgraded to full heating. With regard to the electrical systems, these works will be incorporated, where possible, with landlord meter conversions. The recently tendered 4 year Housing Refurbishment Project has elements included within the specification for items such as central heating replacement. The contract was specifically written with a sliding scale of “discount” for increased levels of investment. By adding these works to this project not only will there be a discount saving but also a procurement saving as the works will not be subject to a further specific tender process.

Disabled Adaptations:

29. These individual projects are intended to provide both minor and major adaptations to Council properties across the city where residents have a specific medical need to enable them to live independently. Referrals from Social Services Occupational Therapists can be classed as either “critical” or “substantial” under both major and minor headings. “Critical” and minor referrals have a target period for delivery of 8 weeks. Asset Management have a target period of 9 months to deliver major works. Within the remit of Disabled Adaptations there are items of specialist equipment which need to be procured correctly both for Capital investment and Revenue maintenance reasons. Items under this remit include stairlifts, deaf equipment and door access equipment.

Supported Housing adapted bathroom programme:

30. In previous years’ programmes to Supported Housing blocks work has included new external lifts to ensure the blocks are Equality Act compliant as well as the refurbishment of all communal areas. Following on from these works the intention is to now ensure that the layouts within individual flats are conducive for the needs of residents both now and in the future. Part of the intended works will include converting the bathrooms from a traditional bath to a level access shower. Over 4 years 320 properties will be adapted to provide more convenient level access showers minimising disturbance to tenants in the future. It is planned that these works will be carried out at the following Supported Housing blocks; Rozel Court, Sarnia Court, Milner Court, Neptune Court, James Street, Manston Court and Pleasant View.

Programme Management Fees:

31. There are certain fees involved with managing the programmes of work included within the HRA Capital Programme that are not charged to individual

programmes.

Well Maintained Communal Facilities

Table 4				
	2012/13	2013/14	2014/15	2015/16
	Quantity	Quantity	Quantity	Quantity
Well Maintained Communal Facilities				
Communal Area Works (blocks)	2	4	3	3
Decent Neighbourhoods Schemes (see detail)		0	0	0
Lift Refurbishment and replacement	3	2	2	0
Decent Neighbourhoods Schemes	1	0	0	0

Communal Area Works:

32. Existing programmes of work are ongoing and those that have been completed have been well received by residents, visitors and users of the facilities. Once the new lift installations and refurbishment works are completed the central core areas of each block will need to be decorated, as well as new floor coverings and lighting. In 2012/13 works will be carried out to Rozel Court, 2013/14 Weston Court, James Street and Ventnor Court. In 2014/15 Sarnia Court and two blocks on the east side of the city followed by a further two blocks on the east side and one on the west side of the city in 2015/16.

Lift Refurbishment:

33. At a recent review meeting of our Supported Housing requirements a clear indication of what is required on a lift basis for each block has been planned. In 2012/13 a new external lift will be constructed at James Street and the two existing lifts at Ventnor Court will be refurbished. In 2013/14 a new external lift will be constructed to the first block at Rozel Court and the existing lift at Sarnia Court will be refurbished. In 2014/15 the second new external lift will be constructed at Rozel Court and the lift at Graylings refurbished. For lift works there is a significant lead in time for both procurement and tenant liaison and therefore work need to commence immediately to deliver this programme.

Decent Neighbourhoods Schemes:

34. This proposal will include improvements to the internal communal space between the two large blocks at Ventnor Court including a defensible space in front of each block by means of low level fencing. At Leaside Way there will be a community garden created together with some additional verge parking. The final part of the work will include some external decoration and improved signage. It is envisaged that works to the play area in Leaside Way will also be improved and we are currently working with our colleagues in other departments to enable this area to be refurbished including the installation of new play equipment.

RESOURCE IMPLICATIONS

Capital/Revenue

35. The most recent version of the 30 year HRA Business Plan, as used to inform the HRA Budget approved by Council on the 15th February 2012,

indicates that there is provision for the works seeking scheme approval. The Plan will need to be updated as revised forecasts for items such as RPI are received. Other changes may need to be made as priorities change and unanticipated events take place. The proposed Capital Programme will need to be kept under constant review as the Business Plan is updated to ensure that it remains affordable.

A number of the items seeking scheme approval are forecast to deliver revenue savings. These savings will need to be reflected in future revenue Budgets.

Property/Other

36. The HRA Capital Programme is fully reflected in the Corporate Property Strategy.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

37. There are no specific legal implications in connection with this report. The power to carry out the proposals is contained within Part 2 of the Housing Act 1985.

Other Legal Implications:

38. None

POLICY FRAMEWORK IMPLICATIONS

39. The proposed schemes in this report contribute positively to the Council's objectives set out in the Housing Strategy and HRA Business Plan to maintain and improve the condition of the city's housing stock.

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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All wards
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SUPPORTING DOCUMENTATION

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

Appendices

1.	None
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Documents In Members' Rooms

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: To follow

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.	N/A	
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DECISION-MAKER:	CABINET
SUBJECT:	LOCALISM ACT 2011 - TENANCY STRATEGY 2012-2016
DATE OF DECISION:	12 MARCH 2012
REPORT OF:	CABINET MEMBER FOR HOUSING
STATEMENT OF CONFIDENTIALITY	
None	

BRIEF SUMMARY

The Localism Act 2011 introduces a requirement for local authorities to develop a tenancy strategy. This strategy is expected to set out the local authority's vision for the way in which social housing is let within their area. In particular, it must address the way in which the authority expects the new type of tenancy introduced by the act (the fixed-term tenancy) to be used by all providers in the local authority area.

In addition to the tenancy strategy the local authority must also develop a landlord tenancy policy (if it is a stock holding authority like Southampton) and have consideration to the lettings policy which needs reviewing to reflect the new provisions. Since the tenancy strategy will set the overall vision this must be decided upon before the other documents can be produced. This paper outlines the main principles of the draft tenancy strategy for Southampton. Cabinet is asked to approve the strategy subject to any significant issues arising during consultation with stakeholders.

RECOMMENDATIONS:

- (i) To approve the draft tenancy strategy subject to consultation with stakeholders.
- (ii) Following consultation to authorise officers to implement the tenancy strategy. Should significant issues arise then the matter will be referred back to Cabinet for further consideration.
- (iii) To delegate authority to the Senior Manager, Housing Services to develop and implement both the landlord tenancy policy and the allocations policy following completion of the tenancy strategy in consultation with Director Environment and Cabinet Member for Housing.

REASONS FOR REPORT RECOMMENDATIONS

1. The Localism Act 2011 introduces a number of provisions in relation to social housing. In particular, the introduction of a new type of tenancy, the fixed term tenancy, which can be used as an alternative to secure, lifetime tenancies.
2. The act also introduces new provisions in relation to the way in which the housing list is managed and how priority can be awarded. Local authorities and other social housing providers now have discretion to consider a greater range of factors when letting properties and when considering the type of tenancy to be awarded.

3. The purpose of the tenancy strategy is for the local authority to set out how it sees the new tenancy type being used, its priorities in relation to who should be housed and for how long and to set the framework within which other providers need to have regard when developing their landlord tenancy policies and allocations policies.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. The tenancy strategy cannot be introduced without consulting registered providers and other stakeholders. Delaying commencement of the consultation was considered, however, this option has been rejected as stakeholders are likely to have considerable interest in the provisions of the strategy and they are required to “have regard” to the strategy when developing their own tenancy policy. We are aware that some providers in the city are already using fixed term tenancies and so it is important that we introduce our tenancy strategy as soon as possible to ensure that all providers are meeting the wider aims of the city in the use of these tenancies.
5. The necessary activities could be carried out in a different sequence. For instance drafting documents and carrying out consultation prior to consideration by Cabinet. However, this would not give early guidance to other providers in the city.

DETAIL (Including consultation carried out)

6. The draft tenancy strategy 2012-2016 is attached at appendix 1. This strategy lays out the Council’s expectations of how all providers in the city will utilise the new powers within the Localism Act. The Council is clearly laying out it’s expectation that all providers will utilise the provisions in the Act to support the development of communities and make best use of stock. The Council will not support any approach that provides a disincentive to residents to seek work or improve their family’s circumstances.
7. The fixed term tenancy can be for any period in excess of two years. However, the act requires that tenancies for a period of less than five years should be used only in exceptional circumstances. The Council’s expectation is that tenancies should be for a minimum of five years and indeed the Council is suggesting that tenancies up to ten years would be desirable. At the end of the fixed period the landlord may choose whether or not to award a further tenancy. The criteria for making this decision must have been set out at the commencement of the tenancy but can include a range of factors not currently taken into account when housing is allocated.
8. Under the new arrangements housing providers have discretion to consider issues such as property condition, community contributions such as fostering or voluntary work, stability of the neighbourhood, type of property, any special adaptations and employment status and income. There are also new provisions in relation to the re-housing of ex-service personnel and the way in which local authorities’ homelessness obligations can be discharged. The Council is encouraging all providers to take these issues into account.
9. There is no prescribed length for tenancy strategies. The period 2012-2016 has been chosen as this will enable the strategy to be considered in line with future iterations of the housing and homelessness strategies.

10. Cabinet is asked to approve the implementation of this strategy subject to any significant issues arising through consultation with stakeholders. Should significant issues arise the strategy will be brought before Cabinet again for further consideration.
11. In November 2011 the Council held a housing partnership meeting with its partner RP's to consider some of the wider issues in relation to the provisions of the then Localism Bill. Feedback from partners at that event has been used to inform this draft strategy.
12. It is proposed that over the next three months the draft strategy is formally consulted upon with:
 - Registered Providers who operate within the city;
 - Neighbouring Local Authorities particularly within PUSH;
 - Other key stakeholders such as the voluntary sector; and
 - Current tenants of the City Council as well as prospective future tenants of both the City Council and other registered providers.

RESOURCE IMPLICATIONS

Capital/Revenue

13. The consultation exercise will necessitate the production of documents and use of officer time. This will be accommodated within existing budgets. Any further implications will be identified as part of the further consultation and provided for accordingly.

Property/Other

14. The tenancy strategy will set the context in which social housing in the city is let and supports the Council and its partners to make the best use of social housing in the city.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

15. The requirement to produce a tenancy strategy is included in Part 7 section 150 of the Localism Act 2011.

Other Legal Implications:

16. Section 151 of Part 7 also requires the local authority when preparing its strategy to give the registered providers a reasonable opportunity to comment on those proposals.

POLICY FRAMEWORK IMPLICATIONS

17. The city's Housing Strategy 2011-15 includes the priority to provide more affordable housing and within this context the commitment to develop a new strategic tenancy policy. The authority has entered into a partnership agreement to develop new affordable homes with six Housing Association (Registered Providers) in the city, approximately twenty RPs have housing stock in the city. This requires that adequate consultation and notice be given where significant change is introduced.

18. The tenant involvement strategy, corporate involvement commitments and arrangements set out in the 1985 Housing Act require that the authority properly consults stakeholders when seeking to introduce new ways of working such as those set out in the localism act 2011.

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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

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

Appendices

1.	Appendix 1-draft tenancy strategy 2012-2016
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Documents In Members' Rooms

1.	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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1.	None	
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DECISION-MAKER:	CABINET
SUBJECT:	TOWNHILL PARK REGENERATION FRAMEWORK / MASTERPLAN
DATE OF DECISION:	12 MARCH 2012
REPORT OF:	CABINET MEMBER FOR HOUSING

BRIEF SUMMARY

Southampton City Council has embarked on a major estate regeneration programme which has an essential part in the wider commitment of delivering growth and tackling economic deprivation and social disadvantage on Southampton's Council estates

Estate Regeneration is also identified as a key component in delivering the City wide priority of sustained economic growth, contributing to the objective to deliver new homes and additional jobs.

This paper provides an update on progress with delivery of the Townhill Park Regeneration Framework and seeks approval to commence work to regenerate Townhill Park.

A Cabinet Report on the financial details of the proposal will be submitted to Cabinet on 16th April 2012.

RECOMMENDATIONS:

- (i) To approve the report of the Cabinet Member for Housing on the principles of the Townhill Park Regeneration Framework and Master Plan based on the modified Central Park option and to delegate authority to the Director of Economic Development to finalise the Townhill Park Regeneration Framework and Master Plan including commissioning and approving studies following consultation with Director of Environment, Head of Finance and IT and the Cabinet Member for Housing and Leader of the Council.
- (ii) To approve in principle the redevelopment of Townhill Park in three phases with the following zones in each phase:
 - Phase 1 comprising zones 1, 11 (interim uses), 25, 34, and 35
 - Phase 2 comprising zones 9, 11 (redevelopment), 12, 19, 20, 27 and 28
 - Phase 3 comprising zones 13, 14, 17, 24, 29, 30, and 33 including additional open space improvements incorporated in the Master Planand to delegate authority to the Director of Economic Development, following consultation with the Director of Environment, Head of Finance and IT and the Cabinet Member for Housing to move or amend zones within phases following completion of the remaining studies and to decide when to implement the additional open spaces and highways improvements incorporated in the Master Plan.

- (iii) To approve the virement of £156,000 in 2012/13 from the uncommitted Estate Wide provision for Estate Regeneration to the Townhill Park Master Plan budget in 2012/13 to enable the remaining studies to be completed and to increase, in accordance with finance procedure rules, approved spending limits for Townhill Park by the same amount.
- (iv) To delegate authority to serve Initial Demolition Notices as appropriate on all 3 Phases of the proposed redevelopment to the Director of Economic Development following consultation with the Cabinet Member for Housing, Head of Legal, HR and Democratic Services and Head of Finance and IT.
- (v) Subject to the affordability assessment, the availability of relevant HRA and General Fund budgets and the completion of the assessment of the delivery options:
 - To implement the current Decant Policy in relation to Phase 1 only,
 - To delegate authority to the Senior Manager Property and Procurement to negotiate and acquire by agreement any legal interests or rights held in respect of Phase 1, not held by the Council, using such acquisition powers as the Head of Legal HR and Democratic Services advises. In each case subject to confirmation from Capita, acting as independent valuers, that the price represents the appropriate Market Value.
 - To delegate authority to the Director for Economic Development, following consultation with the Director of Environment, Head of Finance and IT and Cabinet Member for Housing, and Senior Manager Property and Procurement to
 - Produce a Development Brief for Phase 1
 - Undertake a procurement process using the Homes and Communities Agency's Delivery Partner Panel (HCA DPP) Framework for Phase 1.
- (vi) To note that there will be a further report to Cabinet in due course seeking authority to approve a preferred bidder and seeking consent to dispose of the sites in Phase 1.

REASONS FOR REPORT RECOMMENDATIONS

- 1 Estate Regeneration is a major programme of renewal which is part of a wider commitment by the Council to deliver sustained economic growth and tackle deprivation on Southampton's council estates. The Estate Regeneration programme has grown from the Phase 1 pilot at Hinkler Parade through to an Estate Regeneration Framework for Townhill Park, which is focused on developing a strategic approach to delivery across the estate.

- 2 Redevelopment provides the opportunity to deliver improved modern 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.
- 3 Selecting areas of the city which are the most deprived, but have the greatest potential for housing gain will also contribute to the city wide priority of economic growth, and the Core Strategy target of delivering over 16,000 new homes between 2010 and 2026. Regeneration will provide the opportunity to tackle some of the socio economic challenges in the area.
- 4 Regeneration is supported by the community.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

- 5 The updated Housing Strategy 2011-15 and Housing Revenue Account Business Plan 2011-2041 approved by Cabinet on 4th July 2011 (and Council on 13th July 2011) confirm estate regeneration as a key priority for the Council.
- 6 This report proposes the delivery of the next projects within a programme of Estate Regeneration. The option of doing nothing would not achieve the Council's objectives of creating successful communities on our estates.
- 7 The option of doing nothing would result in a lack of strategic direction for the future of the area and a lost opportunity to meet the Council's objectives of economic growth.
- 8 The Estate Regeneration programme began with a pilot and one off sites, which has given the Council experience of regenerating housing, but is piecemeal. Taking a whole estate, as in Townhill Park, has allowed opportunities to deliver enhanced impact, which are not possible with a site by site approach.
- 9 Furthermore there has been considerable community consultation with local tenants and residents at Townhill Park, as part of the development of the regeneration framework, which has raised community hopes and expectations.

DETAIL

Core Principles of the Estate Regeneration Programme

- 10 The Estate Regeneration Programme is a key component in delivering the City wide priority of sustained economic growth. The programme is also key to tackling economic deprivation and social disadvantage on Southampton's Council estates.
- 11 The objective of the estate regeneration programme is to create successful communities on our estates where people will want to live in the future. Communities will be comprised of people of different ages and backgrounds, where work is normal for all who are able to. Homes and public spaces will be designed to provide safe and secure environments and local people will take an active involvement in ensuring the success of the community.

- 12 The outline principles of the programme are :
- Taking a comprehensive approach to renewal in order to transform neighbourhoods into places where people want to live for years to come.
 - Maximising the number of new homes, including family homes, as part of the re-development.
 - Promoting mixed communities made up of affordable and private homes.
 - Involving local people in developing and designing their community for the long term.
 - Providing shops and community facilities, where needed and practicable.
 - Promoting economic growth and the creation of jobs and training opportunities
 - Providing homes and an environment that positively contributes towards sustainable development

Townhill Park – The Case for Regeneration

- 13 Southampton City Council is the largest landlord in the South East of England with over 17,000 properties let to tenants and leaseholders. The Housing Revenue Account Business Plan 2011-2041 'Investment in our Homes, Investment in our Neighbourhoods' provides a long term plan for managing and improving the Council's own housing stock to contribute to the overall progression of wider corporate and city-wide goals such as tackling wider socio-economic issues in order to deliver real lasting change and maximise employment and training opportunities.
- 14 In 2009 Terence O'Rourke consultants were commissioned by the Council to identify capacity to accommodate renewal and housing growth across the Council's housing estates to 2026. Focusing on the city wide priority of sustained economic growth, and the Core Strategy target of delivering over 16,000 new homes, the capacity study recommended that to maximise housing growth through estate regeneration, the Council would need to focus on those sites which offered the most potential for housing gain (net increase on the existing properties). The Capacity Study identified Townhill Park as an area with the greatest potential for housing gain, with significant potential to grow in numbers of homes by 36.5% (at highest density levels).

Background for Commissioning the Townhill Park Study

- 15 On 4th July 2011 Cabinet approved the commencement of a programme of consultation and engagement with residents and stakeholders at Townhill Park and the appointment of consultants to prepare a Regeneration Framework document. Consultants CB Richard Ellis in association with Urban Initiatives and Ikon were appointed using the Homes and Community Agency's procurement panel and work began in August 2011.

Consultation – Estate Regeneration Programme

- 16 Consultation has been undertaken with a range of bodies in the development of the Estate Regeneration programme. Nationally, this includes the Homes and Communities Agency and Sub Regionally, the Partnership for Urban South Hampshire (PUSH). Locally, there has been consultation with tenants' representatives and trade union representatives. There has also been positive cross-party engagement

Consultation Process – Townhill Park

- 17 A leaflet was distributed to all residents in March 2011, advising of proposals to prepare a regeneration framework for Townhill Park. The feedback to date has generally been supportive of the proposals.
- 18 Formal consultation with residents commenced in late summer of 2011, once the consultants were appointed to deliver the Framework. Throughout the study there have been a series of public meetings held in order that the area's residents can be involved in shaping the proposals and to make comment. See Appendix 3.
- 19 A Neighbourhood Team has also been formed, which is made up of local volunteer residents and officers who work in the area. They have met on 3 occasions and worked with the consultants in shaping the vision and themes for improvement as well as exploring the various options for redevelopment. It is intended that this group will continue to meet through development and implementation.
- 20 Public consultation has been positive and those attending have been supportive of the need for transformational change and have supported redevelopment of the residential blocks in the area. At the initial public consultation in September 2011 the top of residents concerns was the quality of their open spaces and play facilities for young people.
- 21 However, at every meeting car parking in the area and especially traffic movement and car parking around the schools was raised as a major issue of concern. These issues will be examined in further detailed work as part of the proposed Transport Assessment. A summary of the public consultations is contained in Appendix 3.

Initial Results

- 22 The Townhill Park Regeneration Framework work has taken place in a number of stages:
- Stage 1: Baseline information including the physical, social and economic characteristics of the area
 - Stage 2: Options resulting from the agreed vision and themes
 - Stage 3: Regeneration Framework consisting of 3 elements: the Regeneration Framework, Delivery Framework, which includes the financial modelling and Socio-Economic Framework.

Stage 1: Baseline Information

- 23 This stage set out a broad understanding of the place, the people and the context for change and also included an Open Space Audit. The importance of raising educational aspirations and the provision of more opportunities for residents to train and access employment opportunities has always been an important priority for the Estate Regeneration programme. Therefore, the baseline contains an in depth study of the current socio-economic conditions in Townhill Park, which informs the Socio-Economic Development Strategy, which forms part of the Regeneration Framework.

Stage 2: Options including Vision and Objectives

- 24 The second part of the project agreed a vision for Townhill Park that; By 2021, residents of Townhill Park will be proud to live in a successful suburban family neighbourhood.
- The Neighbourhood Team explored a range of approaches to regeneration, which were shaped into the following options:
- 'Retain and Improve': a very light touch to making physical change
 - 'Village Green': a middle approach to change and redevelopment
 - 'Central Park': a maximum most comprehensive redevelopment option
- 25 Residents also agreed seven themes which would form an intrinsic part of delivering the vision. These are:
- A 'fantastic' community heart
 - Meggeson Avenue a safe and attractive public space with improved crossings
 - A transformed park and wonderful local greens and play spaces
 - A better walking, cycling and public transport connections locally and to the rest of the city
 - Healthy and well-designed socially-rented and private homes that address a variety of needs, with as many homes on the ground as possible
 - Successful local shops and community facilities
 - Greater social and economic opportunities
- 26 Improvements for each of the seven themes are included in each of the three options. They are not so great in the 'Retain and Improve' option and increase in scale through the 'Village Green' option to a maximum change in 'Central Park' option.

Options

- 27 The main characteristics of the 3 main options were as follows:

'Retain and improve' approach

- 28 Retain all existing buildings and provide some element of refurbishment. Retain Frogs Copse broadly as it is, and improve streets and open spaces in key areas. This approach would result in no major change or disturbance for local people, but also no major improvements for Townhill Park.

- Woodland, Wildlife and Play
Keep all woodland wildlife areas as they are, and build a new recreation area for young people at Frogs Copse and new playgrounds across the area.
- No Demolition
Retain all existing buildings, and make minor improvements to five-storey blocks. Carefully build a small number of new homes on a few vacant sites to fund wider improvements.
- Traffic Calming/Public Transport
Slow traffic and provide crossings on Meggeson Ave. Improve safety and traffic circulation at school drop-off area. Work with bus operators to improve local services, promote car clubs, cycling and walking.
- Refurbished Shopping Parade
Refurbish the existing shopping parade on Meggeson Avenue and open a new café/pub and convenience store

'Village Green' approach

29 Create a new Village Green at the heart of Townhill Park, replace some five-storey blocks and swap part of Frogs Copse to make it more accessible for local people. This approach would bring significant investment and improvements into the area, but result in some change and disturbance for local people.

- Village Green
Create a new Village Green at the heart of Townhill as a focus for community life
- Frogs Copse
Swap part of Frogs Copse with the same-sized area of housing land at Meggeson Ave, keeping all woodland and managing it for wildlife and people
- Replace/Improve 5-Storey Blocks
Replace some five-storey housing blocks with new and better houses, flats, and open spaces whilst refurbishing others to a high standard to improve entrances and reduce energy use
- Improved Route to Midanbury
Make a better walking and cycling connection to Cornwall Road to improve safety and access to Midanbury
- New Community Centre
Replace Moorlands Community Centre on Townhill Way to provide improved community facilities and enable development of the site.

'Central Park' approach

- 30 Create a new Central Park by swapping open space at Frogs Copse. Replace all five-storey blocks and some houses with new homes. This approach addresses all of the area's physical problems and would transform the area, but would cause significant disruption for local people.
- Central Park
Swap part of Frogs Copse with the same-sized area of housing land to create a new 'Central Park' at the heart of Townhill Park as a focus for community life
 - Replace All 5-storey Blocks
Replace all five-storey housing blocks with new houses, flats, and open spaces
 - Replace some 2-storey Houses
Replace some of the two-storey houses with new better quality homes in an improved layout
 - New Street link to Midanbury
Make a new street connection from Townhill Park to Cornwall Road to improve safety and access to Midanbury
 - New Shopping Parade
Build a new shopping parade on Meggeson Avenue, with a new café and neighbourhood convenience store
- 31 These three options were presented and tested at public consultation in December 2011. For each of the three options the public were asked to place stickers against all the themes in each of the 3 options to show their support. This was then used to gauge which option and which proposals under each theme were most popular. This information was used to inform the preferred Master Plan option, which is largely that of Central Park with some amendments, i.e. possible reduced homes on Frogs Copse (subject to ecology study) and a reduced size of a 'Village Green'.

Stage 3: The Regeneration Framework

- 32 Stage 3: The Regeneration Framework consisting of 3 elements: the Regeneration Framework, the Delivery Framework, which includes the financial modelling, which will be the subject of the Cabinet Report on 16th April 2012 and the Socio-Economic Framework
- 33 Regeneration Framework Preferred Master Plan Central Park modified
A copy of the Regeneration Framework including the Master Plan is contained in Appendix 2. (in the Members Room). The preferred Master Plan largely based on the 'Central Park' option includes:
- Creation of a new community heart, with a new village green in the centre of Meggeson Avenue, new local shopping facility and community focused café or pub.
 - Traffic calming measure on Meggeson Avenue including re-alignment around the Village Green

- The redevelopment of all the blocks in the area and the provision of 675 new homes. Housing details are included in more detail in paragraph 34 below. A range of open space improvements including improving Frog's Copse and Hidden Pond, the creation of a new central Village Green.
- New local shops in a mixed use development in the centre in association with the Village Green, including a new café/pub, new shops, services and re-provided Moorlands Community Centre on Townhill Way.
- Improved walking and cycling and transport connectivity including: improved access to amenities at Midanbury and improvements to pick up and drop off at the school and community centre and improvements to encourage walking and cycling.
- Car parking is recognised as a contentious issue and proposals aim to provide a range of parking improvements through comprehensive design.
- The socio-economic Framework will contain the strategy for improving access to employment and links to other city wide initiatives.

34 The following details around new housing provision are proposed as follows:

Housing Detail	Numbers
Current Numbers of Homes in the Study	817*
Number of Homes demolished	428
New homes built	675
Net Gain	247

This includes the provision of 380 affordable homes

* Number does not include 222-252 Meggeson Avenue which is currently being developed in Phase 2 of the Estates Regeneration programme.

Consideration of any development on any of the sites is subject to further studies and consultations. Numbers are currently being revised and are subject to further change once the technical work has been completed.

Phasing

35 The phasing programme has been selected on the basis that it:

- Delivers visible and transformative change early on in the project
- Provides a scale of sites in close proximity to each other that is attractive to potential partners
- Allows for significant levels of rehousing within Townhill Park for those tenants and residents directly affected by the regeneration programme
- Allows for phasing of the infrastructure such as improvements to parks, streets and community facilities.

- 36 Three phases of development are intended and zones that are likely to be included in each phase are set out below (this is subject to change once the technical work has been completed)
- Phase 1 – Zones 1, 11 (interim uses), 25, 34, and 35 in Years 1-3
- Phase 2 – Zones 9, 11 (redevelopment), 12, 19, 20, and 27 in Years 3*-6
- Phase 3 – Zones 13, 14, 17, 24, 29, 30, and 33 in Years 7-10
- Phases include additional open space and highways improvements incorporated in the Master Plan.
- (Sites 19 and 25 are particularly dependent for consideration on further work to determine their suitability.)
- * Phase 2 is intended to start before Phase 1 is completed

Delivery Vehicle Recommendations

- 37 A number of delivery vehicles have been considered and appraised as part of the masterplanning process.

Joint Venture (JV) Option

- 38 The joint venture option for the delivery of Townhill could be a structured partnership between the City Council and a private sector partner – normally anticipated to be a developer or a contractor /developer. The joint venture would be structured as a Company Limited by Shares or Guarantee or as a Limited Liability Partnership – the merits of these alternatives are not explored in detail here though the LLP route may offer benefits of tax transparency, particularly if development risk is taken.

Development Agreement

- 39 A more traditional approach to delivery of the Regeneration Framework is the use of a Development Agreement. The Development Agreement will pass market sale risk and return to the private sector and/or Housing Association partner.

Direct Development

- 40 The City Council would both lead finance and via a contractor partner deliver homes for both affordable and market sale. This would typically be structured via a fixed price Design and Build Contract through which homes for market sale and affordable could be delivered.

Council's Favoured Option for Delivery

- 41 A full evaluation of these options will be included in a report to Cabinet in April but the work to date indicated that the favoured option for delivery in Phase One of this project is to use a Development Agreement i.e. to work with one or more registered providers (known as Housing Associations or Registered Social Landlords) and private sector partners to deliver a more mixed community using the Homes & Communities Agency's Delivery Partner Panel (HCA DPP) Framework. This method is tried and tested, a Development Agreement is well understood and passes risk and benefit to the private sector and has been utilised previously by the City Council at Hinkler Parade and 222 to 252 Meggeson Avenue. Other delivery options will be reappraised for later phases of the project. The use of the Homes &

Communities Agency's Delivery Partner Panel (HCA DPP) Framework as a means to provide a quicker and more efficient procurement process was appraised in November 2011

Aspects Requiring Further Study

- 42 There are several aspects of the work that require further study before they can be finalised. These include:
- Extended Ecological Habitat Survey and detailed species surveys. This work is seasonal and is currently being commissioned. Its outcome may affect aspects of the framework proposals.
 - Completion of the Socio-economic Framework, due for completion at the end of March 2012.
 - Transport Assessment. It is necessary to carry out further more detailed analysis of transport in the area. This will include all aspects of transport including walking and cycling.
 - A Sustainable Urban Drainage Systems (SuDS) study assessing the physical, hydrological, and environmental parameters and showing concepts of how the drainage requirements will be accommodated
 - An energy assessment that sets out how the energy and CO2 requirements will be met. This involves assessing the sustainability options around demolishing buildings as opposed to retention, consideration of passive solar gain and renewables, and consideration of district heating
 - It is likely that all of the above reports could be included as chapters in a comprehensive Environmental Statement. A screening and scoping opinion should be submitted to assess the requirements.

RESOURCE IMPLICATIONS

Capital/Revenue

- 43 The costs of completing the current master planning work is estimated at £156,000 in 2012/13. This cannot be met from the current budget for Townhill Park master planning but there is an uncommitted budget in 2012/13 of £2,258,000 for Estate Wide estate regeneration. It is therefore proposed to transfer £156,000 from the general Estate Wide provision to the budget for Townhill Park master planning and to increase the approved spending limit for Townhill Park by the same amount.
- 44 The full financial effects of the Master Plan are currently being assessed. This covers the effect on the 30 year Housing Revenue Account (HRA) business plan and the General Fund.
- 45 This analysis will be based on the current Master Plan and will need to be updated once the further studies referred to in paragraph 42 are completed. The initial analysis will be reported to Cabinet in April 2012. This report will set the financial parameters within which the 10 year regeneration will take place.

- 46 As the Master Plan is revised the financial implications will be updated and it will be necessary to submit further reports if the costs of the regeneration programme exceed these parameters. It will also be necessary to submit further reports to obtain specific budget approvals as individual projects are implemented over the 10 year period.
- 47 The April report will also seek approval under Finance Procedure Rules for spending that will support the delivery of phase 1 of the regeneration programme.

Property/Other

Property

- 48 Within the area the Council owns the site of the former Local Housing Office and Moorlands Community Centre, the latter is shown as the space currently re-provisioned in the Master Plan.
- 49 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. The case for regeneration sets out the opportunities to provide modern retail units to serve the future requirements of the community
- 50 The commercial tenants will be compensated in accordance with statutory valuation procedures which will be specific to each tenant. The Estates Regeneration Team will produce and distribute information leaflets for residential tenants and property owners which set out their statutory compensation arrangements.
- 51 Consent to dispose of the sites, once a developer is secured, will require Cabinet approval. The Council’s Strategic Services Partner, Capita, is acting as the Council’s property advisor inputting into these projects.

Property Acquisition

- 52 This report seeks authority to acquire, where terms can be agreed, parcels of land which it would be desirable to incorporate within the potential regeneration sites now where Cabinet has given approval for consultation with residents to ensure these opportunities are not missed. These properties may be let out on a short term basis providing the Council with a fairly modest rental income pending site redevelopment. Care would be taken not to enter into any letting agreements that would result in the tenants obtaining security of tenure.

Other – Procurement

- 53 The Council’s Contract Procedures Rules govern the Council’s procurement of goods, services and works. These rules reflect European and UK Law. Options for procurement which are compliant with the Council’s Contract Procedure Rules will be further investigated.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

- 54 The Council has powers under the Housing Acts, Landlord and Tenant Acts and the Town and Country Planning Act 1990 to undertake the estate

regeneration proposals. A power of general competence is also available under section 1 of the Localism Act 2011, the exercise of which is subject to any pre-commencement prohibitions or restrictions that may exist.

- 55 The Council also has powers under the Housing Acts 1985 and 1996, the Land Compensation Act 1973 (as amended) and the Planning and Compulsory Purchase Act 2004 to agree and to undertake the decanting of Council tenants to progress the scheme.
- 56 If approval is given in principle to the redevelopment of Townhill Park it is prudent to serve Initial Demolition Notices in the 3 Phases on existing secure tenants in the affected areas. This will have the effect of releasing the Council from its obligations under the Housing Act 1985 to complete sales in respect of any existing or new Right to Buy (RTB) applications. The Initial Demolition Notice therefore suspends all existing claims and any new ones made will also be suspended.
- 57 In order to extinguish the RTB completely, in the 3 Phases, a Final Demolition Notice (FDN) has to be served on any remaining secure tenants within seven years of the service of the Initial Demolition Notice at which time the council must either have purchased all land not in its ownership or have concrete arrangements in place to purchase property which is not in its ownership and the demolition must be within 24 months of the service of the FDN.
- 58 Section 17 Housing Act 1985 permits the acquisition of land for housing purposes by agreement, or with the authorisation of the Secretary of State, compulsorily. With the consent of, and subject to any conditions imposed by the Secretary of State, a local housing authority may compulsorily acquire land for housing purposes notwithstanding the land may not be required for those purposes within 10 years from that date. There are also powers of acquisition in section 227 of the Town and Country Planning act 1990 to acquire land by agreement where the land is required for planning purposes.

Other Legal Implications:

- 59 None.

POLICY FRAMEWORK IMPLICATIONS

- 60 The updated Housing Strategy 2011-15 and Housing Revenue Account Business Plan 2011-2041 approved by Cabinet on 4th July 2011 (and Council on 13th July 2011) confirm estate regeneration as a key priority for the Council. The proposals in this report will contribute towards the achievement of these objectives.

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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Bitterne Park and Harefield wards.
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SUPPORTING DOCUMENTATION

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

Appendices

1.	Site Plan, Townhill Park Proposed Phases and Zones
2.	Townhill Park Regeneration Framework
3.	Summary of Consultation Townhill Park

Documents In Members' Rooms

1.	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.	Yes
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Other Background Documents

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

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.	Stage 1 Baseline Report Stage 2 Report Options	
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DECISION-MAKER:	CABINET
SUBJECT:	FREEMANTLE COMMON: DISPOSAL OF PROPERTY AND DE-REGISTRATION/EXCHANGE OF COMMON LAND
DATE OF DECISION:	12 MARCH 2012
REPORT OF:	CABINET MEMBER FOR RESOURCES, LEISURE AND CULTURE
STATEMENT OF CONFIDENTIALITY	
Not Applicable	

BRIEF SUMMARY

The former Ridgeway House School and Prospect House have been declared surplus to requirements and are to be sold to realise a capital receipt following the vacation of Prospect House in early 2013. The redevelopment of the sites will require the construction of a new highway footpath on land that is currently a small strip of registered common land at Freemantle Common. This will require an application to the Secretary of State to de-register the strip of common land. It is proposed that other Council owned land will be formally designated as replacement common land so that there will be a net gain of common land. The land required for the footpath will also require to be appropriated from open space to highways holding powers.

RECOMMENDATIONS:

- (i) To authorise the Head of Legal, HR and Democratic Services to make an application to the Secretary of State for the deregistration and exchange of common land identified on the plan at Appendix 1.
- (ii) To authorise the Head of Legal, HR and Democratic Services to advertise the proposed appropriation of common land proposed to be deregistered and open space at Freemantle Common Road identified on the plan at Appendix 1 for two consecutive weeks in a local newspaper.
- (iii) If no objections are received, and subject to obtaining Secretary of State's consent to the exchange of common land, to authorise the Senior Manager: Property, Procurement and Contract Management to appropriate the required areas of common land and open space for highway purposes.
- (iv) In the event that any objections are received to the proposed appropriation to bring a subsequent report and refer those objections to Cabinet for determination.
- (v) To delegate authority to the Senior Manager: Property, Procurement and Contract Management to approve the preferred tender, agree the terms of the sale and to carry out all ancillary matters to dispose of the site

REASONS FOR REPORT RECOMMENDATIONS

1. To enable the redevelopment of Council land thereby promoting environmental improvements, new housing and delivering a capital receipt.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. The former Ridgeway House School & Prospect House could be retained in Council ownership; this would however have a number of disadvantages including:
 - i) Would not generate a Capital Receipt
 - ii) Encourage security risks associated with empty properties once the buildings have been vacated
 - iii) There are no Council requirements for Ridgeway House School and the current services provided at Prospect House are being relocated elsewhere. There are therefore no requirements for the retention of either of these buildings.
3. Market the site without appropriating the relevant areas of public open space and without obtaining consent for the deregistration and exchange of common land. This option is not recommended as highway improvements are required to enable development of the site. Without being able to carry out these improvements, the sites could only be sold on the basis of their existing uses resulting in a significantly reduced capital receipt.
4. Market the site without carrying out the highway improvements along Freemantle Common Road. This would however prejudice any development on the site significantly reducing the level of Capital receipt.

DETAIL (Including consultation carried out)

5. Outline Planning Consent was originally granted for the development of the former Ridgeway House School site. As part of the pre-planning consultation process the Councils Highway Officer established that the existing access into the site was inadequate in terms of pedestrian safety with regards to a residential development. The officer advised that two footpaths be constructed either side of Freemantle Common Road at the junction with Peartree Avenue to enable a pedestrian link between Peartree Avenue and the proposed development.
6. Subsequent to this, Phase 3 of the Modernisation of Southampton Day Services was approved as a result of which Prospect House will be surplus to requirements and available for disposal on completion of the extension and refurbishment of Woolston Community Centre, scheduled for completion in early 2013. The amalgamation of the Prospect House site with the Ridgeway House site will create a single, more attractive development opportunity. The two sites are therefore to be marketed together and a new planning application for the redevelopment of the combined site has been submitted.
7. Based on the revised proposals only one footpath is now required alongside Freemantle Common Road so as to provide a connection between the existing footpath on Peartree Avenue and the proposed development. The land identified for the formation of the footpath comprises a strip of land part of which (30 sq m) is registered common land (identified as (a) on the attached plan), being part of Freemantle Common, and part (20 sq m) being an adjoining area of open space which lies outside of the boundaries of the registered common (identified as (d) on the attached plan). Both pieces of land are held under the Open Spaces Act 1906. This small area comprises

grassed fringes, devoid of any trees or shrubs.

8. In order for this strip of common land to be used as a footpath the consent of the Secretary of State is required to deregister the land. It is unlikely that an application to deregister with no provision for replacement land will succeed unless there are special circumstances. Further, it is expected that, except in special circumstances, the proposed replacement land will not result in a diminishment of the stock of public access land. Land previously identified for exchange did not find support from other stakeholders and consultees. A new area of land (198 sq m) has been identified for this purpose comprising part of the tree belt within the grounds to the former Ridgeway House School (identified as (b) on the attached plan). It is also proposed to include the area of open space (identified as (d)) that lies between this area of exchange land and the existing common land in the application so that the land is wholly integrated into the existing common land .
9. Informal consultation has been carried out whereby all stakeholders and interested parties were written to advising them of the revised proposals to de-register and offer in exchange the strip of replacement land. The responses have been supportive of the proposed exchange.
10. Formal advertising of the proposal to deregister and exchange the common land of the intention to appropriate the land will be carried out in accordance with the statutory procedures.

RESOURCE IMPLICATIONS

Capital/Revenue

11. There are no ongoing revenue implications arising from the sale of either Ridgeway House School or Prospect House as neither currently generate any rental income. However if Secretary of State Consent is not granted and the disposal of the site does not proceed or is delayed, this will require site security costs to be incurred once both buildings are vacated. These costs will need to be met by the relevant service Portfolio in the first instance.
12. Council agreed at its May 2003 meeting that the capital receipts generated from the sale of Ridgeway House and the other SEN schools released and sold could be used to support the capital expenditure incurred in implementing the SEN Strategy major capital projects. In addition, Council agreed at its September 2008 meeting that part of the capital receipt generated from the sale of Prospect House and could be used to support the capital expenditure incurred in implementing Phase 3 of the Modernisation of Southampton Day Services.
13. These capital schemes and funding have been incorporated within the current approved capital programme. Therefore any capital receipt from the sale over and above the funding used for these schemes will be used to reduce the funding deficit on the overall General Fund capital programme. A receipt lower than this will increase the deficit.

Property/Other

14. Ridgeway House is in temporary use as a depot for the Decent Homes Programme for the Sholing, Peartree and Merryoak areas. Prospect House is scheduled to be vacated on completion of the extension and refurbishment of

Woolston Community Centre in early 2013. Both properties have been declared surplus and to be sold.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

15. The power to sell the properties is Section 123 of the Local Government Act 1972 .
16. The Council is required to obtain Secretary of State Consent before the de-registration of common land and exchange of replacement land can take place, the procedure for which is governed by Section 16 of the Commons Act 2006.
17. The Council is required to advertise proposals for the appropriation of open space under Section 122 of the Local Government Act 1972 in a local newspaper for two consecutive weeks and to consider any objections.

Other Legal Implications:

18. None

POLICY FRAMEWORK IMPLICATIONS

19. The proposal set out in this report is not contrary to any policy implications. The disposal of a council property for a capital receipt supports the Councils capital programme.

AUTHOR:	Name:	Bronwyn Dunning	Tel:	023 8083 2385
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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Peartree
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SUPPORTING DOCUMENTATION

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

Appendices

1.	Site Plan V3295
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Documents In Members' Rooms

1.	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.	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)

1.	None	
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DECISION-MAKER:	CABINET
SUBJECT:	PROPERTY DISPOSAL PROGRAMME - APPROVAL TO DETAILED TERMS
DATE OF DECISION:	12 MARCH 2012
REPORT OF:	CABINET MEMBER FOR RESOURCES, LEISURE AND CULTURE

STATEMENT OF CONFIDENTIALITY

Confidential Appendix 3 to this report contains information deemed to be exempt from general publication based on Category 3 of Paragraph 10.4 of the Council's Access to Information Procedure Rules. The appendix includes a table showing the rental income and values of property which, if disclosed prior to entering into any contracts, could put the Council at a commercial disadvantage. In applying the public interest test it is not considered appropriate to publish this information as it could influence bids for a property which may be to the Council's financial detriment.

BRIEF SUMMARY

The report seeks approval to the disposal of The Shirley Centre and The David Lloyd Leisure Centre freehold investments at not less than the minimum prices set out in the confidential appendix, and to delegate powers to the Senior Manager, Property, Procurement and Contract Management, in consultation with the Cabinet Member for Resources Leisure and Culture, to approve detailed terms which exceed the stated minimum price. Approval is also sought to authorise the Head of Legal, HR and Democratic Services to advertise the proposed disposal of the David Lloyd Centre (held under the Public Health Acts) in accordance with Section 123 Local Government Act 1972.

RECOMMENDATIONS:

- (i) to approve the principle of the disposal of the Council's freehold investments at The Shirley Centre and The David Lloyd Leisure Centre;
- (ii) to delegate authority to the Senior Manager, Property, Procurement and Contract Management after consultation with the Director for Corporate Services and the Cabinet Member for Resources, Leisure and Culture to approve the sale to the preferred bidders at not less than the minimum prices set out in the confidential appendix, and to subsequently negotiate and carry out all ancillary matters to enable disposal of the sites;
- (iii) that the Head of Legal, HR and Democratic Services be authorised to enter into any legal documentation necessary in respect of the sales;
- (iv) to note that the estimated value of the capital receipt from these disposals had already been built into the funding of the capital programme. Any receipt higher than the estimate will be used to reduce the funding deficit. A receipt lower than this will increase the deficit;

- (v) to authorise the Head of Legal, HR and Democratic Services to advertise the proposed disposal of the David Lloyd Centre (held under the Public Health Acts) in accordance with Section 123 Local Government Act 1972; and
- (vi) should any objections be received, to refer these objections to Cabinet for determination. If no objections are received, to authorise the freehold disposal of the David Lloyd Centre on the terms set out in this report without further referral to Cabinet.

REASONS FOR REPORT RECOMMENDATIONS

1. The delegated authority to the Senior Manager, Property, Procurement and Contract Management to approve land and property disposals is limited to £1,000,000 where this is in consultation with the Cabinet Member for Resources, Leisure and Culture. Both these disposals are each expected to realise in excess of £1,000,000 requiring cabinet approval to terms. This report is the vehicle to provide the necessary approvals.
2. Cabinet approval is required to authorise the Head of Legal, HR and Democratic Services to advertise the proposed disposal of the David Lloyd Centre (held under the Public Health Acts) in accordance with Section 123 Local Government Act.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. Do nothing - the opportunity for significant capital receipts would be lost.

DETAIL (Including consultation carried out)

4. The properties included within this phase of the Disposal Programme are The Shirley Centre - Freehold Investment and the David Lloyd Leisure Centre - Freehold Investment.
5. Confidential appendix 3 sets out the proposed minimum prices expected to be realised for the disposal for each of the two properties including a disposal price, over and above which the Senior Manager, Property, Procurement and Contract Management in consultation with the Cabinet Member for Resources Leisure and Culture, shall be delegated powers to approve the transactions.
6. The Head of City Development has no objection to the disposal of these two properties

RESOURCE IMPLICATIONS

Capital/Revenue

7. The capital receipt to be received by Southampton City Council as detailed in confidential appendix 3 will be allocated to the general fund.
8. The disposal of The Shirley Centre and David Lloyd freeholds would result in a £386,000 loss of income per annum to the Resources Portfolio Investment Property Account. This amount is expected to increase to approx. £424,400 p.a. following receipt of outstanding audited statements from the tenant at Shirley. The ongoing loss of income will be built into future estimates for the Investment Property Account.

Property/Other

9. Initial approaches have been made to both tenants to ascertain their interest in the respective freeholds. Both sites are to be sold by private treaty, following marketing exercises that will demonstrate that the Council is receiving not less than the best consideration. Only unconditional offers will be considered.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

10. The Shirley Centre is held under the Town and Country Planning Act 1990. Disposal may proceed under Section 233 Town and Country Planning Act 1990 so long as such disposal appears to be expedient to secure the best use of the land or construction work on it.
11. The David Lloyd Centre is located on land held under the Public Health Act 1875 and is therefore defined as public open space. Previously approval was obtained to grant a 60 year lease only. Consent is now required for a freehold disposal. The proposal must be advertised with any objections considered by the Council.
12. Provided the disposals are for best consideration then no separate consent for such disposals need be sought from the Secretary of State. Any offers for the sites above the minimum prices represent best consideration under Section 123 Local Government Act 1972.

Other Legal Implications:

13. None

POLICY FRAMEWORK IMPLICATIONS

14. The disposal of a Council property for capital receipt supports the Council's capital programme.

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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All wards
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SUPPORTING DOCUMENTATION

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

Appendices

1.	The Shirley Centre - Plan
2.	David Lloyd Leisure Centre - Plan
3.	Detailed terms (confidential)

Documents In Members' Rooms

1.	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.	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)

1.	None	
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Agenda Item 20

Appendix 3

Document is Confidential

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DECISION-MAKER:	CABINET
SUBJECT:	DRAFT PUBLIC HEALTH TRANSITION PLAN (YEAR 2)
DATE OF DECISION:	12 MARCH 2012
REPORT OF:	DIRECTOR OF PUBLIC HEALTH
STATEMENT OF CONFIDENTIALITY	
None.	

BRIEF SUMMARY

The Health and Social Care Bill passing through Parliament provides for the transfer of substantial elements of public health to local authorities. A draft transition plan has been produced in consultation with the Southampton, Hampshire, Isle of Wight and Portsmouth (SHIP) Primary Care Trust (PCT) cluster, on behalf of Southampton City PCT, and is now presented to Cabinet for approval.

RECOMMENDATIONS:

- (i) That the draft Transition Plan be approved as the basis for the continuing work in 2012/13 to ensure that public health is transferred to the local authority and delivered effectively as a City Council service from 1st April 2013.
- (ii) That the Director for Adult and Social Care and Director of Public Health be authorised to take all such necessary actions to ensure the transfer of functions to the Council in accordance with the Transition Plan.

REASONS FOR REPORT RECOMMENDATIONS

1. Subject to the completion of the passage of the Health and Social Care Bill through Parliament, public health will become a local authority function. In order to be able to achieve this the local authority and the PCT, through the PCT cluster, are required to have an agreed transition plan against which progress can be measured. The draft plan is now submitted for approval.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. None. Subject to the passage of the Health and Social Care Bill through Parliament, public health will become a local authority function, and the PCT and the council must plan for it.

DETAIL (Including consultation carried out)

3. This plan reflects the local Public Health transition arrangements which are aligned with national and SHA guidance and timetables. It sets out the programme of work between Southampton City Council (SCC) and the "SHIP" cluster, on behalf of Southampton City PCT, up to 1 April 2013 when the local authority will assume public health responsibilities as set out in the Health and Social Care Bill, 2011.

What is Public Health?

4. Sir Donald Acheson in 1988 defined public health as 'The science and art of preventing disease, prolonging life and promoting health through the organised efforts of society'. The three domains of public health are:
- Health improvement including the wider social determinants of health
 - Health protection including infectious diseases, environmental hazards, prevention of disease/injury and emergency preparedness
 - Health and social care commissioning including service planning, quality of delivery, efficiency, audit and evaluation

The Public Health Outcomes Framework has further attempted to ascribe and define the above domains. The plan builds on the progress made in 2011/12; this includes:

- Planning for the relocation of the whole current PCT Public Health team to SCC premises (the Civic Centre) - this will take effect by 1st April 2012.
- Reviewing and revising public health contracts for 2012/13, in line with the 2011 JSNA refresh and local NHS commissioning intentions
- Establishing a shadow Health and Well-being Board, and a work programme for board development and the production of a Joint Health and Wellbeing Plan.
- The joint Department of Health and Local Government Agency Public Health Transition Planning Guidance (Jan 12) reiterated that a jointly agreed Public Health Local Transition Plan should be in place by 31 Mar 12 and that it must be jointly owned and written by the Local Authority and Cluster PCT. It is likely that the plan will need some revision, by mutual agreement, during the course of 2012/13 in light of further national guidance as and when it is issued. It will, however, set out the programme of work that will achieve the Council and PCT Clusters' goal of successfully transferring local public health functions and responsibilities to the local authority, as set out in Health and Social Care Bill, 2011. The final version of the plan will be signed of by the City Council and SHIP Cluster by 31 March 2012.

Background

5. The White Paper "Healthy Lives, Healthy People" set out a new approach to Public Health with local leaders and local authorities empowered to shape their own approach to addressing local need and tackling the wider problems that undermine health outcomes and cause inequalities.

The key elements for the new local Southampton system will focus on a new nationally agreed public health framework with locally agreed outcomes.

The new local system will consist of the Local Authority working with the Clinical Commissioning Group (CCG) and with strategic national partners, the National Commissioning Board and Public Health (PH) England.

Within the new system:

- The Secretary of State will provide clear national leadership, resources and the legislative infrastructure to support Public Health.
- PH (England) will provide authoritative and powerful support to enable Director of Public Health (DPH) and local leaders to promote, protect and

improve people's health.

- There is a clear responsibility on the NHS to play key role in improving health.
- There is a new statutory role for the DPH with statutory duties as the local community's principal health advisor.
- A locally led public health function will be hosted in the local authority in 2012/13 then formal integration into Southampton City Council corporate functions and responsibilities will take place in 2013/14.
- A nationally mandated ring-fenced public health budget will provide public health with dedicated resources – subject to agreement and further testing of the assumptions and pattern of allocation.

Current position

6. Over the past ten years Southampton City has had a jointly appointed DPH with a strong shared population focus and history of joint working.

Relocation of the whole Public Health team into the Local Authority is viewed as part of the transition process. Work continues on clarifying the joint commissioning arrangements and their interface with the public health function.

A formal consultation on relocation of the public health team to Southampton Civic centre was completed with staff on Jan 30th 2012. This concluded that a change of base would occur on 1st April 2012 to the Civic Centre in Southampton with continuing hot desk arrangements supporting the public health input to the clinical commissioning group and PCT Cluster.

Accommodation in the Civic Centre had been upgraded specifically for this purpose to enable the team and specialist public health trainees to relocate at this time. A Strategic Transition Group is being set up to oversee transition to future form and function in the local authority.

Purpose of the Transition Plan

7. The purpose of the Transition Plan is summarised below:

- Demonstration of a strategic, planned approach to change management: to assure all key stakeholders that a strategic, planned approach is being adopted and implemented to the Public Health transition process in Southampton City.
- Assurance around Business Continuity: to ensure that all functions currently delivered by the Public Health Team in NHS Southampton City continue to be effectively and safely delivered during the transition year 2012/13 in line with the Public Health Business Plan 2012/13
- Future Local Authority PH Functions: to ensure that all functions destined for local authority public health are efficiently and effectively transferred to Southampton City Council in April 2013. This will require assurance testing during the transition year around the core pillars of public health commissioning for each programme area including:
 - commissioning plans are needs led and reflect JSNA priorities
 - robust specifications are in place for local public health services and responsibilities
 - comprehensive performance monitoring mechanisms are implemented

- Functions transferring to Public Health England (PHE) and NHS Commissioning Board (NHSCB):
 - to ensure that all functions currently undertaken by the Public Health Team in NHS Southampton City which are destined for PHE and NHSCB are effectively delivered during the transition year and are safely and effectively transferred for April 2013, this also includes specialist Dental Public Health

Target Audience for the transition plan

8. This local plan has been developed jointly by SHIP Cluster PCT (Responsible Officer: Southampton City Director of Public Health) and Southampton City Council as the “sender” and “receiver” organisations and is intended for a local, regional and national audience. This includes:
 - Elected members and officers of Southampton City council
 - Southampton connect and key stakeholders including the voluntary sector, SVS, Links/Health watch and our population
 - Local Public Health Team Members : current members of the NHS Southampton City Public Health team who will be the affected workforce during the process
 - NHS South of England Strategic Health Authority who will conduct an assurance process and performance manage plan delivery
 - NHS Commissioning Board and Public Health England who will be important stakeholders in plan delivery as the “receiver” organisations for some public health functions and as the successors to the SHA in this process
 - Southampton Clinical Commissioning Group is a key stakeholder and current recipient of specialist Public Health advice and analytical support and future public health input through the “core offer”
 - Southampton Health and Wellbeing Board is a key stakeholder and will support future definition of public health investment priorities for the City through the development of the Health and Wellbeing Strategic Plan

Successful transition

9. From the perspective of the City Council the key objectives of successful transition will involve:
 - Focusing on the fundamentals – being clear what it is that public health currently does and ensuring that it is able to keep doing it
 - Managing the people well - the public health team who will transfer to the authority, and City Council colleagues, NHS and partners who will need to develop new working arrangements
 - Without putting the above priorities at risk, articulating the opportunities for adding value - to the delivery of the Council’s goals within the widened scope of the authority’s responsibilities.

Governance

10. The process of transition requires robust governance arrangements that manage change and risk in the national public health system, taking into account the new interfaces between national and local public health functions as these move from PCT (sender organisations) to Local Authority receiver organisations. At the beginning of this process in 2012 the SHA Public Health Director and the SHIP Cluster PCT executive oversee the sender organisation responsibilities, and Southampton City Council board executive leads (CEO and DPH) represent the local receiver organisation.
11. Closure of the SHA and creation of Public Health England and National Commissioning Board during 2012 will introduce new interfaces for local authority public health functions and the NHS during 2012. During the same period the local Clinical Commissioning Group for Southampton will be seeking formal accreditation, and as part of this the core offer with public health will be agreed. At some point during the transition process it is envisaged that a local strategic group will be established in Southampton to ensure the transition plan is implemented effectively, securing business continuity, minimising risk, and securing effective and efficient local public health functions which are well communicated
12. At operational level, the transition process has been managed by the Local DPH with support from the PCT public health senior management team. The year 2 transition plan documents the timetable of guidance for sender and receiver organisations which suggest local consultation and models for engagement with staff groups and their union representatives. The local arrangements for these groups have yet to be agreed formally but discussions are under way with HR leads and union representatives in the local authority and PCT cluster. Important milestones are anticipated later this year when specific components of human resources guidance will be finalised by the department of Health.

RESOURCE IMPLICATIONS

Capital/Revenue

13. None in 2012/13 in addition to the shared cost of the Director of Public Health with the PCT, and the accommodation in the Civic Centre for public health staff, both of which are already in the budget approved by Council on 15th February 2012.

Property/Other

14. Accommodation has already been provided in the Civic Centre for the public health team.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

15. Section 1 Localism Act 2011 and subject to the passage of the Health and Social Care Bill through Parliament when public health will become a local authority function.

Other Legal Implications:

15. None.

POLICY FRAMEWORK IMPLICATIONS

16. None.

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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.	Draft Public Health Operational Transition Plan
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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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	None	
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