

# CABINET

**Tuesday, 18th December, 2012  
at 4.00 pm**

**Consideration of the Executive  
Business will start no earlier  
than 5:00 pm**

## **Council Chamber - Civic Centre**

This meeting is open to the public

### **Members**

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

(QUORUM – 3)

### **Contacts**

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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](http://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](http://www.southampton.gov.uk)

### **Key Decisions**

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

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

Decisions to be discussed or taken that are key

### **Implementation of Decisions**

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

### **Southampton City Council's Seven Priorities**

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

### **Procedure / Public Representations**

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

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

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

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

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

### **Municipal Year Dates (Tuesdays)**

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

## CONDUCT OF MEETING

### **TERMS OF REFERENCE**

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

### **RULES OF PROCEDURE**

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

### **DISCLOSURE OF INTERESTS**

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

### **DISCLOSABLE PERSONAL INTERESTS**

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

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

(ii) Sponsorship:

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

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

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

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

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

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

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

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

### **BUSINESS TO BE DISCUSSED**

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

### **QUORUM**

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

## **Other Interests**

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

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

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

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

## **Principles of Decision Making**

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

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

In exercising discretion, the decision maker must:

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

## AGENDA

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

### **1 APOLOGIES**

To receive any apologies.

### **2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS**

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

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

## **TRAFFIC REGULATION ORDERS**

### **3 PROPOSED MOVEMENT REGULATION CHANGES FOR THE "PLATFORM FOR PROSPERITY" ROAD IMPROVEMENT SCHEME (TRO)**

Report of the Head of Neighbourhood Services seeking consideration as part of the formal and legal process for Traffic Regulation Orders, attached.

## **EXECUTIVE BUSINESS**

### **4 STATEMENT FROM THE LEADER**

### **5 RECORD OF THE PREVIOUS DECISION MAKING**

Record of the decision making held on the 13<sup>th</sup> and 20<sup>th</sup> November 2012, attached.

### **6 EXECUTIVE APPOINTMENTS**

To deal with any executive appointments, as required.

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

Report of the Chair of Overview and Scrutiny Management Committee, detailing the Call in of the Executive decision relating to Townhill Park Regeneration Framework, attached.

**8 REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (IF ANY)**

There are no items for consideration

**ITEMS FOR DECISION BY CABINET**

**9 TENANCY STRATEGY CONSULTATION RESULTS AND FINAL APPROVAL**

Report of the Cabinet Member for Housing and Leisure Services seeking approval for the final version of the tenancy strategy following consultation with stakeholders, attached.

**10 HOUSING REVENUE ACCOUNT - VARIOUS SCHEME APPROVAL, CAPITAL PROGRAMME 2012/13 /14 - FUTURE DECENT NEIGHBOURHOODS**

Report of the Cabinet Member for Housing and Leisure Services seeking the continuation of resident driven investment to create neighbourhoods where people want to live, attached.

**11 PROPOSED LEASE OF PART OF MANSEL PARK TO BUSH HILL FC - CONSIDERATION OF OBJECTIONS RECEIVED**

Report of the Cabinet Member for Resources detailing any objections received to the leasing of land at Mansel Park to Bush Hill FC, attached.

**12 COMMUNITY RIGHT TO BID - DECISION MAKING & GOVERNANCE**

Report of the Cabinet Member for Resources outlining legislative requirements for the Council to maintain a List of Assets of Community Value and to set out the proposed delegations, attached.

**13 STRATEGIC CITY WIDE APPROACH TO ENERGY**

Report of the Leader seeking approval for a proposed strategic city wide approach to energy, attached.

Monday, 10 December 2012

Head of Legal, HR and Democratic Services

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	PROPOSED MOVEMENT REGULATION CHANGES FOR THE “PLATFORM FOR PROSPERITY” ROAD IMPROVEMENT SCHEME (TRO)
<b>DATE OF DECISION:</b>	18 DECEMBER 2012
<b>REPORT OF:</b>	SENIOR MANAGER – PLANNING, TRANSPORT AND SUSTAINABILITY
<b>STATEMENT OF CONFIDENTIALITY</b>	
Not applicable	

## **BRIEF SUMMARY**

On 17th July 2012, the Cabinet approved the outline design of the Platform for Prosperity Road Improvement Scheme and delegated authority to the Highways Manager to undertake any future amendments to the design. As part of the scheme design, proposals were advertised to change the movement regulations in the vicinity of Queens Park (see map at Appendix 1). An objection has been received from The Director of Admiralty House Residents’ Association on behalf of the residents of this development. The objection has been brought to Cabinet to determine.

## **RECOMMENDATIONS:**

- (i) To consider and determine the objection set out in Appendix 2 taking into account the objection and the officers’ responses to the objection as set out in Appendix 3 and the detail section of the report together with the integrated impact assessment for the Platform for Prosperity project contained in the background documents to this report.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. The proposed changes in movement regulations are required to realise the traffic management benefits planned with the Platform for Prosperity Scheme (if the scheme is approved through due process).
2. The Council has carried out extensive consultation and the scheme has attracted one movement regulation change objection.
3. The traffic analysis undertaken by ROMANSE/Halcrow shows that by increasing traffic capacity in the locality of Platform Road, the prospective increase in travel time from the growth in traffic associated with the port and other prospective developments can be significantly reduced (see Appendix 5). The proposed expansion of the carriageway may however, impact on certain residential or business properties adjoining the scheme and these can be considered through the Planning process together with any mitigation required from the Environmental Impact Assessment. Overall however, the benefits for the community in economic and social terms outweigh any impact or interference with adjoining property rights for the reasons set out in the report.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

4. The alternative of retaining the current traffic movement and carriageway alignment was rejected as the scheme benefits could not be realised in these circumstances.

## **DETAIL (Including consultation carried out)**

5. The objections to the proposed movement regulations changes are shown at Appendix 2. These objections are outlined below in bold with the officer's response below each point (in paragraphs 6-13 below). Whilst some of the issues raised are not directly related to the Movement Regulations, they have been included and commented on to provide a comprehensive response.

6. **No traffic data has been compiled or circulated to date, only recently have traffic measuring systems been introduced to platform road and the surrounding areas.**

Appendix 3 describes the range of traffic modelling and measurement that have been undertaken to develop the design.

7. **Economic growth - this will be for ABP and nobody else**

The scheme has received direct support for the proposals from the Hampshire Chamber of Commerce, Business Solent, West Quay, Carnival, ABP, and businesses within the Port. The infrastructure improvements will support further regeneration in the City Centre, including the Royal Pier and Town Depot redevelopment sites.

8. **Negative affect on rental business and on the property values at Admiralty House. Refusal of ABP to allow access to our 18 space car park next to the building.**

For Admiralty House residents who rent spaces from ABP in the Pan Handle Car Park, ABP will offer alternative spaces in the Triangle car park further west. Compensation can be claimed for a property that has been reduced in value caused by the physical factors of the use of a new or altered road. Compensation is available in these circumstances and details of the claims procedure will be published towards the end of the works, when the Compensation Statutory Timetable commences. The residents of Admiralty House were sent a letter dated 6 May 2012, that set out how compensation can be claimed under Part I of the Land Compensation Act 1973 ('the Act').

The potential need to pay compensation as a result of delivering the scheme, requires a full assessment to be undertaken, it is anticipated that this potential cost can be funded from within the contingency in the currently approved scheme budgets. Part of the Council funding will be set aside for this purpose over the six year period of the claim window

9. **The scheme will destroy the Vokes Memorial Gardens which is used for peaceful contemplation and destroy/displace established trees in the area.**

The Pan Handle Car Park is to be acquired by the City Council to replace the section of Vokes Memorial Gardens, which will be taken by the scheme. The scheme provides the City Council with the opportunity to improve the recreational value of this space through new landscaping, planting and improved accessibility. The project team will work with the local community to develop a design for this area.



10. **Colony of bats that live in and around Admiralty House that will be affected.**

A detailed survey of bats has been undertaken as part of the assessment of the scheme's impact on the natural environment. Although the survey did not identify a bat colony at Admiralty House, it has not been disproved and impacts to this potential roost will be considered through the landscaping design.

11. **The new PFP plan will also bring additional noise, light and pollution to this area.**

The Environmental Impact Assessment will be accessible to the public and, decided upon through due planning processes. The recommendation is that the movement regulations are approved subject to formal planning approval with any related mitigation measures.

12. **Admiralty House is a building of national significance with a prestigious grade II listed status. This PFP plan will encroach the building; both we the residents and English Heritage oppose these plans, as it will destroy the beauty and prestige of this building by having a 6 lane motorway style road outside it.**

English Heritage continues to be consulted about the scheme proposals. The City Council proposes to acquire the land currently occupied by the Pan Handle Car Park and reallocate it as parkland. Replacing the car park with parkland will improve the setting of the listed building. Otherwise the recommendation is that the movement regulations are approved subject to formal planning approval with any related mitigation measures.

The scheme design in the vicinity of Admiralty House is shown at Appendix 4.

13. **The Council's consultation was a joke, the process was biased and transparent to benefit one company ABP, who happen to be the biggest private contributor to the scheme. Local residents were misled with a non scaled map and unrepresentative visualisations for the area. There was no reference to the Localism Act.**

The consultation for this prospective development has fully complied with due processes related to the Town and Country Planning Act 1990, Planning and Compulsory Purchase Act 2004, the Localism Act 2011 and for the proposed highway regulation the Road Traffic Regulation Act 1984 / The Local Authorities' Traffic Orders (Procedure) (England and Wales) Regulations 1996. In addition, the Council has undertaken extended consultation with the local community by sending over 2000 local residents and businesses copies of the scheme leaflet and invitations to attend the public exhibition. The exhibitions were held on the 29 / 30<sup>th</sup> May and 1<sup>st</sup> June 2012. The engineering drawings and photo montages used to communicate the latest scheme proposals were clear and accurate in their content. A total of 83 people visited the exhibitions over the three days, with others contacting directly via email or telephone conversation. 55% of people that made comments are generally in favour of the scheme, whilst 17% are clearly against the proposals, with 28% not expressing a clear preference. All those who attended the public exhibitions were sent a follow up letter in July 2012.

The letter set out a summary of the general response at the exhibition to the proposal, an outline of the City Council's formal decision making process and the various issues raised by all those who commented on the proposal. The letter also set out the design amendments and measures deployed to address or alleviate the concerns raised by some of the attendees. There has therefore been strong community engagement and this work continues through the Platform Road Working Group, through which interested residents and businesses are continuing to shape the prospective scheme design. The movement regulation proposals were advertised on 3<sup>rd</sup> August in the Daily Echo and on Street Notices. Further Street Notices were posted on 22<sup>nd</sup> August extending the public consultation period until 14<sup>th</sup> September.

14. **Integrated Impact Assessment (IIA) - Traffic Management summary**

The Integrated Impact Assessment (Stage 1) was undertaken by the SCC Transport policy team. The project team consulted with Southampton Action for Access Group and the scheme will provide additional benefits from controlled crossings and tactile pavements. In terms of community safety improved access and use of Queens Park will be of benefit. Health and Well being will require due consideration and mitigation of the Environmental Impact (e.g. noise and vibration) and these measures will be covered in the Stage 2 assessment. The IIA highlights benefits in the area of Poverty and Deprivation from the growth in employment (e.g. 360 direct jobs) and similarly the local economy is forecast to benefit from the growth in port business and the regeneration of Royal Pier and Town Quay. The Environmental Impact Assessment Screening report has identified the scheme lies partially within 200m of several receptors for air quality. A detailed assessment of the impact on air quality will be undertaken and reported in the Stage2 of the IIA. In terms of the Natural Environment the overall effect has been assessed as Neutral, the scheme design will however be developed to assuming the presence of a local bat population.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

15. The approved E&T capital programme contains the capital scheme for Platform for Prosperity with an estimate of £7,040,000 with funding of £5.595m of Regional Growth Fund and £1.445m of City Council capital funding. The cost estimate includes a 44% optimism bias (contingency), which is applied to schemes at this stage of development.

### **Property/Other**

16. The scheme requires the widening of Platform Road on its southern side. This impacts on Open Space (Vokes Memorial Gardens) and also requires some third party land, primarily from ABP. Cabinet approved the purchase of the freehold interest of Pan Handle Car Park, Eastern Dock Southampton on 16<sup>th</sup> October 2012.

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

17. The main powers to deliver the scheme are Part 13 of the Town and Country Planning (General Permitted Development) Order 1995, the Highways Act

1980, as Amended and the Road Traffic Regulation Act 1984. The proposals in this report are also authorised by virtue of s.1 Localism Act 2011 (the general power of competence) subject to compliance with pre and post commencement limitations (including the need to obtain the relevant traffic regulation and planning consents).

**Other Legal Implications:**

18. In preparing and determining the proposals set out in this report, the Council is required to have regard to the provisions of Equalities legislation, the Human Rights Act 1988 and s.17 Crime and Disorder Act 1998 (the duty to have regard to the need to remove or reduce crime and disorder in the area). It is considered that the proposals set out in this report may have an impact on neighbouring residents and business as a result of the road re-alignment, but that any interference with property rights that may result from these proposals are nonetheless necessary and proportionate, having regard to the wider needs of the area in relation to the promotion of economic and social growth of the port and commercial sector and ensuring the road network is appropriately designed to meet the traffic management and anti-congestion needs of the City for the future. The impact of these proposals has been assessed as part of their introduction and consultation and key considerations identified as part of that process are set out in the main body of this report. An Integrated Impact Assessment of the Platform Road Scheme has been prepared in relation to the wider project including the impact of the proposals in this report) and members are asked to note and take into account that assessment in determining this matter.

**POLICY FRAMEWORK IMPLICATIONS**

19. The “Platform to Prosperity” scheme is consistent with the Council’s policy framework. The scheme has been safeguarded in the Local Development Plan and identified as a priority within the Local Transport Plan.

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**KEY DECISION?** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	Bargate
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## SUPPORTING DOCUMENTATION

### Appendices

1.	Map Showing proposed changes in movement regulations in the vicinity of Queens Park.
2.	Objection correspondence from the Director of Admiralty House Resident's Association
3.	Response from Traffic Management describing traffic modelling and measurement work undertaken as part of the design process.
4.	Map of the scheme design in the vicinity of Admiralty House
5.	Travel Time Forecast from Town Quay to Dock Gate 4, 2010 – 2030.

### Documents In Members' Rooms

1.	Integrated Impact Assessment (Stage 1)
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### Equality Impact Assessment

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

**Equality Impact Assessment and Other Background documents available for inspection at:** (see above in Members' Rooms).

Title of Background Paper(s)

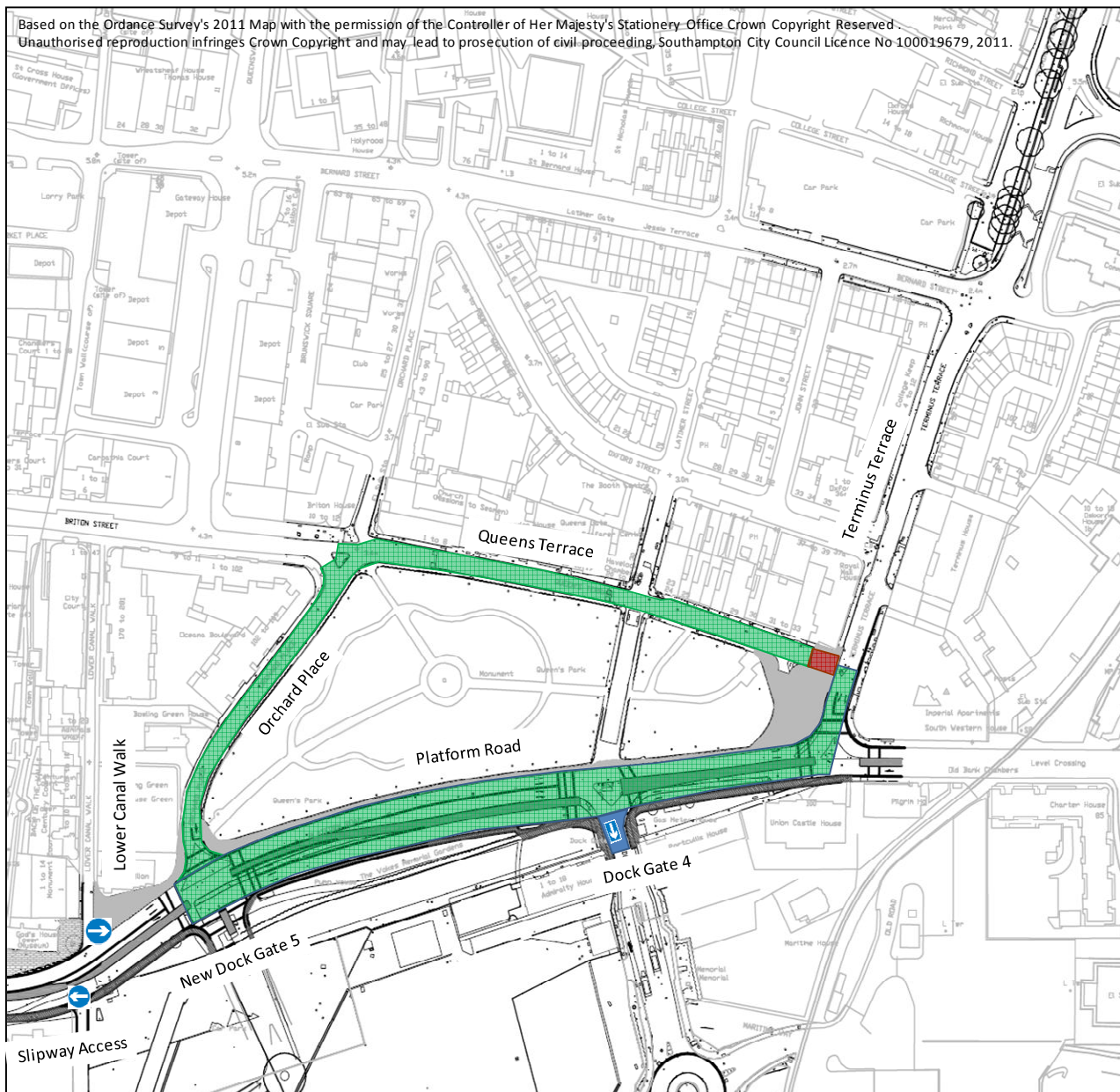
Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)







1.	Cabinet report dated 17 July 2012 - 'Platform for prosperity' – Platform Road Improvement scheme – Project approvals	
2.	Cabinet report dated 16 October 2012 - Appropriation of Vokes Memorial Gardens and part of Queens Park to enable to construction of the Platform Road scheme	

# Agenda Item 3

## Appendix 1

### Appendix 1: Map Showing proposed changes in movement regulations in the vicinity of Queens Park.



 <p><b>North</b></p>	<p><b>Key</b></p> <ul style="list-style-type: none"> <li> Proposed removal of One Way traffic regulations to allow both way traffic on these lengths of highway. On Queens Terrace and Orchard Place this will also include the removal of Bus Lanes</li> <li> Proposed prohibition of Motor Vehicles (at the junction of Queens Terrace and Terminus Terrace)</li> <li> Proposed One Way traffic regulation (from Platform Road to Dock Gate 4)</li> <li> Proposed mandatory left turn (exiting Lower Canal Walk and the Slipway Access). It is also intended to segregate the carriageway across these junctions which will also physically restrict entry to left turn only).</li> </ul>
<p>Highways Service Partnership Graham Muir, Traffic Engineer Traffic Management City Depot &amp; Recycling Park Southampton SO15 0LJ</p>  <p><b>Balfour Beatty</b> Working in partnership</p>	<p>Plan Number: Dock Gate 4 Movement v2</p> <p style="text-align: right;">Date: 19/7/12</p>

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# Agenda Item 3

## Appendix 2

### Appendix 2: Objection correspondence from the Director of Admiralty House Resident's Association

Sent: 07 September 2012 10:36

To: Traffic Orders Legal

Subject: OBJECTION TO PLATFORM ROAD ALTERATIONS.

Sir/Madam,

Please accept this email as a formal objection to the works on platform road and the project entitled, 'Platform for Prosperity'

I am a director of the Admiralty House residents association and speak not only for myself but on behalf of the 18 residential flats at Admiralty House on platform road, Southampton. Below are our reasons for why we as a group object to these alterations:

1. We were originally sold the concept that the platform for prosperity or PFP project would be to assist traffic flow in and around this area of Southampton. This is a lie as no traffic data has been compiled or circulated to date. Only recently have traffic measuring systems been introduced to platform road and the surrounding areas. I have kept a video diary of the existing traffic flow on platform road and it appears fine. Traffic will only get worse when ABP bring in more cruise ships. ie this is aiming to solve a problem that ABP are creating.

2. Economic growth. this will be for ABP and nobody else. in fact this scheme will affect the private landlords of admiralty house and have a negative affect on their business, as the parking we have will be taken away from us. There will also be a negative effect on the property values at admiralty house. ABP have been consulted with a view to appeasing the residents at admiralty house. they have bitterly refused to work with us and are determined to make our lives a living hell with a ransom strip and strict terms on conditions in the land they are donating to the council that prevent us using our 18 space car park next to our building.

3. Environment. this is currently a conservation area that contains a beautiful memorial gardens and tree lined park. (Vokes memorial gardens) this scheme will destroy the memorial gardens which is used for peaceful contemplation and destroy/displace established trees in the area. There is also a colony of bats that live in and around admiralty house that will be effected. The new PFP plan will also bring additional noise, light and pollution to this area. no documentation findings or results of how bad this will be have been presented to the residents of admiralty house.

4. Heritage. admiralty house is a building of national significance with a prestigious grade II listed status. it has direct Titanic links and is on the cities Titanic tour guide for visitors to the city. this PFP plan will encroach the building. both we the residents and English Heritage oppose these plans, as it will destroy the beauty and prestige of this building by having a 6 lane motorway style road outside it.

5. Consultation. the councils consultation was a joke the process was biased and transparent to benefit one company ABP. who happen to be the biggest private contributor to the scheme. local residents were misled with a non scaled map and unrepresentative visualisations for the area. there was no documentation or findings from any traffic noise air/light pollution as they have not been carried out. the percentage figures for approval that followed were false. there was no reference to the localism act or any proof this scheme would help traffic flow. This is a scheme with the sole purpose of helping ABP grow its business. it will have a huge negative effect on the local residents.

In short we do not want this scheme to go ahead. we do not approve of this scheme. our lives and businesses will be affected.

I would like to be contacted back with confirmation of this email.

Director

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# Agenda Item 3

## Appendix 3

### **Appendix 3: Response from Traffic Management describing traffic modelling and measurement work undertaken as part of the design process.**

Thank you for email stating your objections to the proposed changes to movement regulations in the vicinity of Platform Road on behalf of the residents of Admiralty House. The matter has now been registered on the Council's Forward Plan to be decided on 18th December 2012. The Cabinet meeting will be held in the Council Chamber, commencing at 5pm and is open to the public. The Chair of the meeting may also invite contributions from the people attending, if they wish to speak. The Cabinet Agenda and Report for this item is usually available around a week in advance of the meeting from the web site below.

<http://www.southampton.gov.uk/modernGov/ieListDocuments.aspx?CId=126&Mid=2227&Ver=4>

To protect the personal information of private individuals, the Council will remove the address, telephone number and/or email address from correspondence prior to release of the Cabinet Report. If there is any other personal information you would wish to be removed from your correspondence, please advise me by 13th November.

In respect of the particular point you have raised regarding the traffic data, I have obtained the following further information.

In March 2010, SCC commissioned Mott MacDonald (MM) to undertake a Transport Assessment (TA) of the proposals set out in Port of Southampton Masterplan 2009 – 2030 (2009) focusing on the impacts of container traffic, import/export motor vehicle traffic, cruise passengers, and Port employees. Forecasts of road vehicle and rail movements in 2016 and 2030 were made and the impact on the local road and rail networks were assessed. Mitigation measures at critical locations were also developed and the means of funding these were considered.

The report concluded that forecasts of Port activity indicated that Dock Gate 4 would experience a considerable increase in cruise traffic demand, which would exacerbate the current congestion problem. The report recommended that the current road access arrangements indicate that improvements would be needed to accommodate the increased traffic and highlighted the movement through the Queen's Park gyratory as a key issue.

The TA proposed that Platform Road be converted to a two-way road with two lanes in each direction, which would divert traffic from Orchard Place and Queen's Terrace reducing the severance between Queen's Park and the area to its north. A number of options were considered, all of which required the complete signalisation of the entrance to Dock Gate 4 and the junction of Terminus Terrace / Canute Road / Platform Road. The options also require land take from the Vokes Memorial Garden on the south side of Platform Road.

At the beginning of 2011, SCC commissioned ROMANSE (with the assistance and auditing from Halcrow) to undertake micro simulation modelling of various options identified through the TA. Flow matrices were provided by MM, which included traffic growth estimations in both background and port traffic up to 2030. The findings of this modelling works were used to develop the outline design for the scheme, and were submitted in support of SCC's Regional Growth Fund bid (1 and 2) to the Department for Business, Innovation and Skills.

The recent installation of traffic measurement devices was intended to provide further information for the work to assess the noise and air pollution impacts of the scheme.

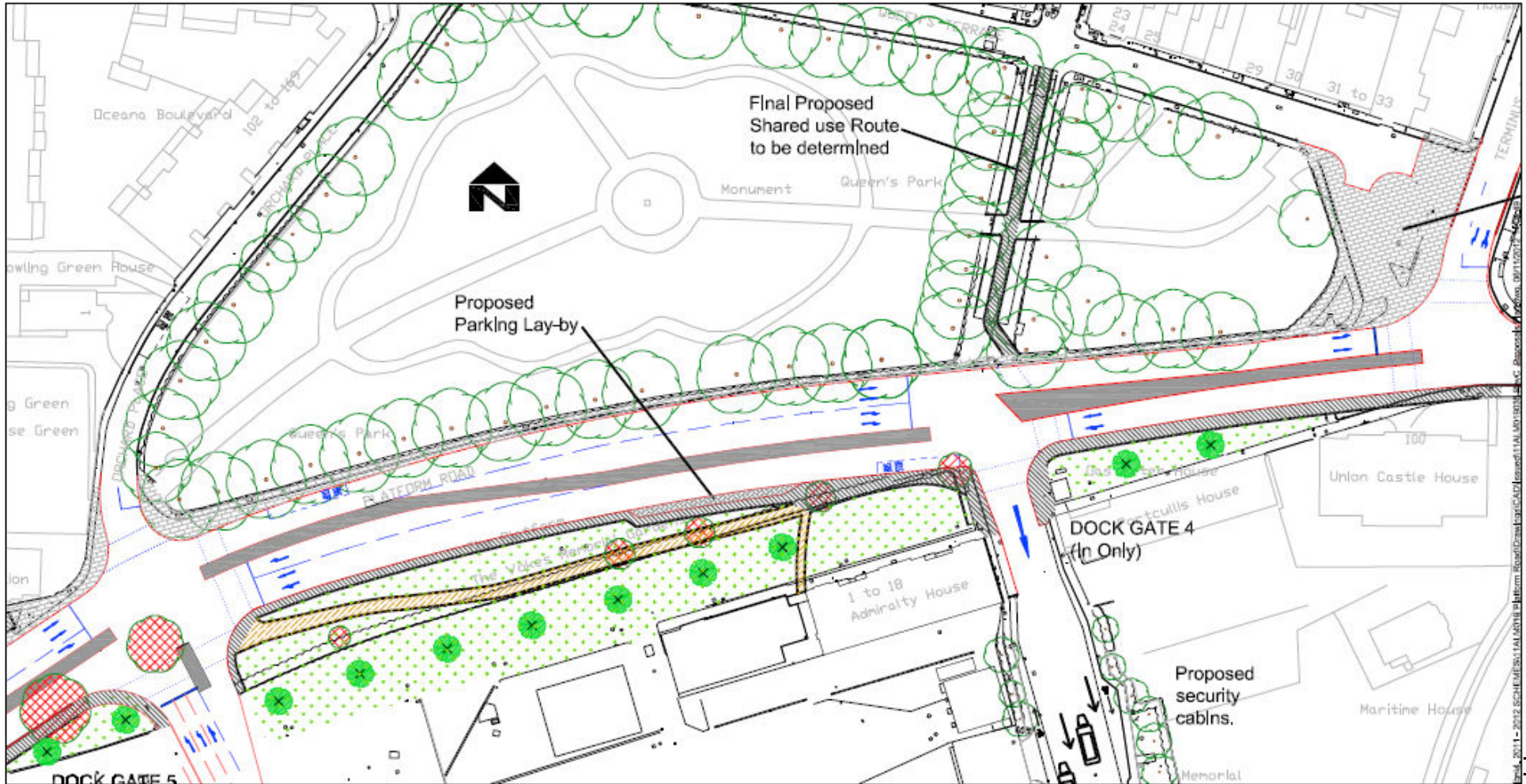
If you require any further information please contact me.

Regards

Graham Muir | Interim Team Leader (Traffic Management)

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Appendix 4: Map of the scheme design in the vicinity of Admiralty House



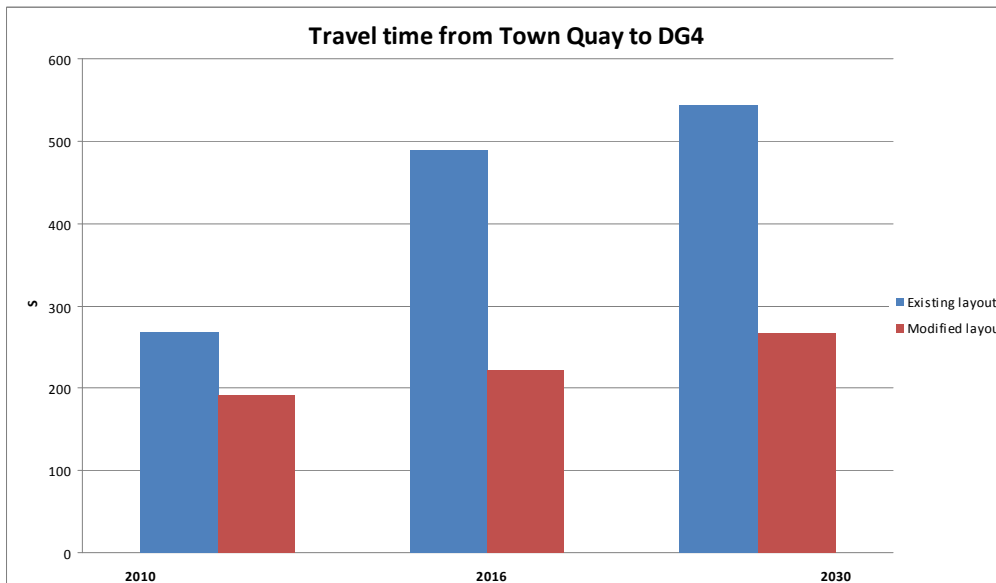
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# Agenda Item 3

## Appendix 5: Travel Time Forecast from Town Quay to Dock Gate 4, 2010 – 2030.

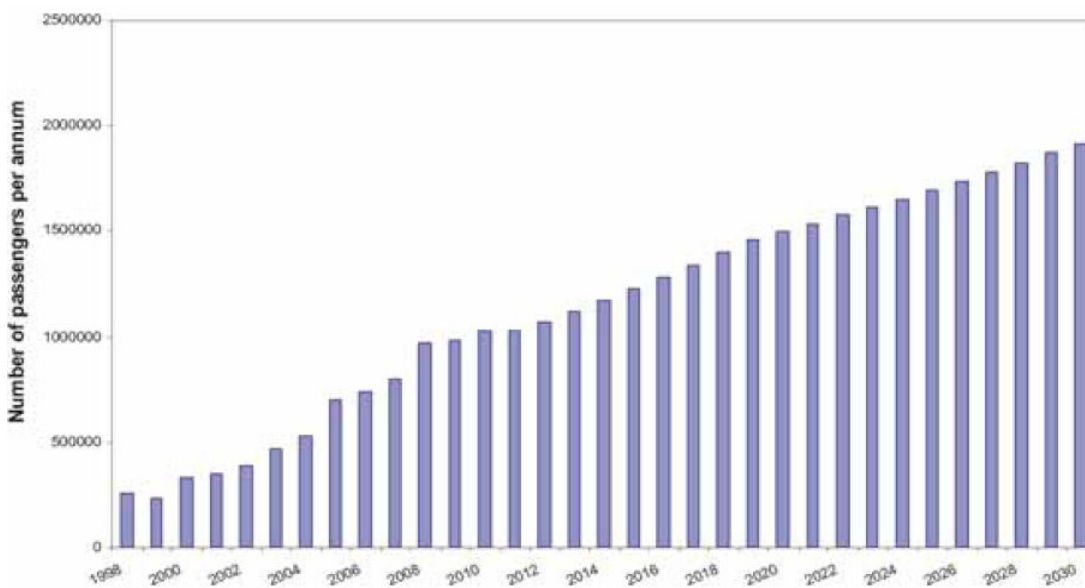
## Appendix 5

ROMANSE modelled various options as part of the City of Southampton Port Master Plan. Flow matrices were provided by Mott Macdonald, these included traffic growth estimations in both background and port traffic up to 2030. ROMANSE employed the expert assistance from Halcrow to provide model auditing. Aimsun computer models of the road network around dock gates 4 and 10 in Southampton were developed. The purpose of the models is to provide a facility for testing options to mitigate for increases in traffic flows following both new developments (e.g. Royal Pier & town Quay) and increased use of the port. The model showed that by expanding the traffic capacity in the locality of Platform Road, the prospective increase in travel time from Town Quay to Dock Gate 4 could be reduced by around 50%, (see graph 1 below).



Graph 1: Dock Gate 4 average travel time from Town Quay (from *Dock Gate 4 and Dock Gate 10 feasibility modelling*)

A component of the traffic growth arises from the growth in Cruise Passenger numbers (see Graph 2 below)



Graph 2: Forecast Growth in Cruise Passengers per annum (from Port Master Plan)

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# Agenda Item 5

## SOUTHAMPTON CITY COUNCIL EXECUTIVE DECISION MAKING

### RECORD OF THE DECISION MAKING HELD ON 13 NOVEMBER 2012

#### Present:

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

#### 64. SECOND QUARTER PERFORMANCE MONITORING FOR 2012/13

On consideration of the report of the Cabinet Member for Efficiency and Improvement Cabinet agreed to note that 72% of the Council's Key Critical Performance Indicators set out in the Council Plan are reported to be on target.

#### 65. CORPORATE REVENUE FINANCIAL MONITORING FOR THE PERIOD TO THE END OF SEPTEMBER 2012

On consideration of the report of the Cabinet Member for Resources detailing the General Fund and Housing Revenue Account (HRA) revenue financial position for the Authority for the three months to the end of September 2012 Cabinet agreed to.

- (i) Note the current General Fund revenue position for 2012/13 as at Month 6 (September), which is a forecast under spend at year end of £303,200 against the budget approved by Council on 15 February 2012, as outlined in paragraph 4. This can be compared against the reported over spend at Month 3 of £1.5M; an improvement of almost £1.8M.
- (ii) Note that the baseline forecast over spend for portfolios is almost £5.0M.
- (iii) Note 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) Note that further remedial action has been taken to rigorously control staff resource costs and to put in place a moratorium on all non essential expenditure for the remainder of the financial year.
- (v) Note that the Risk Fund includes £3.9M to cover service related risks, and that the estimated draw at Month 6 is £3.0M to cover expenditure which is included within the baseline forecast portfolio over spend of £5.0M. The Risk Fund has been reviewed and it has been assumed that £430,200 of the Fund will not be required in 2012/13.

- (vi) Note that it has been assumed that the remainder of the contingency, which stands at £344,300, will be fully utilised by the end of 2012/13.
- (vii) Note the forecast level of balances which will not fall below the minimum level of £5.0M in the medium term based on the current forecast.
- (viii) Note the performance to date with regard to the delivery of the agreed savings proposals approved for 2012/13 as detailed in Appendix 9.
- (ix) Note the performance against the financial health indicators detailed in Appendix 10.
- (x) Note the performance outlined in the Quarterly Treasury Management Report attached as Appendix 11.
- (xi) Note the current HRA budget monitoring position for 2012/13, as at Month 6 (September), which includes a carry forward from 2011/12 of £282,000 as approved by Council on the 11 July 2012. There is a forecast over spend at year end of £485,300, but this includes an adverse variance of £725,800 on capital financing costs due to the earlier repayment of a loan as outlined in paragraph 34. The true underlying position is a forecast under spend of £240,500 excluding the capital financing costs.

66. CIVIL SERVICE SPORTS GROUND - APPROVAL TO SPEND

DECISION MADE: (Ref: CAB 12/13 9219)

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

- (i) To approve, in accordance with Financial Procedure Rules, capital expenditure of £77,000 in 2012/13, £462,000 in 2013/14 and £11,000 in 2014/15 for the provision of additional school playing facilities and associated ground works at the former Civil Service Sports Ground.
- (ii) To delegate authority to the Director of Children's Services and Learning to determine the form and content of consultation on the preferred option for the refurbishment of the former Civil Service Sports Ground.
- (iii) To delegate authority to the Director of Children's Services and Learning following the consultation referred to at (ii) above, to determine the final layout and refurbishment of the former Civil Service Sports Ground and, within the approved budget, to do anything necessary to deliver the works necessary to bring the site back into educational use.

67. JOINT WORK WITH THE ISLE OF WIGHT TO DELIVER EDUCATION SUPPORT SERVICES

DECISION MADE: (Ref: CAB 12/13 9254)

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

- (i) To agree to the continuation and further development of the working relationship with the Isle of Wight Council to provide school improvement and the provision of statutory as well as related education functions for the academic year 2012/13 and the following two academic years.
- (ii) To delegate authority to the Executive Director of Children's Services and Learning to do anything necessary to support, plan and implement the collaborative working arrangements.



68. CITY CENTRE PRIMARY SCHOOL EXPANSIONS - STATUTORY CONSULTATION  
DECISION MADE: (Ref: CAB 12/13 9255)

On consideration of the report of the Cabinet Member for Children's Services and having received representation from a Member of Council, Cabinet agreed the following:

- (i) To note the outcome of the pre-statutory consultation as set out in the report and appendix 1.
- (ii) To commence 4 weeks of statutory consultation in November and December 2012 on proposals to:
  - Increase the PAN of Bassett Green Primary School from 60 to 90 from September 2013 (the school has initially expanded for 1 year only from September 2012)
  - Increase the PAN of Bevois Town Primary School from 30 to 60 from September 2013 (the school has initially expanded for 1 year only from September 2012)
  - Increase the PAN of St John's Primary and Nursery School from 30 to 60 from September 2014
- (iii) To delegate authority to the Director of Children's Services and Learning, following consultation with the Head of Legal, HR and Democratic Services, to determine the final format and content of consultation in accordance with statutory and other legal requirements.
- (iv) Subject to complying with Financial and Contractual Procedure Rules, to delegate authority to the Director of Children's Services & Learning, following consultation with the Cabinet Member for Children's Services, to do anything necessary to give effect to the recommendations in this report.

69. REVISION OF THE COUNCIL'S EQUALITY POLICY AND OBJECTIVES  
DECISION MADE: (Ref: CAB 12/13 8931)

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

- (i) To endorse and recommend to full Council approval of the revised Equality Policy (Appendix 1) and the new Equality objectives to be monitored through an Equality Action Plan (Appendix 2).
- (ii) To agree delegated authority to the Director of Environment and Economy, in consultation with the Cabinet Member for Communities, to approve the final Equality Action Plan and subsequent amendments in light of future changes to the Council's priorities and resources.
- (iii) To note the continued use of the existing system of Equality and Safety Impact Assessments to support informed Council decision making and publication of the assessments online, as appropriate.
- (iv) To note the creation of the Equalities Information webpage.

70. DEVOLVING MAJOR SCHEMES TRANSPORT FUNDING

DECISION MADE: (Ref: CAB 12/13 9253)

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

- (i) To agree to the inclusion of the Isle of Wight into Transport for South Hampshire (TFSH) as a full member and delegate authority to the TFSH monitoring officer to make appropriate changes to the joint agreement; and
- (ii) To note the principles set out in paragraph 5 by which the City Council will bid for from the devolved major scheme funding.

71. ADDITION OF TRANSPORT FUNDING TO THE CAPITAL AND REVENUE PROGRAMMES

DECISION MADE: (Ref: CAB 12/13 9215)

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

Cabinet recommends Full Council to:

- (i) Accept grant funding from the Local Sustainable Transport Fund (LSTF) of £9.013M split between Capital £7.193M and Revenue £1.819M over the following three years 2012/13 to 2014/15. Total awarded to Transport for South Hampshire (TfSH), £17.839M;
- (ii) Accept a further LSTF allocation of £330K to deliver Real Time Information (RTI) Phase 4 capital works in 2012/13;
- (iii) Accept grant funding of £50K from Better Bus Area Fund (BBAF) to fund Capital expenditure of £40K in 2012/13 and Revenue expenditure of £10K in 2012/13;
- (iv) Add to the Environment and Transport Capital Programme, Integrated Transport, £7.193M; phased £0.610M in 2012/13, £4.584M in 2013/14 and £1.999M in 2014/15, in order to deliver transport measures across the City funded by LSTF grant (see Appendix 1);
- (v) Add to the Environment and Transport Capital Programme, Integrated Transport, a further £330K of LSTF allocation to deliver Real Time Information Phase 4 capital works in 2012/13. (see Appendix 1);
- (vi) Add to the Environment and Transport Capital Programme, Integrated Transport, £40K of Better Bus Area Fund (BBAF) towards transport measures across the City in 2012/13 (see Appendix 1);
- (vii) Add to the Environment and Transport Capital Programme, Public Realm, £1.392M of Public Realm Section 106 contributions phased £142K in 2012/13, £302K in 2013/14 and £948K in 2014/15 in order to deliver the Centenary Quay public realm (see Appendix 1);
- (viii) Add to the Environment and Transport Capital Programme for Integrated Transport, £910K of Strategic Transport Section 106 contributions phased £80K in 2012/13, £410K in 2013/14 and £420K in 2014/15 towards developing transport measures across the City (see Appendix 1);
- (ix) Approve to spend, in accordance with Financial Procedure Rules, schemes and projects totalling £9.865M to the Environment and Transport Capital Programme for Integrated Transport, phased £1.202M in 2012/13, £5.296M

- in 2013/14 and £3.367M in 2014/15 funded as detailed in Appendix 1 on schemes as detailed in Appendix 2 and Appendix 3;
- (x) Approve the addition of £428,000 to the 2012/13 revenue estimates of the Environment and Transport Portfolio funded by government grant (LSTF and BBAF) and to note that further additions of £894,000 to the 2013/14 and £507,000 to the 2014/15 revenue estimates will be formally made as part of the preparation of those financial years' budget; and
- (xi) Note that Southampton will play a lead authority role for the delivery of a South Hampshire Smartcard for Public Transport, Legible Cities projects procured by SCC as lead authority for TfSH from LSTF Funding including developing a joint back office as agreed at TfSH Joint Council committee 25/09/2012, for which a scheme of £5M is included in the proposed capital programme, contained within the total addition to the capital programme of £9.865M.

72. TOWNHILL PARK REGENERATION FRAMEWORK - SCHEME APPROVAL FOR PHASE 1

DECISION MADE: (Ref: CAB 12/13 9155)

On consideration of the report of the Cabinet Member for Housing and Leisure Services and having received representations from Members of the Council, Cabinet agreed the following:

(i) To approve the vision and themes of the Townhill Park Regeneration Framework based on the modified Central Park option, as set out in this paper, and to delegate authority to the Director of Environment and Economy to finalise the Townhill Park Regeneration Framework following consultation with Head of Finance and IT (CFO) and the Cabinet Member for Housing and Leisure and Leader of the Council.

Note: A number of proposals contained in the Framework documents require further study and consultation and these studies and consultation may necessitate some changes to be made to the Framework, approval as delegated above.

(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, 33, and 34
- Phase 2 comprising zones 9, 11 (redevelopment), 12, 19, 20, 27 and 28
- Phase 3 comprising zones 3, 14, 17, 24, 29, 30, and 25

including additional associated open space and highways improvements incorporated in the proposals and to delegate authority to the Director of Environment and Economy, following consultation with the Head of Finance and IT (CFO) and the Cabinet Member for Housing and Leisure to amend Phases, to move or amend zones within phases, to decide the extent of improvements and when to implement the additional open spaces and highways improvements incorporated in the proposals.

Note In the August 2012 Cabinet paper Zone 33 was proposed in Phase 1 and Zone 25 in Phase 3. In this paper Site 35 is removed from Phase 1

The public consultation on Phase 1 has been carried out and is reported as part of this Cabinet paper.

- (iii) To note that the wider consultation with residents has also taken place including consultation on the proposed new road link to Cornwall Road and is reported as part of this Cabinet paper.

- (iv) To delegate authority to serve Initial Demolition Notices on secure tenants under the provisions of the Housing Acts 1985, as appropriate on all 3 Phases properties of the proposed redevelopment to the Director of Environment and Economy following consultation with the Cabinet Member for Housing and Leisure, the Head of Legal, HR and Democratic Services and the Head of Finance and IT (CFO).
- (v) To implement the adopted Decant Policy in relation to Phase 1, and 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 the properties in Phases 1, 2 and 3, 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.
- (vi) To delegate authority to the Director for Environment and Economy, following consultation with the Head of Finance and IT (CFO), the Head of Legal HR and Democratic Services, and the Senior Manager Property and Procurement and Cabinet Member for Housing and Leisure to:
  - a) Produce, finalise and approve the range of documents necessary for the delivery of Phase 1 including as required; a Development/Contractor Brief, planning application, tender specifications and associated employer's requirements for Phase 1.
  - b) To decide and undertake the appropriate procurement route and the appropriate development model for the Council under the prevailing circumstances in order to enable, subject to Cabinet approval, to entry into appropriate Development Agreements/contracts to deliver Phase 1 in accordance with the Council's Contract Procedure Rules to deliver Phase 1
  - vii) To report back to Cabinet the outcome of the procurement activity referred to in vi) b) above, as appropriate, and to seek further authority from Cabinet to appoint a preferred bidder(s) based upon the results of that procurement activity and to seek consent to any required land disposal within Phase 1 and/or to seek approval to appointment of a developer/contractors under an appropriate development or construction agreement.
  - viii) To agree to recommend to Council that that the HRA capital programme will fund the site preparation costs set out in this report, currently estimated at £11.8M, and:
    - a) To recommend that Council approve a virement of £10.5M from the uncommitted provision for Estate Regeneration, which exists in the HRA capital programme and business plan, and £1.3M from the uncommitted funding for affordable housing in the Housing GF capital programme to establish a specific budget of £11.8M for the regeneration of Townhill Park, the phasing for which is set out in Appendix 1.
    - b) To recommend that Council approve, in accordance with Financial Procedure Rules, capital spending of £3.9M on site preparation costs, including the purchase of leasehold interests, for Phase 1 of the Townhill Park regeneration project, phased £0.5M in 2012/13, £2.0M in 2013/14 and £1.4M in 2014/15.
    - c) To recommend that Council approve, in accordance with Financial Procedure Rules, capital spending of up to a further £3.9M on the purchase of leasehold interests for properties in Phases 2 and 3 of the Townhill Park regeneration project, phased £0.5M in 2013/14, £0.8M in 2014/15, £1.4M in 2015/16 and £1.2M in 2016/17.

- ix) a) To approve, in accordance with Financial Procedure Rules, the addition of a Townhill Park enabling project budget to the HRA Capital Programme, funded by Direct Revenue Financing (DRF) provisions of £200,000 within the HRA Business Plan, primarily for professional fees relating to the development agreement, the procurement process and for design and planning advice.
- b) To approve capital expenditure of up to £200,000 on enabling activities, including professional fees, phased £60,000 in 2012/13, £120,000 in 2013/14 and £20,000 in 2014/15.
- x) To note that the HRA will be required to incur further capital expenditure to acquire the 450 units of social housing at an estimated cost of £47.7M, provision for which has been included in the 30 year HRA Business Plan projections for these proposals, but with the timing dependent on the final details of the development agreement and subject to future Cabinet/Council approvals.
- xi) To note that the General Fund capital programme will be required to fund highways infrastructure, and open space improvements, at an estimated cost of £2.6M with the method of funding this being agreed once the use of the Community Infrastructure Levy and the value of the GF capital receipts are known.
- xii) To agree that the preferred approach for the provision of the new social housing is for this housing to be supplied by the Council, as part of the HRA, and that this new social housing provision will be provided for letting at Affordable Rents, subject to approval from the Department for Communities and Local Government / Homes and Communities Agency.
- xiii) To agree that the following proposals in the Townhill Park Regeneration Framework will not be implemented:
  - The road connection from Townhill Park to Cornwall Road at the junction with Litchfield Road
  - The opening up of Cutbush Lane to vehicular traffic.
- xiv) To agree to recommend to Council that:
  - a) £23.9M of the 30 year HRA revenue surplus will be utilised to meet the long term revenue costs of the regeneration of Townhill Park, which includes the requirement to repay the debt on the dwellings that have been disposed of from the general HRA revenue balance as there is no net capital receipt to fund this repayment.
  - b) The General Fund capital programme will fund the highways infrastructure and open space improvements at an estimated cost of £2.6M with the method of funding this being agreed once the use of the Community Infrastructure Levy and the value of the GF capital receipts become known.

73. \*LIBRARY PROVISION IN WOOLSTON

DECISION MADE: (Ref: CAB 12/13 9250)

On consideration of the report of the Cabinet Member for Housing and Leisure Services and having received representation from a Member of the Council, Cabinet agreed the following:

Subject to Council approval of recommendation (ii).

- (i) To approve, in accordance with Financial Procedure Rules, capital expenditure of £35,000 in 2012/2013, £107,000 in 2013/2014 from the Housing and Leisure Capital Programme for the design work of the community facilities including the replacement library in Centenary Quay.
- (ii) To delegate authority to the Director of Environment and Economy to sign the lease for the property subject to consultation with the Director of Resources and Cabinet Member for Housing and Leisure.

74. TENDER FOR A CONTRACT FOR CITY CENTRE MARKETS, EVENTS AND OTHER ACTIVITIES

DECISION MADE: (Ref: CAB 12/13 8953)

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

To delegate authority to the Director for Environment and Economy, following consultation with the Head of Finance and IT (CFO), Head of Legal, HR and Democratic Services, and Senior Manager Property and Procurement; to produce, finalise and approve the range of documents necessary for the tender of a contract for City Centre markets, events and other activities using the most appropriate procurement route.

75. COURT LEET PRESENTMENTS 2012

DECISION MADE: (Ref: CAB 12/13 9160)

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

- (i) That the initial officer responses to the Presentments approved by the Court Leet Jury as set out in Appendix 1 to the report be noted; and
- (ii) That individual Cabinet Members ensure that responses are made to Presenters regarding presentments within their portfolios as appropriate and as soon as practically possible.

76. APPROVAL OF THE LOCAL DEVELOPMENT SCHEME 2012

DECISION MADE: (Ref: CAB 12/13 9249)

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

- (i) To approve the Local Development Scheme 2012 (Appendix 1) for the publication on the Council's website to have effect from 22<sup>nd</sup> November 2012.
- (ii) To delegate authority to the Senior Manager, Planning, Transport and Sustainability following consultation with the Cabinet Member for Resources, to amend Part 2 of the Local Development Scheme 2012 as required in order to reflect changes in the programme.

77. IMPLEMENTATION OF THE REFORMED SCHOOL FUNDING FORMULA FOR 2013/14

DECISION MADE: (Ref: CAB 12/13 8840)

On consideration of the report of the Senior Manager for Children and Young People Strategic Commissioning, Education and Inclusion, the Cabinet Member for Children's Services and Learning agreed to approve the implementation of the new Southampton funding formula for schools with effect from 1 April 2013 as described in Appendix 1.

78. CONCESSIONARY FARES SCHEME 2013

DECISION MADE: (Ref: CAB 12/13 9435)

On consideration of the report of the Senior Manager Planning, Transport and Sustainability, the Cabinet Member for Environment and Transport agreed the following:

- (i) To approve the scheme in Appendix 1 subject to the calculations in recommendation (ii) below; and
- (ii) To reimburse bus operators at a percentage rate plus an amount per generated journey, in accordance with the guidance given by the Department for Transport using their reimbursement calculator.

79. \* ESTABLISHMENT OF THE COMMISSIONING PROCESS FOR HEALTHWATCH SOUTHAMPTON

DECISION MADE: (Ref: CAB 12/13 9264)

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

- (i) That approval be given to the Director of Health and Adult Social Care to procure Healthwatch Southampton to deliver the local Healthwatch services set out in the Health and Social Care Act 2012.
- (ii) That authority be delegated to the Director of Health and Adult Social Care, after consultation with the Cabinet Member for Adult Social Care, to determine whether the arrangements for securing an NHS complaints advocacy service should be delivered jointly with other authorities in south east England, or provided as part of the local contract for Southampton.

SOUTHAMPTON CITY COUNCIL  
EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 20 NOVEMBER 2012

Present:

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

Apologies: Councillor Rayment

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

DECISION MADE: (Ref: CAB 12/13 8853)

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

- (i) Approve the consultation proposals and methodology set out in Paragraphs 4 to 8 and Appendix 1 of this report and that delegated authority be given to the Senior Manager – Customer and Business Improvement, following consultation with the Cabinet Member for Resources, to fine tune and implement the consultation proposals and methodology.
- (ii) Note the high level forecast for the General Fund for 2013/14 and the underlying assumptions contained in Appendix 2.
- (iii) Note the Executive's initial savings proposals put forward for consultation in Appendix 3 which total almost £18.1M
- (iv) Note that the Executive's initial savings set out in Appendix 3 propose the deletion of 279.34 Full Time Equivalent (FTE) posts, of which 65.66 FTE are vacant, leaving 213.68 FTE at risk of redundancy.
- (v) Approve a one off saving which will be delivered through the Capita contract of £2.8M in 2013/14. This saving will be achieved through the pre-payment of £17.1M to Capita in 2012/13 allowing them to achieve financing savings, the benefit of which flows through to the Council in 2013/14.
- (vi) Note that the Executive's budget proposals for consultation are based on the assumption that they will recommend a Council Tax increase of 2.0% to Full Council.
- (vii) Note the Executives proposal to review the local Council Tax discounts in place for households where all residents are persons over 65 years of age (10%) and for special constables (100%), with a view to removing them.



- (viii) Note the proposed changes to Council Tax discounts and exemptions with respect to second homes and empty properties in response to the Local Government Finance Act 2012 which recently received Royal Assent.
- (ix) Note the medium term financial forecast for 2013/14 to 2015/16 contained in Appendix 4.
- (x) Approve the updated budget setting timetable contained in Appendix 5.
- (xi) Delegate authority to the Chief Financial Officer, following consultation with the Cabinet Member for Resources, to do anything necessary to give effect to the proposals contained in this report.

81. INCREASING SOUTHAMPTON'S RECYCLING RATE AND ENHANCING COLLECTIONS

DECISION MADE: (Ref: CAB 12/13 9159)

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

- (i) To approve the delivery of the bid projects, (full bid included as Appendices 1 and 2).
- (ii) To recommend that Council approve the addition of the capital scheme "Weekly Collection Support Scheme" to the Environment & Transport Capital Programme in order to deliver the outcomes of the bid, a total of £2,165,000 to be funded by government grants.
- (iii) To recommend that Council approve capital expenditure on the capital scheme "Weekly Collection Support Scheme" of £2,165,000 phased £876,000 in 2012/13, £979,000 in 2013/14 £310,000 in 2014/15.
- (iv) To recommend that Council approve the addition of £1,097,000 to the 2012/13 revenue estimates of the Environment and Transport Portfolio funded by government grant and to note that further additions of £2,373,000 to the 2013/14 and £2,645,000 to the 2014/15 revenue estimates will be formally made as part of the preparation of those financial years' budget.

82. REGIONAL GROWTH FUND BID TO SUPPORT BUSINESS START UPS AND GROWTH

DECISION MADE: (Ref: CAB 12/13 9489)

On consideration of the report of the Cabinet Member for Communities, Cabinet agreed the following, having complied with the requirements of Rule 16 (urgency) of the Access to Information Procedure Rules:

- (i) To accept, in accordance with Financial Procedure Rules, the Regional Growth Fund grant of £2 million from the Department for Business, Innovation and Skills, and act as Lead Accountable Body for the administration of the funds.
- (ii) To delegate authority to the Director of Environment and Economy, following consultation with the Leader, Head of Legal, HR, Democratic Services and Solent LEP, to undertake such actions necessary to enable the successful delivery of the project.

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<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	CALL IN OF EXECUTIVE DECISION CAB 12/13 9155 - TOWNHILL PARK REGENERATION FRAMEWORK – SCHEME APPROVAL FOR PHASE 1
<b>DATE OF DECISION:</b>	18 DECEMBER 2012
<b>REPORT OF:</b>	CHAIR OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

## **BRIEF SUMMARY**

The Overview and Scrutiny Management Committee (OSMC) called in the decision made at the Cabinet meeting on 13<sup>th</sup> November 2012 relating to the Townhill Park Regeneration Framework.

The Call-in was heard at a meeting of the OSMC on 3<sup>rd</sup> December 2012 and whilst the Committee did not recommend that the decision be reconsidered, they did generate a number of recommendations that the Cabinet is requested to respond to following its consideration of these matters.

## **RECOMMENDATION:**

- (i) That Cabinet considers its response to the recommendations made by the Overview and Scrutiny Management Committee at its meeting on 3<sup>rd</sup> December 2012.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. To comply with the Call-in procedure rules set out in Part 4 of the Council's Constitution.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. None.

## **DETAIL (Including consultation carried out)**

3. A Call-in notice, signed by the Chair of the OSMC, was received in accordance with Paragraph 12 of the Overview and Scrutiny Procedure Rules set out in Part 4 of the Council's Constitution. The Call-in notice relates to the decision made by the Cabinet on 13<sup>th</sup> November 2012 on the Townhill Park Regeneration Framework. The reason cited by the Chair of the OSMC for this Call-in was: 'concerns about the consultation undertaken with residents and the use of Affordable Rents'.
4. The OSMC considered the Call-in report at its meeting on 3<sup>rd</sup> December 2012. Following discussion with the Cabinet Member for Housing and Leisure, the Committee agreed that the decision should not be reconsidered. However, the Committee did request that:-
  - (a) the Cabinet Member request that officers make an effort to contact the remaining residents that had not responded to the consultation process;

- (b) details of the consultation be feedback to the Committee at a future date;
  - (c) the Cabinet Member draw lessons from the consultation process for future regeneration schemes; and
  - (d) the Cabinet Member should ensure that the information relating to affordable rents be circulated to Scrutiny Panel A for consideration in the review they are conducting on welfare reforms.
5. The Cabinet is requested to consider the recommendations arising from the consideration of this Call-in by the OSMC.

**RESOURCE IMPLICATIONS**

**Capital/Revenue**

6. As detailed in the Cabinet report dated 13<sup>th</sup> November 2012, appended to this report.

**Property/Other**

7. As detailed in the Cabinet report dated 13<sup>th</sup> November 2012, appended to this report.

**LEGAL IMPLICATIONS**

**Statutory power to undertake proposals in the report:**

8. As detailed in the Cabinet report dated 13<sup>th</sup> November 2012, appended to this report. The duty to undertake overview and scrutiny is set out in Section 21 of the Local Government Act 2000 and the Local Government and Public Involvement in Health Act 2007.

**Other Legal Implications:**

9. As detailed in the Cabinet report dated 13<sup>th</sup> November 2012, appended to this report.

**POLICY FRAMEWORK IMPLICATIONS**

10. As detailed in the Cabinet report dated 13<sup>th</sup> November 2012, appended to this report.

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**KEY DECISION?** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	All
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**SUPPORTING DOCUMENTATION**

**Appendices**

1.	Cabinet Decision Report
2.	Appendix 1 to Cabinet Decision Report
3.	Appendix 2 to Cabinet Decision Report

**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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# Agenda Item 7

Appendix 1

<b>DECISION-MAKER:</b>	CABINET COUNCIL
<b>SUBJECT:</b>	TOWNHILL PARK REGENERATION FRAMEWORK: SCHEME APPROVAL FOR PHASE 1
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012 14 NOVEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR HOUSING AND LEISURE
<b>STATEMENT OF CONFIDENTIALITY:</b>	
Not applicable.	

## **BRIEF SUMMARY:**

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

On 12th March 2012, Cabinet approved a report on the regeneration of Townhill Park. Some of those recommendations were conditional on a further report (approved by Cabinet on 19<sup>th</sup> April 2012) on the outcome of an affordability assessment, the availability of Housing Revenue Account (HRA) and General Fund (GF) budgets and the completion of the assessment of delivery options. This report was deferred by Council on 16<sup>th</sup> May 2012 to allow the new, current administration who, while in support of Estate Regeneration, wished for time to consider the financial implications of the Townhill Park proposals.

After a review of the financial detail of the Townhill Park proposals a further report was approved at Cabinet on 21<sup>st</sup> August 2012, including further resident/tenant consultation. This report reviewed and consolidated the previous Cabinet papers (of 12<sup>th</sup> March 2012 and 16<sup>th</sup> April 2012) and sought approval for the strategy and financial analysis for the delivery of the Townhill Park Regeneration Framework, including the finances necessary to enable the project to proceed. The report was deferred by Council on 12<sup>th</sup> September 2012 pending information on changes, particularly their financial implications between the Cabinet reports of 16<sup>th</sup> April 2012 and the 21st August 2012.

Following completion of further work and consultation this report now proposes:

- Not to proceed with a new link road to Cornwall Road or the opening up of Cutbush Lane to vehicular traffic.
- To move forward with Phase One development of Townhill Park on the basis that Site 35, (Moorlands Community Centre) is removed from Phase 1
- That new affordable housing should be retained and managed in Council ownership
- That 450 affordable homes will be developed on the site
- That 100% of affordable homes will be provided at Affordable Rent

The affordability assessment contained within this paper is based on the regeneration framework approved by Cabinet on 12th March 2012 (the modified Central Park option, see paragraph 22) but with an increase of 70 dwellings in the level of social

housing. It shows that there is a gross capital cost to the Housing Revenue Account (HRA) of £11.8M (with a net cost of £9.2M after capital receipts) and that the 30 year HRA revenue surplus will be reduced by approximately £23.9M. The revised proposals remain within the April 2012 total costs envelope for the HRA of circa £33M, including £1.3M to be vired from an affordable housing provision within the General Fund (GF). The GF will need to fund certain infrastructure improvements at an estimated cost of £2.6M, funding for which will need to be identified once the rules for the use of the Community Infrastructure Levy and the value of the GF capital receipts are known.

The report also sets out the implications for rent levels following the re-provision of the social housing under the regeneration proposals. A scenario where the social housing is provided by the Council, as part of the HRA, and let at Affordable Rent has been recommended as the preferred approach.

## **RECOMMENDATIONS:**

### **CABINET**

Cabinet are recommended:

- i) To approve the vision and themes of the Townhill Park Regeneration Framework based on the modified Central Park option, as set out in this paper, and to delegate authority to the Director of Environment and Economy to finalise the Townhill Park Regeneration Framework following consultation with Head of Finance and IT (CFO) and the Cabinet Member for Housing and Leisure and Leader of the Council.

Note: A number of proposals contained in the Framework documents require further study and consultation and these studies and consultation may necessitate some changes to be made to the Framework, approval as delegated above.

- 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, 33, and 34
- Phase 2 comprising zones 9, 11 (redevelopment), 12, 19, 20, 27 and 28

• Phase 3 comprising zones 3, 14, 17, 24, 29, 30, and 25 including additional associated open space and highways improvements incorporated in the proposals and to delegate authority to the Director of Environment and Economy, following consultation with the Head of Finance and IT (CFO) and the Cabinet Member for Housing and Leisure to amend Phases, to move or amend zones within phases, to decide the extent of improvements and when to implement the additional open spaces and highways improvements incorporated in the proposals.

Note In the August 2012 Cabinet paper Zone 33 was proposed in Phase 1 and Zone 25 in Phase 3. In this paper Site 35 is removed from Phase 1.

The public consultation on Phase 1 has been carried out and is reported as part of this Cabinet paper.



- iii) To note that the wider consultation with residents has also taken place including consultation on the proposed new road link to Cornwall Road and is reported as part of this Cabinet paper.
- iv) To delegate authority to serve Initial Demolition Notices on secure tenants under the provisions of the Housing Acts 1985, as appropriate on all 3 Phases properties of the proposed redevelopment to the Director of Environment and Economy following consultation with the Cabinet Member for Housing and Leisure, the Head of Legal, HR and Democratic Services and the Head of Finance and IT (CFO).
- v) To implement the adopted Decant Policy in relation to Phase 1, and 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 the properties in Phases 1, 2 and 3, 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.
- vi) To delegate authority to the Director for Environment and Economy, following consultation with the Head of Finance and IT (CFO), the Head of Legal HR and Democratic Services, and the Senior Manager Property and Procurement and Cabinet Member for Housing and Leisure to:
  - a) Produce, finalise and approve the range of documents necessary for the delivery of Phase 1 including as required; a Development/Contractor Brief, planning application, tender specifications and associated employer's requirements for Phase 1.
  - b) To decide and undertake the appropriate procurement route and the appropriate development model for the Council under the prevailing circumstances in order to enable, subject to Cabinet approval, to entry into appropriate Development Agreements/contracts to deliver Phase 1 in accordance with the Council's Contract Procedure Rules to deliver Phase 1
- vii) To report back to Cabinet the outcome of the procurement activity referred to in vi) b) above, as appropriate, and to seek further authority from Cabinet to appoint a preferred bidder(s) based upon the results of that procurement activity and to seek consent to any required land disposal within Phase 1 and/or to seek approval to appointment of a developer/contractors under an appropriate development or construction agreement.
- viii) To agree to recommend to Council that that the HRA capital programme will fund the site preparation costs set out in this report, currently estimated at £11.8M, and:
  - a) To recommend that Council approve a virement of £10.5M from the uncommitted provision for Estate Regeneration,

which exists in the HRA capital programme and business plan, and £1.3M from the uncommitted funding for affordable housing in the Housing GF capital programme to establish a specific budget of £11.8M for the regeneration of Townhill Park, the phasing for which is set out in Appendix 1.

- b) To recommend that Council approve, in accordance with Financial Procedure Rules, capital spending of £3.9M on site preparation costs, including the purchase of leasehold interests, for Phase 1 of the Townhill Park regeneration project, phased £0.5M in 2012/13, £2.0M in 2013/14 and £1.4M in 2014/15.
  - c) To recommend that Council approve, in accordance with Financial Procedure Rules, capital spending of up to a further £3.9M on the purchase of leasehold interests for properties in Phases 2 and 3 of the Townhill Park regeneration project, phased £0.5M in 2013/14, £0.8M in 2014/15, £1.4M in 2015/16 and £1.2M in 2016/17.
- ix)
- a) To approve, in accordance with Financial Procedure Rules, the addition of a Townhill Park enabling project budget to the HRA Capital Programme, funded by Direct Revenue Financing (DRF) provisions of £200,000 within the HRA Business Plan, primarily for professional fees relating to the development agreement, the procurement process and for design and planning advice.
  - b) To approve capital expenditure of up to £200,000 on enabling activities, including professional fees, phased £60,000 in 2012/13, £120,000 in 2013/14 and £20,000 in 2014/15.
- x) To note that the HRA will be required to incur further capital expenditure to acquire the 450 units of social housing at an estimated cost of £47.7M, provision for which has been included in the 30 year HRA Business Plan projections for these proposals, but with the timing dependent on the final details of the development agreement and subject to future Cabinet/Council approvals.
- xi) To note that the General Fund capital programme will be required to fund highways infrastructure, and open space improvements, at an estimated cost of £2.6M with the method of funding this being agreed once the use of the Community Infrastructure Levy and the value of the GF capital receipts are known.
- xii) To agree that the preferred approach for the provision of the new social housing is for this housing to be supplied by the Council, as part of the HRA, and that this new social housing provision will be provided for letting at Affordable Rents, subject to approval from the Department for Communities and Local Government / Homes and Communities Agency.
- xiii) To agree that the following proposals in the Townhill Park Regeneration Framework will not be implemented:

- The road connection from Townhill Park to Cornwall Road at the junction with Litchfield Road
  - The opening up of Cutbush Lane to vehicular traffic.
- xiv) To agree to recommend to Council that:
- a) £23.9M of the 30 year HRA revenue surplus will be utilised to meet the long term revenue costs of the regeneration of Townhill Park, which includes the requirement to repay the debt on the dwellings that have been disposed of from the general HRA revenue balance as there is no net capital receipt to fund this repayment.
  - b) The General Fund capital programme will fund the highways infrastructure and open space improvements at an estimated cost of £2.6M with the method of funding this being agreed once the use of the Community Infrastructure Levy and the value of the GF capital receipts become known.

## **COUNCIL**

Council are recommended:

- i) To agree that the HRA capital programme will fund the site preparation costs set out in this report, currently estimated at £11.8M, and:
  - a) To approve a virement of £10.5M from the uncommitted provision for Estate Regeneration, which exists in the HRA capital programme and business plan, and £1.3M from the uncommitted funding for affordable housing in the Housing GF capital programme to establish a specific budget of £11.8M for the regeneration of Townhill Park, the phasing for which is set out in Appendix 1.
  - b) To approve, in accordance with Financial Procedure Rules, capital spending of £3.9M on site preparation costs, including the purchase of leasehold interests, for Phase 1 of the Townhill Park regeneration project phased, £0.5M in 2012/13, £2.0M in 2013/14 and £1.4M in 2014/15.
  - c) To approve, in accordance with Financial Procedure Rules, capital spending of up to a further £3.9M on the purchase of leasehold interests for properties in phases 2 and 3 of the Townhill Park regeneration project phased, £0.5M in 2013/14, £0.8M in 2014/15, £1.4M in 2015/16 and £1.2M in 2016/17.
- ii) To approve the use of £23.9M of the 30 year HRA revenue surplus to meet the long term revenue costs of the regeneration of Townhill Park, which includes the requirement to repay the debt on the dwellings that have been disposed of from the general HRA revenue balance as there is no net capital receipt to fund this repayment.

- iii) To agree that the General Fund capital programme will fund the highways infrastructure and open space improvements at an estimated cost of £2.6M with the method of funding this being agreed once the use of the Community Infrastructure Levy and the value of the GF capital receipts become known.

#### **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. It will also 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, the Core Strategy target of delivering over 16,000 new homes between 2010 and 2026 and the aim to deliver more affordable housing. Regeneration will provide the opportunity to tackle some of the socio economic challenges in the area.
4. Regeneration is supported by the community and further consultations will be held as the proposals for the area develop. As the Townhill Park Master Plan proposals are implemented over a period of at least ten years there will be many further opportunities for the community to engage with the proposals as they evolve and develop through the various stages of implementation.
5. To approve the financial implications of the regeneration framework for Townhill Park so that the regeneration proposals can proceed.

#### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

6. The updated Housing Strategy 2011-15 and Housing Revenue Account Business Plan 2011-2041 approved by Cabinet on 4<sup>th</sup> July 2011 (and Council on 13<sup>th</sup> July 2011) confirm estate regeneration and the provision of affordable housing as a key priority for the Council.
7. 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.
8. 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.

9. 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.
10. 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.
11. The option of not approving the financial contributions to meet the cost of delivering the regeneration framework has been rejected as it would not enable the regeneration of Townhill Park to proceed.

**DETAIL (Including consultation carried out):**

**Background**

12. On 12th March 2012, Cabinet approved a report on the regeneration of Townhill Park. Some of those recommendations were conditional on a further report on the outcome of an affordability assessment, the availability of Housing Revenue Account (HRA) and General Fund (GF) budgets and the completion of the assessment of delivery options. This was the subject of the 16<sup>th</sup> April 2012 Cabinet report which was approved, but deferred at Council on 16<sup>th</sup> May 2012 for approval of certain recommendations. The current administration, newly elected in May 2012, while in support of estate regeneration, wished for time to consider the financial implications of the Townhill Park proposals.
13. The financial assessment, covering affordability and budgets, can be divided into 2 distinct parts. One is the main regeneration activity involving the demolition of existing dwellings, (subject to completed appropriate and robust prior consultation in relation to the details of properties and individuals affected) the provision of new dwellings and other improvement works. The second concerns the provision of the new social housing and whether this is provided by the Council or a Housing Association and the level of rent to be charged. The main change from the 16<sup>th</sup> April 2012 Cabinet report is that the new social housing should be retained and managed in Council ownership.

**Review of 12<sup>th</sup> March 2012 Cabinet paper and identification of any changes**

14. The following paragraphs highlight the key elements of the 12th March 2012 Cabinet report and any fundamental changes.

**Core Principles of the Estate Regeneration Programme and Townhill Park – The Case for Regeneration**

15. These aspects are covered in the 12<sup>th</sup> March 2012 Cabinet report, paragraphs 10-12 and 13-14, and these remain unchanged.

**Consultation – Estate Regeneration Programme**

16. Consultation has been undertaken by the Council 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. For the estate regeneration programme this consultation is on-going.

### **Consultation Process – Townhill Park**

17. A programme of consultation was undertaken during the study and is described in the 12<sup>th</sup> March 2012 Cabinet report in paragraphs 17 to 21. A copy of the Community Consultations forms Appendix 1 of the Regeneration Framework, which is a document available in Members' Rooms.
18. The 21<sup>st</sup> August 2012 Cabinet report set out how further public consultations were planned to take place over the next couple of months. The outcome of which is included later in this report.

### **Townhill Park Study and Options Proposed**

19. The study process and the options considered was set out in the 12<sup>th</sup> March 2012 Cabinet report paragraphs 22-32 and these remain unchanged.

### **Townhill Park Agreed Vision and Themes**

20. Residents helped to agree a vision and seven themes for Townhill Park and these remain unchanged. The agreed vision for Townhill Park is that:  
“By 2021, residents of Townhill Park will be proud to live in a successful suburban family neighbourhood.”
21. 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

### **Regeneration Framework Preferred Master Plan Central Park modified**

22. As set out in both the 12<sup>th</sup> March 2012 and 21 August 2012 Cabinet reports, the preferred Master Plan (arrived at through a combination of residents views and Cabinet consultation) was the modified Central Park option and includes:
  - Creation of a new community heart, with a new village green in the centre of Meggeson Avenue, a new local shopping facility and a 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. 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. (It is proposed that Moorlands Community Centre will now remain and will not be replaced as Site 35 is not being redeveloped as part of Phase 1)
- 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 (transport connectivity does not now include vehicular access to either Midanbury at Cornwall Rd or Cutbush Lane)
- a range of parking improvements through comprehensive design as car parking is recognised as a contentious issue
- a socio-economic framework containing a strategy for improving access to employment and links to other City - wide initiatives.

**Total New Housing Provision in Townhill Park resulting from the modified Central Park Option**

23. The following details around new housing provision were proposed and reported in the March 2012 Cabinet report (paragraph 34) as follows:

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

In the 12<sup>th</sup> March 2012 report this included provision of 380 affordable homes. The 21<sup>st</sup> August 2012 Cabinet report included the provision of 450 affordable homes.

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

**Acknowledgement of Changes to the Master Plan as Development progresses**

24. In the 12<sup>th</sup> March 2012 Cabinet report it was acknowledged that there would be changes as proposals developed: '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.' (March 2012 paragraph 34).

25. Since the 12<sup>th</sup> March 2012 Cabinet report was approved and reported in the press, a number of concerns have been raised by groups in the area and residents both in Townhill Park and the surrounding area. These include:
- Moorlands Community Centre raised concern about their future and the future of the pre-school running from the building
  - Residents, around Cornwall Road and Litchfield Road, raised strong objection to the idea of a road link from Townhill Park to Cornwall Road at the junction with Litchfield Road
  - Objections to the idea of opening up Cutbush Lane to vehicular traffic
  - Objections to the idea of building on the grassland west of Hidden Pond (Site 25)
  - Objections and concerns around building on Frog's Copse and a misunderstanding that the development site suggested is the whole of Frog's Copse rather than a small area.
26. It has been acknowledged that the Regeneration Framework documents were not sufficiently clear in terms of explaining that further feasibility work and consultation would be carried out before Master Plan ideas such as those listed above in paragraph 25 become firm proposals.
27. The 12<sup>th</sup> March 2012 Cabinet report also set out the need to carry out additional studies, the results of which would further inform the detail of the proposals (March 2012 paragraph 42). These studies covering a Transport Assessment, Ecology, Sustainable Urban Drainage and Energy were approved and work is now being carried out on them during 2012. The result of these studies will also inform the detail when initial Master Plan proposals are brought forward for development.

### **Changes to Phase 1**

28. The proposed phasing was considered in paragraphs 35 and 36 of the 12<sup>th</sup> March 2012 Cabinet report. In the 21<sup>st</sup> August Cabinet report it was proposed that there was a change to Phase 1 zones to comprise: Zones 1, 34, 35 and 33. Site 25 originally in Phase 1, subject to the completion of certain studies, was re-allocated to Phase 3, while Site 33, which was in Phase 3, was proposed for inclusion in Phase 1.
29. This alteration was designed to produce an attractive, financially viable development package for the construction industry and make a significant impact on the regeneration of Townhill Park.
30. Following further consideration it is now proposed to withdraw Site 35, which contains Moorlands Community Centre, from Phase 1. This is due to the Community Centre security of tenure and difficulty in re-providing pre-school places. It is still considered that the remaining Phase 1 sites will be an attractive development package. As detailed plans for Phase 1 develop, the Council will aim to encourage more units (delivered through imaginative design) that will compensate for the loss of units on Site 35. If these cannot all be absorbed in Phase 1 the intention is to endeavour to provide the remainder in Phases 2 and 3, therefore maintaining the overall numbers.



## **Results of Public Consultations**

31. In view of the proposed changes to Phase 1 and the issues raised by local residents, the 21<sup>st</sup> August 2012 Cabinet report set out plans for further public consultations to be carried out over the next couple of months. These have now been completed and included: detailed consultations with residents of Phase 1, required under Section 105 of the 1985 Housing Act; an information update to all residents both in and around Townhill Park, and a public consultation about the idea of the proposed new road connection from Townhill Park to Cornwall Road at the junction with Litchfield Road.

### **Phase 1 Public Consultation (Section 105, 1985 Housing Act)**

32. Specifically around the redevelopment of Phase 1, public consultations commenced with a letter to each secure tenant and leaseholder setting out the details of the consultation process and inviting written comment. Letters were followed by a visit to all secure tenants by the Tenant Liaison Officers (TLO's) and who were able to speak to the majority of tenants. Residents were also notified in their letter of four drop-in events (and in particular the Phase 1 meetings held on the 11<sup>th</sup> and 15<sup>th</sup> September 2012) where they could speak to officers on an individual basis and discuss any concerns or aspirations they might have. The Phase 1 consultation period lasted for four weeks with a further two weeks to consider any representations. This consultation process, built on the extensive general consultation already undertaken, while the Master Plan work was being developed. A report has been produced, on the results of the recent consultations. (Appendix 2). In addition to the letter, a meeting has also been offered to those leaseholders who live in their properties in Phase 1.

### **Phase One - Consultation Results**

33. The majority of tenants interviewed in Phase 1 are in favour of the proposed redevelopment of their homes. 74% of the 115 Council tenants accept the redevelopment of their homes and would agree to move.
34. The TLO meetings with tenants raised a number of points which have been considered:
- High number of tenants that would like to decant to Townhill Park/Bitterne. Therefore the Council will need to monitor during decant whether a problem arises with insufficient property coming forward on 'Homebid'. The main reasons for wishing to stay in the area were the good schools, pre-schools, family nearby and access to work.
  - Interest in the option to move back to Townhill Park, but
  - realistic that they may change their minds in the future. Residents appreciated the possibility of moving back to Townhill, but realised that after a number of years living elsewhere they might not wish to move
  - Affordable Rent. The increase in rent to Affordable Rent levels was not considered an issue with tenants who have been part of the consultations as there is an expectation amongst them that Council rents will increase anyway.

- Lack of interest in the wider Estate Regeneration improvements. Tenants were not particularly interested in the wider aspects of the regeneration of Townhill Park. This may be related to the fact that they will be relocating.

No written representations were received from tenants.

35. No written representations were received from any of the 15 leaseholders. A meeting has been offered to the 5 leaseholders who currently live in their homes affected by Phase 1.
36. It is therefore proposed to move ahead with Phase 1. Specific details regarding proposals for decanting, purchasing leaseholds, demolitions and required finances are included in this report

#### **4 Information Update Meetings**

37. The four Information Update Meetings were held for all residents including consultation on the proposed road link from Townhill Park to Cornwall Road at the junction of Litchfield Road. In addition to the two Phase 1 meetings held on the 11<sup>th</sup> and 15<sup>th</sup> September 2012, two information update meetings were held, on the 18<sup>th</sup> and 22<sup>nd</sup> September 2012. Residents, both within Townhill Park and those living in Southampton adjacent to Townhill Park were invited. The purpose of these drop in meetings was to update people on the Master Plan proposals and the work previously carried out. In particular, specific consultation was carried out concerning the proposed road link from Townhill Park to Cornwall Road at the junction with Litchfield Road.

#### **Results of the Four Consultation Meetings**

38. Thirty six residents attended the Phase 1 consultations. It is thought that the low numbers are reflected in the good response that the TLO's had with visiting and talking to Phase 1 residents in their homes. The two wider consultation meetings were well attended by a total of 300 residents. The full results of the 4 consultation meetings are contained in a report to be found in Appendix 2.

#### **Results of the Four Consultation Meetings – Link Road**

39. There was overwhelming opposition to the idea of a road connection/ Link Road from Townhill Park to Cornwall Road. There has also been significant objection to the idea of opening up Cutbush Lane to vehicular traffic. The draft results of the Transport Assessment indicate that on technical grounds there is no transport argument for either the Cornwall Road connection or the opening of Cutbush Lane to traffic. Therefore, in view of this and the overwhelming response against the proposed road link from Townhill Park to Cornwall Road, and the objections to the opening up of Cutbush Lane, it is recommended that both ideas do not receive further consideration and are not implemented. It is therefore proposed not to move ahead with these plans as part of the project.

#### **Frogs Copse and land west of Hidden Pond**

40. Concern was expressed by some residents to the proposed redevelopment of certain areas of open space e.g. open space to the west of Hidden Pond (Zone 25) and the small area of Frog's Copse south of Northfield Road and

Old Farm Drive (Zone 19). There is no intention to develop a large area of Frog's Copse. These proposals are awaiting the outcome of further ecological studies and are subject to much further review before any future decision is made. .

### **Moorlands Community Centre**

41. It is proposed to remove Site 35, which contains Moorlands Community Centre from Phase 1 as they have security of tenure and difficulty in re-providing pre-school places. The Community Association Committee has been informed.

### **Financial Assessment**

42. The financial assessment, covering affordability and budgets, can be divided into 2 distinct parts. One is the main regeneration activity involving the demolition of existing dwellings (subject to the further appropriate prior consultation), the provision of new dwellings and other improvement works. The second concerns the provision of the new social housing and whether this is provided by the Council or a Housing Association and what rent levels are to be charged. The main change from the 16<sup>th</sup> April 2012 Cabinet report (as outlined in the 21<sup>st</sup> August 2012 Cabinet report) is that the new social housing should be retained and managed in Council ownership.
43. The overall financial assessment of the redevelopment has been prepared by the consultants (CBRE). The following paragraphs highlight the key conclusions. It needs to be emphasised that the redevelopment costings are high level and based on current regional cost indices and will need to be updated on a regular basis and particularly when development briefs are prepared for specific sites and phases.
44. The approved Regeneration Framework (March 2012) involves the demolition of 380 HRA rented dwellings and also the acquisition and subsequent demolition of a further 48 homes sold under the Right-To-Buy (RTB). There is also the acquisition and subsequent demolition of five shop premises, and a public house where the HRA is the freeholder. The gross cost over the 10 year regeneration period of all these items is currently estimated at £11.8M. A more detailed analysis is provided in Appendix 1, showing the initial assessment of when the spending will take place.
45. As part of the provision of 675 new homes, the current revised proposals includes the provision of 450 new dwellings for letting at Affordable Rents (80% of market rent), so that there is an increase in the level of affordable housing by 70 dwellings. Investigations were carried out in regards to the viability of reducing the social housing element to deliver rents at 70 per cent of market rate in the remaining properties without increasing the cost of the scheme. It was calculated that cutting the number of social homes to 380, i.e. the figure originally propose, would only deliver rents at 77.5% market rent and subsequently this proposal was not taken forward.
46. The affordability assessment assumes a capital receipt to the HRA of £2.6M from the sale of the redevelopment land, leaving a net cost of approximately £9.2M once the costs of preparing the sites for sale have been taken into account. The GF capital programme has an uncommitted sum of £1.7M available to support affordable housing. This funding can only be used to

help fund the costs of new affordable housing provision and it is recommended that £1.3M is used as a contribution towards this cost. The HRA business plan and capital programme has an uncommitted provision of £20M to support Estate Regeneration activity. It is recommended that the remaining £7.9M required for the regeneration is approved from this source, leaving a balance of £12.1M to support future schemes.

47. The capital cost to the HRA has increased in comparison to the April 2012 figure due to the increased proportion of affordable housing.

#### **General Fund Implications and Community Infrastructure Levy (CIL).**

48. Estate wide regeneration also has capital implications for the General Fund (GF). These cover highway works, and improvements to open spaces. This expenditure is estimated at £2.6M. There is currently no provision in the GF capital programme to meet these costs. However, one of the sites to be sold (part of Frog's Copse) is held under GF powers so the capital receipt from the sale of this site would accrue to the GF. This receipt is estimated by the consultants to raise £0.28M and it is assumed that this will be applied towards the GF funding of £2.6M reducing the net cost to £2.32M.
49. The redevelopment costings have also allowed for payment of the new Community Infrastructure Levy (CIL). This had been assessed using the proposed fee structure that was out for consultation at the time the original financial modelling took place. A provision of £1.7M was assumed based on the proposed level of private sector housing. This meant that the Council would potentially receive income from CIL of £1.7M from this redevelopment. Recent revision to the CIL levy has now been published which, if adopted, will result in a lower CIL figure for Townhill Park of £1.4M. The impact of this will be assessed if confirmed by the Examination in Public. This represents non ring fenced additional resources for the GF which could be used to fund the type of infrastructure included in the Townhill Park redevelopment plans. At this stage it is not possible to formally ring fence this CIL income for funding the expenditure at Townhill Park because the CIL arrangements are still under discussion. However, the GF will need to fund net infrastructure improvements estimated at £2.32M and, if it were possible to utilise the CIL income, based on the current proposal, the net cost for the GF capital programme would be reduced to £0.92M, as shown in Appendix 1.
50. In addition to the CIL payments, a broad assessment has been made of the potential Section 106 developer contributions, which indicates that a site specific transport contribution in the region of £0.4M could be sought. This expenditure has been allowed for in the modelling work.
51. The new infrastructure is not expected to have any material impact on GF revenue budgets.

#### **Housing Revenue Account Implications**

52. For the Housing Revenue Account (HRA) however, the net impact of the regeneration has been assessed over the life of the 30 year HRA business plan. This shows that the projected 30 year surplus would be reduced by £23.9M, including the interest costs associated with the project.

53. The capital and revenue costs for the HRA associated with the regeneration of Townhill Park are affordable within the context of the 30 year business plan. It is recognised that past the 30 year lifespan of the HRA Business Plan, the new Council owned properties will generate income to the Council and potentially be less costly to maintain. This approach will also provide sufficient funds to enable further estate regeneration projects across the City, whilst recognising that the Townhill Park model will not be a 'one-size fits all' approach and different models will be needed for each estate, depending on its circumstances, and delivering the greatest benefits alongside value for money.
54. The revised proposals remain within the April 2012 total costs envelope for the HRA of circa £33M, including £1.3M to be vired from an affordable housing provision within the General Fund (GF). However, the financial analysis has been based on a number of assumptions regarding costs and income that will clearly need to be updated on a regular basis, particularly when detailed development proposals are prepared for each phase and site. Further reports will be made to Cabinet / Council as appropriate, if this analysis shows that net costs to the HRA or GF have increased.

### **Options for the re-provision of social housing**

#### Impact of Rent Levels due to Government Changes

55. The issue of what rent levels to charge is a significant one. In April 2002, the Government introduced rent reforms for tenants of all social landlords, which included local authorities and housing associations. Each property has a "target rent" calculated. Most housing association rents have now reached target rent but in the HRA, 2012/13 rent levels are still 5.5% below target. The current Government target is that by 2015 this shortfall will be made good, meaning that rent increases will need to exceed inflation certainly until that point. By the time the first new units in Townhill Park are completed, it is anticipated that HRA rents on the properties to be replaced will have reached their full target rent level.
56. In October 2010, the Government announced the introduction of a new social housing tenure called Affordable Rent as part of the Comprehensive Spending Review. Affordable Rent is not subject to the national rent regime but is subject to other rent controls that require a rent of no more than 80 per cent of the local market rent. Affordable Rent applies to new build (and some relets) of existing Housing Association owned social rented housing. These homes continue to be let through the Council's Homebid scheme. As part of the proposals for Townhill Park, properties developed for Affordable Rents would have higher rents than target rents. The table below, which uses 2011/12 data, compares the current average rents paid by tenants in Townhill Park for different property types with the comparable rents a Housing Association would charge for a similar new dwelling and also with the new Affordable Rents:

57.

	Average Actual Rents 2011/12	Target rent for new HA dwelling 2011/12 (^)	Affordable Rent 2011/12	% increase of Affordable Rent over target rent
	£ per week	£ per week	£ per week	%
1 Bed Flat	60.72	73.11	101.54	38.9%
2 Bed Flat	67.83	84.25	120.00	42.4%
2 Bed House	75.48	89.69	144.00	60.6%
3 Bed House	80.44	101.92	166.15	63.0%
^ - Target rents for HRA dwellings would be 2.96% lower for flats and 5% higher for houses.				

58. Affordable Rent is part of the new funding regime to provide new social housing development. Housing Associations (now known as Registered Providers) have from 2011, bid for resources to develop social housing based on the fact that these developments would be at Affordable Rent. The introduction of Affordable Rent tenure is a resourceful way of achieving more with less, but the new rent levels are higher. In general terms this means new clients having to pay significantly more for their accommodation than existing clients.

Rent Assumptions Used in the Affordability Assessment and Impact on HRA

59. In April 2012, Cabinet favoured the proposal to re-provide through a Housing Association, whereas the current proposal is to re-provide through the HRA with new social housing remaining in Council/HRA ownership.

60. The April 2012 Cabinet report proposed a two tier system for new social rented property. 50% of the total new stock was to be social housing with 50% of that being at Affordable Rent and 50% at subsidised target rent.

61. The current proposal is to provide as much social housing as the Council can afford to purchase and that the rent for the properties should be at the same affordable rate. Although this will mean that there will be no new equivalent of target rent, the new properties should have added advantages of being better quality, of a modern standard and include sustainable energy measures, so that they are cheaper to run for both tenants and the Council. In addition, the result of consultation suggests that tenants were unconcerned by Affordable Rent levels and that there was an expectation that Council rents would be going up to be equivalent to other social landlords and the market. By retaining ownership, the Council has a modern asset as a return for its outlay.

62. The revised affordability assessment has been prepared on the basis that all of the social housing is provided by the Council, as part of the HRA.

63. The analysis assumes that the extra borrowing the HRA would need to undertake to fund the new build programme has been repaid by the end of the 30 year business plan at which point the new properties will be debt free. After this the properties will generate an income. There is therefore a higher long term annual surplus for the HRA under any new build option, rather than giving the properties to a registered provider, but it takes longer than 30 years for there to be an increase in the cumulative surplus.
64. It is therefore proposed that all the new provision is provided by the Council, as part of the HRA, and let at Affordable Rent. This will need to be the subject of a specific approval from the Department for Communities and Local Government/Homes and Communities Agency.

### **Other Financial Assumptions/Issues in the Financial Assessment**

65. The financial assessment has assumed that there will be no grant from the Homes and Communities Agency towards the social housing provision. This is a prudent assumption as the new provision will take place after the current HCA grant regime has finished and there is no information available about what might replace it after 2015.
66. Similarly, no income has been assumed from the New Homes Bonus as beyond 2014/15 this will come from formula grant. Whilst the Government have indicated this funding is intended to be a permanent feature of the local government finance system, given the current review of local government financing, there is no certainty as to the mechanism and methodology by which this will be calculated and distributed.
67. It needs to be emphasised that the redevelopment costings are based on current regional cost indices and will need to be updated on a regular basis and particularly when development briefs are prepared for specific sites and phases. These updates will also include the impact of Section 106 costs, final CIL arrangements and the availability of grant as these issues become clearer.
68. It has also now been possible to undertake a detailed “zone by zone” assessment of the master plan. This has shown that there are a few zones where the redevelopment costs are comparatively high compared to the number of new homes provided. As the detailed development briefs are produced it would be sensible to review the detailed plans for these zones to see if the financial position can be improved without compromising the regeneration of the area.

### **Assessment of Delivery Options**

69. The Regeneration Framework looked at a range of delivery options, principally by:
- Development agreement, usually with a private sector partner and a Registered Social Landlord (RSL)
  - Joint Venture with one or more private sector partners
  - Direct Development: the Council acting as a developer and undertaking all the work itself.
70. In summary, the option of the Council acting as a developer would expose the Council to considerable risks in an area that is not the Council’s area of

expertise. The Development Agreement is the route the Council has adopted in previous schemes and was proposed in the April 2012 report for Phase 1. The option of a Joint Venture needs further consideration, particularly in light of the potential regeneration of further parts of the City, the master planning for which was agreed by Cabinet in February 2012.

71. The proposed change to Townhill Park where the HRA will now provide the new social housing, offers the opportunity for the Council to review the most effective means of procurement and delivery. Therefore the recommendations in this report delegate responsibility for this in order that the best method can be research and sourced.

### **Planning Strategy**

72. The consultant's report recommended that the Council consider obtaining; either outline planning consent for the whole project (Phases 1, 2 and 3) or adoption of the Regeneration Framework as a Supplementary Planning Document (SPD). However, as the project has progressed, it is now considered that it is best to proceed by submitting a full planning application for Phase 1 of the project. Other technical reports will be required, including the submission of a screening opinion to assess whether the impact of all of the phases will require an Environmental Impact Assessment.

### **RESOURCE IMPLICATIONS:**

#### **Capital/Revenue:**

73. The overall capital and revenue implications of the proposals have largely been set out above. However, one of the principles agreed by Council for developing the HRA business plan is that the debt outstanding on a dwelling should be repaid from the proceeds of the sale when it is sold. This is not possible at Townhill Park as there is no net capital receipt. The debt on these dwellings will need to be repaid from the projected 30 year revenue surplus, which is one of the reasons why the 30 year surplus is lower than reported in the budget. This is a matter which needs the approval of Council.
74. In order to progress with Phase 1 it is proposed that Council agree to the capital expenditure involved in getting the sites in Phase 1 ready for development. These costs include demolition, tenant compensation, leaseholder compensation and initial project management. It is therefore recommended that capital expenditure of £3.9M is approved, in accordance with Financial Procedure Rules. The phasing of the expenditure is £0.5M in 2012/13, £2.0M in 2013/14 and £1.4M in 2014/15.
75. It is also recommended that capital spending of up to a further £3.9M is approved, in accordance with Financial Procedure Rules, on the purchase of leasehold interests for properties in phases 2 and 3. The phasing of this expenditure is difficult to predict but initial allocations of £0.5M in 2013/14, £0.8M in 2014/15, £1.4M in 2015/16 and £1.2M in 2016/17, are proposed. This budget includes a provision of circa £100,000 for legal fees and other acquisition costs.
76. Professional fees relating to the development agreement, the procurement process and for design and planning advice are provisionally estimated at £200,000. It is recommended that a Townhill Park enabling project budget is



added to the HRA Capital Programme, funded by Direct Revenue Financing (DRF) provisions of £200,000 that were included in the HR Business Plan projections for these proposals. Approval to spend up to this sum on professional fees is recommended, in accordance with Financial Procedure Rules. The anticipated phasing of this expenditure is £60,000 in 2012/13, £120,000 in 2013/14 and £20,000 in 2014/15.

77. The HRA will be required to incur further capital expenditure to acquire the 450 units of social housing that will be constructed. Provision for this expenditure and the associated interest costs has been included in the 30 year HRA Business Plan projections for these proposals on the basis that it will be incurred following construction. However, the timing is dependent on the final details of the development agreement and will, therefore, be the subject of future Cabinet/Council approvals. The average acquisition cost, at 2012 prices, based on the estimated build cost for the various property types, is approximately £80,000 per unit; excluding professional fees (or £87,200 per unit, including professional fees). The total build cost for 450 properties, at 2012 prices, is therefore estimated at £39.3M. However, the HRA business plan builds in inflation at RPI+1%. The total cost built into the model, including this inflation, is £47.7M. It is anticipated that £37.7M of this figure will be funded by new borrowing, with the remainder being met from surplus HRA funds. Provision has also been made for responsive and programme repairs, starting from when the properties are finished, and for capital expenditure, starting five years after they are finished.
78. The provision for acquiring social housing in Phase 1 has retained the cost of the units to be provided on Site 35 even though Site 35 has been withdrawn from Phase 1. This is because as plans to develop Phase 1 progress, it is aimed to deliver some of the units that would have been provided within the remaining Phase 1 area. If these cannot all be absorbed in Phase 1, the intention is to maximise opportunities to provide the remainder in Phases 2 and 3, therefore maintaining the overall total number of homes provided.

**Property/Other:**

79. Within the area the Council owns are sites of the former Local Housing Office and Moorlands Community Centre. Site 35 is not now in Phase 1 and therefore the proposal to re-provide the space is no longer required.
80. 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.
81. 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.
82. 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**

83. 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**

84. 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:**

85. 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.
86. 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.
87. 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.
88. 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.
89. Section 17 of the 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:**

90. It will be necessary to undertake appropriate impact assessments in relation to the proposals within this report and particularly the proposed move to Affordable Rents before a final decision is made.

### **POLICY FRAMEWORK IMPLICATIONS:**

91. The updated Housing Strategy 2011-15 and Housing Revenue Account Business Plan 2011-2041 approved by Cabinet on 4<sup>th</sup> July 2011 (and Council on 13<sup>th</sup> 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

<b>WARDS/COMMUNITIES AFFECTED:</b>	Harefield and Bitterne Park
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### **SUPPORTING DOCUMENTATION**

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

#### **Appendices:**

1.	Townhill Park capital expenditure and income – all phases
2.	Townhill Park Regeneration Report of Consultations held in September 2012

#### **Documents In Members' Rooms:**

1.	Townhill Park Regeneration Framework
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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)

1.	None	
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### APPENDIX 1

#### Townhill Park capital expenditure and income - all phases

Year	Total HRA Capital Expenditure		HRA Receipts		Net HRA capital outlay		GF Capital Expenditure		GF Receipts (including CIL)		Net GF capital outlay	
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
2012 13	500	500	0	500			260	260	0	0		£000
2013 14	2,500	2,000	-500	2,000			260	260	0	0		260
2014 15	2,200	1,900	-300	1,900			260	260	-500	-500		-240
2015 16	1,400	1,200	-200	1,200			260	260	0	0		260
2016 17	2,000	1,800	-200	1,800			260	260	-580	-580		-320
2017 18	1,100	400	-700	400			260	260	0	0		260
2018 19	100	100	0	100			260	260	-600	-600		-340
2019 20	700	500	-200	500			260	260	0	0		260
2020 21	1,300	800	-500	800			260	260	0	0		260
2021 22	0	0	0	0			260	260	0	0		260
<b>Total</b>	<b>11,800</b>	<b>9,200</b>	<b>-2,600</b>	<b>9,200</b>			<b>2,600</b>	<b>2,600</b>	<b>-1,680</b>	<b>-1,680</b>		<b>920</b>

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# Agenda Item 7

Appendix 3



## **Townhill Park Regeneration Report of Consultations held in September 2012 Southampton City Council**

## **Townhill Park Regeneration Report of Consultations held in September 2012**

### **1 Background and Previous Public Consultations**

Work on the Townhill Regeneration Framework took place between July and January 2011-12. A series of public meetings were held during the study's development and local residents within the study area commented on and helped to shape the proposals.

The results of those consultations are contained in the report 'Community Involvement Statement' which has accompanied the Townhill Park reports to Cabinet and is available to the public.

### **2 Background to the September 2012 Public Consultations**

The September 2012 consultations were carried out, by Southampton City Council, as part of the further development and evolution of the regeneration project. The meetings were arranged with local residents to cover a range of specific areas for consultation.

### **3 Process and Method of the Consultations**

In August letters were sent to all residents, both in the study area and adjacent updating them on the Master Plan approval process of the Council. This included reference to public consultation meetings to which residents would be invited.

A leaflet followed delivered to each address both in the study area and to SCC residents who live adjacent to Townhill Park inviting them to the drop in meetings on 18<sup>th</sup> and 22<sup>nd</sup> September 2012 at Townhill Community Centre on Meggeson Avenue.

Separate invitations were sent to residents whose addresses are in Phase 1 setting out the proposals in accordance with the requirements of Section 105 of the 1985 Housing Act, seeking their comments and in addition inviting them to meetings on 11<sup>th</sup> and 15<sup>th</sup> September 2012 at the Townhill Community Centre.

The meetings were organised and staffed by Council officers and included a display of the Master Plan and various aspects of the regeneration proposals.

Visitors were encouraged to sign in and to fill in a questionnaire. The questionnaire contained 4 statements about project (see Appendix 1 Tables 1-3) and a section to leave additional comments.



In addition visitors were given the opportunity to leave comments on a board covering 'General Comments' and a board concerning the 'Proposed Link Road from Townhill Park to Cornwall Road at the junction of Litchfield Road.

#### **4. Analysis of the Results of the Consultation**

The information resulting from the meetings has been analysed by Council officers and the results are contained in this report.

Information has been analysed according to each meeting. Comments were received in a variety of ways:

- in the comments section of the questionnaire,
- on the 'Proposed Link Road Board' by 'Post it' note and
- on the 'General Board' by 'Post It' note

In order to analyse the vast array of comments they have been categorised by type and fall into 13 categories. (See Appendix 2 Key to Type of Comments).

Comments recorded do not relate to the number of people but the number of comments collected under each category. Also since people could make comments in a variety of places a person may have made the same comments in more than one place. The number of comments under any heading gives an indication of their importance to people at the time of attending these meetings.

Categories 1-7 are based on the Townhill Park themes agreed by residents working with the consultants on the Master Plan and categories 8-13 are based around the additional main themes emerging from the comments

#### **5. Phase 1 Statutory Consultation (Section 105 Housing Act 1985)**

Prior to scheme approval for the redevelopment of Phase 1 the Council as landlord must carry out statutory consultations with individual residents affected by Phase 1 proposals for redevelopment. Consultation depends on the points raised being *considered* before a decision made.

The consultation with Phase 1 residents has principally taken 3 forms:

- A letter to all Phase 1 SCC tenants and all leaseholders
- Visits by Tenant Liaison Officers to SCC Tenants homes
- Invitation to all Phase 1 residents to attend 2 drop in sessions on the 11<sup>th</sup> and 15<sup>th</sup> of September 2012
- Invitation to visit leaseholders who live in homes include in Phase 1

The Phase 1 statutory consultations with tenants included a letter to all tenants setting out the intention to redevelop their homes. In addition, and in order that tenants are fully aware of the proposal, visits were carried out by the Tenant Liaison Officers (TLO's).

## 6. Results of the TLO Visits

All 136 properties in Phase 1 were visited by the TLO's and leafleted with information. This included details of the 4 public consultations meetings to which Phase 1 tenants were welcome to attend and also a telephone number to ring to discuss any queries/information.

The TLO's were able to speak in person to 90 tenants out of the 115 total of Council tenants. Discussion with tenants includes the following topics:

- What redevelopment means including ensuring that tenants realise this includes demolition and that they will have to move
- How the process works; including examples of other Estate Regeneration projects and what has happened with tenants
- Likely timescales
- Financial information including home loss and disturbance allowances
- Options for moving including disturbance allowance or tailor-made removal service
- Priority points allocation and how to use Homebid
- Any questions

The following figures give details of the TLO consultation.

<b>Tenure Characteristics</b>	<b>Number</b>
Number of properties with Council tenants where information has been posted/handed to tenants by the TLO's	115
Number of Council Voids	6
Number of Leaseholders	15
<b>Total</b>	<b>136</b>

<b>Phase 1 TLO Consultation</b>	
Total Number of Council tenants seen and talked to about the redevelopment by the TLO's	88
Additional number of tenants who attended the Phase 1 public consultation	2
<b>Total</b>	<b>90</b>

<b>Results of the face to face meetings</b>	
Total number of tenants that have been visited by the TLO's or attended the Phase 1 consultation only	90
Number of tenants who do not agree with the proposal and do not want to move	3

Number of tenants that are unsure about the proposal and moving	2
Number of tenants who have stated that they are in agreement with the redevelopment and would be agreeable to move	85
Number of tenants who have received information but chosen not to make contact with the TLO's	25

74% of the 115 Council tenants accept the redevelopment of their homes and would agree to move.

25 Council tenants have not discussed the proposals with the TLO's. When comparing these consultations with the same stage carried out at Weston, these consultations have been fuller. Once the Weston redevelopment was agreed and further TLO meetings were held with all tenants around the details of the decanting only a small number were found who did not want to move. This gives an indication that it is unlikely that many of the 25 who have not contacted the TLO's will have objections.

No written representations have been received from SCC tenants.

## **7 High number of tenants that would like to Decant to Townhill Park/Bitterne**

A high number of tenants visited (27 out of 90) wanted to decant within Townhill Park or Bitterne. The desire to remain in the area is higher than in previous Estate Regeneration TLO consultations. The main reasons given were the good schools, pre-schools, family nearby and access to work.

The high number wishing to remain in the area during redevelopment may pose problems in finding suitable decant accommodation which is dependent on what becomes available through 'Homebid'. The affect on Phases 2 and 3 may need early consideration.

## **8 Interest in the Option to Move back to Townhill Park**

The chance to move back to Townhill was well received by tenants. Tenants understood that this may take 3 or 4 years before the offer of a return can be made. On the whole they did not expect to move back but were happy that consideration is being given to this aspect.

## **9 Affordable Rent**

The TLO's explained the principle of Affordable Rent and that this would apply to new build properties in Townhill Park. The TLO's found that people have an expectation that Council rents will be going up to be equivalent to other social landlords and the market.

**10 Interest in the wider Estate Regeneration improvements**

Tenants visited were not particularly interested in engaging or commenting on the wider aspects of the Townhill Park improvements. The TLO's were not sure if this was because these tenants saw themselves as leaving the area for a number of years and therefore it was not relevant to them.

**11 Phase 1 Leaseholders**

There are 15 leaseholders in Phase 1. Leaseholders have received a letter informing them of the proposals and those who live in Townhill Park will be offered a visit which are currently being organised. There has been no response received from leaseholders to the letter sent to them.

A meeting has been offered to the 5 leaseholders who live in their homes currently affected by the Phase 1 proposals. It is not practical to visit all leaseholders as the remainder do not live in the address they own.

**12 Phase 1 Public Consultation Meetings 11<sup>th</sup> and 15<sup>th</sup> September**

Residents in Phase 1 were invited to attend 2 drop in meetings to view the Master Plan proposals and to discuss aspects of Phase 1 with Council officers including whether they were in favour of redevelopment of their home. In addition their views were sought about the idea of the link road between Townhill Park and Cornwall Road at the junction of Litchfield Road.

**13 Results of the Phase 1 Public Consultation Meetings (11 and 15<sup>th</sup> September)**

Analysis of the Questionnaire 4 Statements (Phase 1 Meetings)

A total of 36 residents attended the meetings. The low number is possibly a reflection of the success of the visits from the TLO officers to residents' homes and that residents felt that they had sufficient information already.

30 questionnaires were completed and Appendix 1 Table 1 shows that there was majority support for all 4 areas questioned: the vision and physical proposals being a benefit to the area and support for the road proposal and proposals for the use and replacement of open space. There were few negative responses, the greatest number being 8 not in favour of the road connection and 2 not in favour of the open space statement.

Analysis of the Comments on the Questionnaire's (Phase 1 Meetings)

Although 30 questionnaires were completed many of these did not contain additional comments. A fuller analysis of the all comments received at the 4 meetings is contained in a later section of the report.

## 14 Results of the Public Consultation Meetings on 18<sup>th</sup> and 22<sup>nd</sup> September 2012

171 residents were recorded as attending the consultation of 18<sup>th</sup> September 2012 and 128 residents were recorded as attending the consultations of 22<sup>nd</sup> September 2012.

### Analysis of the Questionnaires 4 Statements

171 questionnaires were received from the consultation on 18<sup>th</sup> September 2012 and 128 questionnaires from the meeting on 22<sup>nd</sup> September 2012.

The result of the answers to the 4 statements is shown in Appendix 1 Tables 2 and 3. The results are very different from the Phase 1 meetings. As expected there is little support for the proposed road link with 99 and 109 (198 total) residents disagreeing with the proposal opposed to 8 and 23 (31 total) in support.

Figures for the other statements are as follows:

- the vision benefiting the area 59 and 77 (136 total) agree with 50 and 19 (69 total) disagreeing.
- The physical proposals benefiting Townhill Park 60 and 61 (121 total) agree with 45 and 36 (81 total) disagreeing
- The proposals for the use and replacement of open space being an improvement 47 and 50 (97 total) agree and 61 and 49 (110) disagree.

Although the vision and the physical improvements received more support than disagreement the results show a marginal lack of support for the statement that the proposals will improve open space.

This is believed to be largely due to the opposition to development on Frog's Copse and also to some extent on the grassland west of Hidden Pond. The proposal for development on these sites is still subject to further technical study before any decision can be made whether to take these forward.

### Analysis of the Comments on the Questionnaire's

Many comments were received on the questionnaires from the meetings on the 18<sup>th</sup> and 22<sup>nd</sup> September 2012. An analysis of the comments received is contained in a later section of the report. Again the majority of comments received were against the 'Proposed Link Road' – 56 and 64 (120 total).

### Analysis of Comments on the 'Proposed Link Road Board' 18<sup>th</sup> and 22<sup>nd</sup> September 2012

The table below shows the results of the 112 comments posted on the 'Proposed Link Road Board at the 2 meetings.

Type of Comment	Sat 18 <sup>th</sup> Sept 2012	Sat 22 <sup>nd</sup> Sept 2012	Total
Against the link road	51	57	108
In favour of the link road	1		1
Against opening Cutbush Lane	2		2
More parking at Junior School	1		1
Total Number			112

### Analysis of Comments on the 'General Board' 18<sup>th</sup> and 22<sup>nd</sup> September

In order to achieve consistency all comments have been categorised under the types of comments categorisation.

A full commentary on these is included later in the report. However, the majority of comments received were around the 'Proposed Link Road and 'Opening up vehicular access to Cutbush Lane'.

14 and 17 (31 total) comments were received against the 'Proposed Road Link' and 16 and 8, (24 total) comments against opening up Cutbush Lane to vehicular traffic with only 1 in favour. The results again show that the vast majority of comments are against either road proposal.

## **15 Local Residents View as Reflected in the Comments Received at all 4 Meetings**

This section of the report gathers together all comments made by residents at the 4 consultation meetings. The analysis of the ticks on the questionnaire statements is a separate document

The analysis carried out is by type of comment and not by the number of people who left a comment. The number and diversity of comments was extensive and so they have been categorised by subject type in order to facilitate analysis.

Comments have been sorted into the following type categories:

- 1-7 are based on the Townhill Park themes agreed by residents working with the consultants on the Master Plan
- 8-13 are based around the additional main categories emerging from the comments. Some of these would fall into 1-7 above but as 1-7 are general where there are a number of specific types of comments they have been given a separate category under 8-13 e.g. Frog's Copse, Proposed road link at Cornwall Road and Cutbush Lane.

Where comments received on an issue were few in number the issue is noted, but only further investigation with residents would establish whether the view is more widely held.

## **16 A fantastic community heart accessible for all (1)**

It was difficult to select comments which could clearly fall into this category. Comments tended to be made in connection with shopping or proposals for Meggeson Avenue. The few comments received about the shops did not clearly show whether there was greater support for new shops and a new community heart located in the proposed new location or keeping the shops where they are currently. Also the few comments made about the new 'village green', which would be a focal point of the new community heart were made in the context of the traffic calming measures on Meggeson Avenue.

## **17 Successful local shops and community facilities (2)**

14 comments were received around this theme. A couple of people suggested that there was no need for the new 'village green' which relates to the community heart theme and one person suggested that it could be located opposite the existing shops. A couple of comments related to the poor state of the Ark pub and that it would be a good thing for it to be redeveloped and a new shopping centre provided.

A few comments concerning the existing shops suggested that they were expensive and opening hours restrictive. A comment asked how we would ensure that new shops would be successful.

Only a couple of comments were received concerning the community centres. One did not use Moorlands Community Centre and the other felt that Townhill Community Centre was inadequate if Moorlands was not available.

One comment expressed concern that there were no activities for young people in the area.

## **18 Healthy and well-designed socially rented and private homes that address a variety of needs with as many homes 'on the ground' as possible (3)**

19 comments were received around the topic of housing. Several were in support of providing new affordable housing. These could be linked to several general comments that were made in support of the regeneration of the area.

A small number of comments asked for proposals for Rowlands Walk to be carried out earlier in the programme.

Several comments expressed concern about the proposed small redevelopment site at the end of Roundhill Close either as a loss of garages or providing increased local traffic.

A couple of comments request family accommodation to be located on the ground floor with easy access to open space.

There is concern from a number of residents on the Midanbury boundary with Townhill Park about the detail and height of new blocks.

#### **19 A transformed park and wonderful local greens and play spaces (4)**

20 comments were received around this theme. There is majority support for improving green space and providing more facilities for children and young people. However, residents do not want play areas outside their homes and do not want them located near roads. There were also comments in support of local wildlife and concerns that the proposals would adversely affect them.

Linked to open spaces are the sections on Frog's Copse and Hidden Pond.

#### **20 Greater social and economic opportunities (5)**

Residents did not really make comment around this theme. There were however, some concerns expressed around lack of facilities for young people and anti social behaviour around play area and shops.

#### **21 Meggeson Avenue a safe and attractive public space with improved crossings (6)**

10 comments were received concerning traffic calming and making Meggeson Avenue an attractive public space. There was support for traffic calming, but the impression from the comments is that a minimum treatment would satisfy. It is likely with the limited information provided by the Master Plan that residents do not have sufficient information to picture what traffic calming and improvement measures would look like.

Again the idea of diverting Meggeson Avenue round the new 'village green' may require further work to test how people really feel about this idea and that of the new community heart.

#### **22 Better walking, cycling and public transport connections locally and to the rest of the city (7)**

12 comments were received around this topic. There was encouragement for the importance of improving walking and for traffic calming in other roads in addition to Meggeson Avenue. There was acknowledgement of the



importance of the walking routes in the area and the connections they make not only in Townhill Park but to areas round about e.g. Moorlands School, Midanbury and Haskins.

The few comments received concerning the buses were around how the service was sufficient but not reliable.

**23 Proposed Link Road form Townhill Park to Cornwall Road and Litchfield Road (8)**

<b>Number of Comments received on the Proposed Link Road from Townhill Park to Cornwall Road</b>		
Comments For	0	
<b>Comments Against</b>	<b>269</b>	

The majority of residents attending the meetings are against the proposed road link. In addition to comments made the Council received a petition on 17<sup>th</sup> August 2012 signed by around 200 people and has also had numerous letters of objection.

The comments against the proposed road are many and various and can be summed up in the following e-mail received from a resident:

*'We understand that the regeneration of the Townhill Park Estate is an important large scale project for the council and we largely support what you are trying to achieve. However, we hope by now that you understand more clearly just how opposed to the link road the residents of Midanbury are. To summarise the points made by our petition, emails, letters, phone calls and attendances at the two consultations:-*

*1/ the proposed new road is not needed to make the scheme viable, either socially, financially or for any improvement in traffic flow.*

*2/ The new road is there only as a planning nicety especially given the fact that within 200 metres of the proposed new road is Wakefield Road, which currently does, and can continue to, carry traffic between Townhill Park and Midanbury perfectly adequately.*

*3/ In addition to being a huge waste of public money, the new road will not improve anything for Townhill Park residents nor anything for Midanbury residents but only worsen the situation of anyone living anywhere near to the new road.*

*4/ Three people are to forcibly lose their homes, against their wishes, to make way for a new road which is just an architect's "nice to have". Would you like to lose your home in this way?*

*5/ Increased volume of traffic – will become a "rat run".*

6/ Increased danger to pedestrians, children, pets etc. This area is used a lot by school children.

7/ Increased danger at several road junctions, especially at the top of Litchfield Road. This is already a really dangerous road junction, and it does not make sense to put more traffic into this junction. Bear in mind that Tesco intend to develop the Castle pub and this is a further cause for concern about this junction.

8/ Increased danger when the steep hill becomes icy. Litchfield Road is on the north side of the hill, and when it is icy or snows this road becomes unusable.

9/ More traffic noise.

10/ More exhaust fumes.

11/ Reduced property prices

12/ Litchfield Road is not strong enough to support heavy traffic. There will be problems with broken drains, and subsidence.'

## 24 Cutbush Lane opening up to traffic (9)

<b>Number of Comments received on Cutbush Lane opening up to vehicular traffic</b>		
Comments For	3	
<b>Comments Against</b>	<b>56</b>	

Those against the opening up of Cutbush Lane were very clear that it had been closed to prevent it being used as a rat run. Residents commented that when open it had been the scene of several accidents and residents cars being damaged by careless driving.

There was support for keeping it as a pedestrian route linking to the walkway network in the area, which provides safe and pleasant routes for school children, walkers, cyclists and horse riders.

## 25 Frog's Copse (Site 19) (10)

<b>Site 19 Development on Frog's Copse</b>		
Comments For	0	
Comments Against	29	

29 comments were received against the idea of developing on Frog's Copse. The majority of those objecting to the proposal live in the area north and west of Frog's Copse. The main objections include those on the grounds of:

- Loss of wildlife and ecologically valuable habitat
- Loss of views and peace

- Increased traffic on unsuitable roads

The Master Plan acknowledged that consideration of the idea of developing on a small section of Frog's Copse would be dependant on the outcome of further ecological work and consultation. The ecological work is currently underway and no decision will be made regarding Frog's Copse until this information is available and can be considered.

## **26 Hidden Pond (Site 25) (11)**

15 comments were received about the development idea west of Hidden Pond on Site 25. 13 comments were against the idea and 2 were pointing out that it may not be possible for ecological and drainage reasons.

Those comments against were around either its loss as an open space/ecological area, spoiling the views of adjacent housing and causing unwanted increased traffic.

## **27 Improve parking (12)**

18 comments were received concerning car parking. Most comments were raising the concern that there is already insufficient parking and that it is felt that the redevelopment will make matters worse. A comment was received that there is no disabled parking.

The problems of parking around the school hub was raised.

## **28 Other (13)**

48 comments fell into the general area as they were difficult to place in any particular theme. They included the following:

- Woodmill requires traffic improvement
- There is not sufficient information about the detail of the regeneration and the timescales and it is taking too long
- There were several comments in support of the regeneration and others saying that it benefited Townhill Park but not the surrounding areas or private householders and several comments expressed concerns that property would be devalued.

## **29 Analysis of where residents live who attended the consultations**

From the data provided it was possible to carry out an analysis of where in the local area residents who attended the consultations live. Within Townhill Park it was possible to make a good assumption whether they were private or Council tenants. This analysis is likely to contain a small degree of error, but

does show where the majority of people attending the consultations live. See Appendix 3 for the table showing the analysis of where people live.

It is estimated that 194 residents who attended the 2 wider consultation meetings were from outside the Townhill area and of these 137 were from the Midanbury area. This is not unexpected given the strength of feeling against the proposed road link.

It is estimated that 141 residents attended the consultation meetings from within the study area. The vast majority of the 36 residents attending the Phase 1 meetings were SCC tenants (31 out of 36).

In the other 2 wider meetings it is estimated that 21 of the 29 and 16 out of 39 attending from within the Townhill study area were SCC tenants.

Although there has been a wide spread attendance at the 4 meetings it appears that, apart from Phase 1, there is still an under-representation of SCC tenants. However, there was support from SCC tenants for the wider aspects of the Master Plan during the previous consultations carried out and contained in the Community Involvement Statement in Appendix 1 of the Townhill Park Regeneration Framework document.

## **Conclusions**

### **30 Phase 1 Statutory Consultation**

All tenants in Phase 1 have received the statutory information regarding the redevelopment of their homes. In addition to this the majority have received a visit or attended the consultation meetings and received information from Council officers. Leaseholders have all received the required statutory information and in addition those living in Phase 1 have been offered a visit.

The majority of SCC tenants have agreed to the Phase 1 redevelopment and there have been no comments received from the leaseholders.

### **31 Wider Public Consultations 18<sup>th</sup> and 22<sup>nd</sup> September**

The wider consultations were attended by a wide range of local residents. The major focus was the issue of the proposed link road to Cornwall Road. Other areas of interest were Frog's Copse, Hidden Pond and opening up of Cutbush Lane to vehicular traffic. The majority of comments received were against the proposed link road to Cornwall Road and against the opening up of Cutbush Lane to vehicular traffic.

Although there is some concern over Frog's Copse and Hidden Pond any further decision on these areas is awaiting the outcome of the additional studies including ecology which are still being undertaken.

There is support for improving green spaces and play, traffic calming and improving cycling and walking.

A measure of general support was received for the regeneration of the area and the provision of new affordable homes. However, there is concern that redevelopment will not meet parking provision needs.

There was not strong opinion on the shopping proposals nor the idea of the 'village green' and these areas will require further consideration as the phases in which they are proposed are considered in more detail.

**APPENDIX 1**

**Townhill Park Public Consultation  
11 + 15 September 2012  
(Proposed Phase 1 residents)**

	Strongly agree	Agree	Tend to agree	Total Agree	Tend to disagree	Disagree	Strongly disagree	Total Disagree	No response	Don't Know	Total Other
The vision for the future will benefit the Townhill Park community and surrounding areas	16	10	1	27	0	0	0	0	3	0	3
The proposed physical masterplan proposals would benefit Townhill Park	14	12	2	28	0	0	0	0	2	0	2
The proposal for the new street connection to Cornwall Road will improve road links to the wider area	4	11	7	22	3	0	5	8	0	0	0
The proposals for the use and replacement of open space will improve the physical environment	9	13	4	26	2	0	0	2	2	0	2

**Table 1**

**APPENDIX 1**

**Townhill Park Consultation  
18 September 2012**

	<b>Strongly agree</b>	<b>Agree</b>	<b>Tend to agree</b>	<b>Total Agree</b>	<b>Tend to disagree</b>	<b>Disagree</b>	<b>Strongly disagree</b>	<b>Total Disagree</b>	<b>No response</b>	<b>Don't Know</b>	<b>Total Other</b>
<b>The vision for the future will benefit the Townhill Park community and surrounding areas</b>	19	18	22	59	8	7	35	50	14	1	15
<b>The proposed physical masterplan proposals would benefit Townhill Park</b>	20	17	23	60	10	7	28	45	16	3	19
<b>The proposal for the new street connection to Cornwall Road will improve road links to the wider area</b>	13	8	2	23	8	6	85	99	1	1	2
<b>The proposals for the use and replacement of open space will improve the physical environment</b>	17	16	14	47	8	15	38	61	14	2	16

**Table 2**

	Strongly agree	Agree	Tend to agree	Total Agree	Tend to disagree	Disagree	Strongly disagree	Total Disagree	No response	Don't Know	Total Other
He vision for the future will benefit the Townhill Park community and surrounding areas	22	22	33	77	8	5	6	19	21	0	21
The proposed physical masterplan proposals would benefit Townhill Park	14	23	24	61	9	6	21	36	20	0	20
The proposal for the new street connection to Cornwall Road will improve road links to the wider area	4	2	2	8	10	10	89	109	0	0	0
The proposals for the use and replacement of open space will improve the physical environment	15	12	23	50	20	5	24	49	18	0	18



## Appendix 2 Townhill Park Public Consultations

### Key to Types of Comments Received

1-7 are based on the Townhill Park themes agreed by residents working with the consultants on the Master Plan

8-13 are based around the additional main themes emerging from the comments

1	A fantastic community heart accessible for all
2	Successful local shops and community facilities
3	Healthy and well-designed socially rented and private homes that address a variety of needs with as many homes 'on the ground' as possible
4	A transformed park and wonderful local greens and play spaces
5	Greater social and economic opportunities
6	Meggesson Avenue a safe and attractive public space with improved crossings
7	Better walking, cycling and public transport connections locally and to the rest of the city
8	Link Road from Townhill park to Cornwall Road and Litchfield Road
9	Cutbush Lane opening up to traffic
10	Frog's Copse (Site 19)
11	Hidden Pond (Site 25)
12	Improve parking
13	Other

### Appendix 3

#### Analysis of Areas where Residents live who attended the Townhill Park Public Consultation

	Phase 1 residents	18 <sup>th</sup> Sept Residents	22 <sup>nd</sup> Sept Residents	Totals
<b>In the Study Area</b>	35	50	56	141
<b>Cornwall Rd Area</b>	0	82	55	137
<b>Cutbush Lane Area</b>	1	23	6	30
<b>Frog's Copse Area</b>	0	11	11	22
<b>Other</b>	0	5	0	5

Total number of residents attending all the public meetings from the study area	141
Total number of residents attending all the public meetings from outside the study area	194
<b>Total</b>	<b>335</b>

#### Analysis of Residents within the Study area by tenure

	Phase 1 meetings		18 <sup>th</sup> Sept meeting		22 <sup>nd</sup> Sept meeting	
SCC tenants	31		21		16	
Private tenants	1		0		0	
Leaseholders	2	4 Total	10	29 Total	10	39 Total
Insufficient information Most likely private owner/tenant	2		19		29	
<b>Totals</b>	<b>36</b>		<b>50</b>		<b>55</b>	



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<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	TENANCY STRATEGY CONSULTATION RESULTS
<b>DATE OF DECISION:</b>	18 DECEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR HOUSING AND LEISURE
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

## **BRIEF SUMMARY**

The proposed Tenancy Strategy for 2013-2017 is attached at Appendix 1. This has been drafted following consultation with a wide range of stakeholders as instructed by Cabinet at the meeting of 12th of March 2012. The City Council must publish its tenancy strategy early in 2013. This is a requirement identified by the Localism Act 2011.

Consultation was also carried out in respect of possible arrangements for 'succession' by family members on the death of a City Council tenant. Stakeholder feedback supports an amended approach in line with the new provisions of the Localism Act 2011. The proposed policy in respect of succession is attached at Appendix 2.

## **RECOMMENDATIONS:**

- (i) To approve the proposed Tenancy Strategy.
- (ii) To approve the proposed arrangements regarding succession of tenancy as detailed in Appendix 2.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. Cabinet decided in March 2012 that officers should consult stakeholders in respect of the proposed tenancy strategy. That consultation exercise has been completed and this report provides details of the results and a proposed amended strategy which takes them into account.
2. The Housing Act 1985 has been amended by the Localism Act 2011 in relation to succession and assignments of tenancies. This report recommends that the City Council's policy is changed to reflect these changes.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

3. That the City Council uses 'fixed-term' tenancies in a wide range of settings. Consultation supports Members' view that this would not be appropriate at present.
4. That the City Council's policy should allow for a greater range of family members to 'succeed' to tenancies on the death of the tenant. Consultation with stakeholders does not support this option and it is recommended that the City Council's policy be amended to bring it in line with statutory provisions.

## **DETAIL (Including consultation carried out)**

5. Following the Cabinet decision of 12 March 2012 officers have carried out consultation with stakeholders in respect of the draft Tenancy Strategy considered by Cabinet at that time.

6. A summary of the results of that consultation is attached at Appendix 3.
7. The Tenancy Strategy has to be published in early 2013 in accordance with the Localism Act 2011.
8. The Tenancy Strategy must set out the Authority's preferred approach to letting social housing in its area. The strategy is intended to influence other social housing providers working in the area. The Localism Act 2011 requires all providers of social housing to 'have regard to' the Local Authority's Tenancy Strategy, although there is no requirement that their policies reflect the Strategy in its entirety.
9. The City Council is required to produce its own 'Landlord Tenancy Policy' during 2013. The Tenancy Strategy sets the overall direction within which the Landlord Tenancy Policy will be framed. The Landlord Tenancy Policy will contain the detail of how the Authority will let tenancies within its own stock.
10. The Localism Act 2011 also amended the Housing Act 1985, introducing 'flexible' ('fixed-term') tenancies. Until this point all local authority residential tenancies had to be let as 'secure' (i.e. 'lifetime') tenancies. The Tenancy Strategy sets out the Authority's approach to the use of flexible tenancies.
11. The consultation exercise asked stakeholders for their views on a range of questions associated with the use of flexible tenancies. Respondents were generally not in favour of a blanket introduction of flexible tenancies.
12. Respondents to the consultation gave their views on the type of properties that they would consider flexible tenancies were appropriate for should they be introduced.
13. The consultation also asked respondents for their views on the arrangements for succession to Council tenancies and a range of matters which the Authority may wish to consider when drafting its own Landlord Tenancy Policy.
14. In respect of succession, stakeholders did not favour an approach which was more 'generous' than that now detailed in the Housing Act 1985 (as amended) so it would make sense to align the Authority's policy with that set out in the Act.
15. Following the consultation, the Tenancy Strategy has been revised and is presented here for approval by Cabinet.
16. It is recommended also that Cabinet approves amended arrangements for succession which would bring the Authority's policy into line with the current provisions of the Housing Act 1985.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

17. There are no financial implications associated with these proposals.
18. If the Authority decided to pursue the wide-scale introduction of fixed term tenancies this would have required significant extra staffing resource. As this is not being proposed there is no impact on staffing requirements.

## **Property/Other**

19. The introduction of fixed term tenancies would have provided a mechanism which would enable the Authority to target its social housing stock to those applicants with the greatest degree of housing need. This would be by awarding tenancies for a set period of time only and requiring those tenants in better or defined different circumstances to move on at the end of that period.
20. The consequences of using fixed term tenancies in social housing are, as yet, untested. However, there are concerns about the effect on families in relation to the uncertainty engendered by fixed term tenancies and the effect on communities of more frequent tenancy turnover. Fixed term tenancies would also lead to a greater concentration of tenants/families with complex needs and this might have implications for the stability of communities and the Authority's ability to manage its stock appropriately.

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

21. Section 150 of the Localism Act 2011 requires local authorities to publish a Tenancy Strategy within 12 months of the legislation coming into force, following consultation with registered providers of social housing in the area. The strategy must set out the matters to which registered providers (including the Council) are to have regard when formulating their own policies relating to the grant of tenancies. The strategy and related documents must be available for public inspection during normal office hours without charge.

### **Other Legal Implications:**

22. None.

## **POLICY FRAMEWORK IMPLICATIONS**

23. The Tenancy Strategy links to a number of existing documents, including the Council's allocations scheme and homelessness strategy.

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**KEY DECISION?** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	All
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## SUPPORTING DOCUMENTATION

### Appendices

1.	Proposed Tenancy Strategy 2013-2017
2.	Proposed Succession Policy 18/12/2012 onwards
3.	Summary of consultation results

### Documents In Members' Rooms

1.	None
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### Equality Impact Assessment

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

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

Title of Background Paper(s)

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

1.	None	
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## Appendix 1

# **Southampton City Council** **Tenancy Strategy 2013-2017**

## Contents

1. Scope
2. Introduction and context
3. Tenancies
4. Tenancy length
5. The criteria for 'renewal' of fixed term tenancies
6. Alternative rent models
7. The housing list
8. The private rented sector
9. Future policy developments

## Tenancy Strategy 2013-2017

### Scope

This Tenancy Strategy complements Southampton's Housing and Homelessness Strategies. The aim of this strategy is to set out our vision for the way social housing providers in the city will let their properties. The City Council is also a provider of social housing so this strategy incorporates the principles which will underpin our own landlord tenancy strategy which will be published in 2013.

In drawing up this strategy we have consulted a wide range of stakeholders and made reference to a number of relevant documents. Those documents include the 'Plain English Guide to the Localism Bill' (DCLG), 'The practical implications of tenure reform' and 'new approaches to allocations and lettings' (Chartered Institute of Housing), 'local decisions on tenure reform' and 'Creating a tenancy strategy suitable for your area' (Shelter).

We will review this strategy in 2016 with a view to publishing a new strategy in 2017. We anticipate that the detail of the strategy will remain relevant until that time but, should the need arise to review any particular element, then that will be done through the usual decision-making process.

### Introduction and context

We intend that the city's social housing stock is used to its best effect so that homelessness is avoided wherever possible and we maximise the opportunity for Southampton residents to access housing suitable for their needs.

We recognise that there is far more demand for social housing than current supply can meet and that social housing providers in the city will look to a range of housing options in response to this. We will support measures to tackle tenancy fraud and to introduce innovative arrangements which make best use of scarce resources. We also encourage our housing partners, wherever possible, to provide accommodation which is both sustainable and secure and contributes to long-term community stability.

This tenancy strategy has at its heart the city plan and the city's key objectives; providing good value, high quality services, getting the city working, investing in education and training, keeping people safe, keeping the city green and clean and looking after people. We hope that all housing providers in the city will sign up to these aims.

## Tenancies

As a social landlord we will continue to use mainly secure, lifetime tenancies. We consider that these will provide the best environment for families to thrive and become part of a balanced, sustainable community. We encourage other social housing providers also to use the most secure form of tenancy available to them wherever possible. However, we do recognise that in some special circumstances the use of fixed term (flexible) tenancies might be appropriate.

We support the use of fixed term tenancies to enable 'special' family arrangements to be tried out, to support new fostering placements, for instance. The use of a fixed term tenancy in these circumstances can help to facilitate the city's wider aims in relation to looking after children while minimising the 'risk' to the landlord of the arrangement breaking down and accommodation subsequently remaining under occupied. We would see these arrangements as being relatively infrequent and proper consideration being given to the choice of tenancy based on individual circumstances.

We also support the use of fixed term tenancies in other 'special' circumstances such as (but not exclusive to) regeneration schemes. We see that there could be a possible role for fixed term tenancies where a property is vacated to facilitate the progress of a scheme and that property might otherwise remain unoccupied. Whilst our overall preference is for tenants to be given the most secure type of tenancy available, we recognise that a compromise relating to the security of some individual tenancies might be justified by the overall benefit to the city of protecting our ability to make best use of the social housing stock.

## Tenancy length

Where fixed term tenancies are used we would expect these to be for a minimum of 5-10 years. The choice of tenancy term should be based on both individual needs and the characteristics of particular areas. For instance, we would expect providers to take into account needs such as consistency of schooling, employment, training, regeneration and low demand as well as the desirability of providing families with predictability and long-term stability.

We would not expect fixed term tenancies to be used for any shorter term other than in exceptional circumstances such as facilitating the movement of tenants to enable development of a housing scheme as identified above.

For older people moving into supported accommodation we support the use of lifetime, secure tenancies.

## The criteria for 'renewal' of fixed term tenancies

We anticipate that, where fixed term tenancies are used, most providers will wish to include a criteria relating to housing need amongst those matters which they will consider when deciding whether to 'renew' a tenancy.

Similarly, we would expect them to consider using criteria intended to increase their ability to make best use of stock.

We do not currently envisage the city introducing criteria related to work, income or other similar matters. We are concerned to make sure that the way in which we allocate housing does not negatively affect the success or stability of our communities. We do, however, plan to review a number of issues around priority and eligibility for social housing. It may be that we use these or similar criteria when formulating our revised lettings policy if we consider that this is necessary to address the significant shortfall in our ability to meet housing need.

We do not support the use of fixed term tenancies as a method of enforcement where there is a breach of tenancy conditions. Where there are cases of antisocial behaviour, rent arrears etc we will use, and expect our partner landlords to use, the existing mechanisms available to them and not to rely on fixed term tenancies as a way of 'shortcutting' the process.

We consider that introductory/starter tenancies and probationary tenancies can play an important role in testing the ability to properly manage a tenancy. We encourage the continued use of these alongside other tenancy types.

#### Alternative rent models

We see alternative rent models as possible tools to protect community stability and to encourage tenants to improve their situation. We support the use of affordable rents and shared ownership options and see a valuable role for these as social housing options to help create balanced communities and meet housing need.

We will expect providers to consider the level at which local housing allowances are set when deciding their rent policy for affordable rent tenancies. We will not support policies which result in any disincentive to work or to improve a family's situation or which are likely to result in households being unable to pay their rent.

#### The housing list

We will retain a single housing list combining both transfer and housing register applicants.

#### The private rented sector

We welcome the opportunity to use properties in the private rented sector to discharge homelessness duties appropriately. We will work with landlords to encourage appropriate use of this sector.

### Future policy developments

We aim to produce policies which are fair and transparent and we expect partner agencies to do the same.

We plan to produce a landlord tenancy policy early in 2013 and to introduce a revised lettings policy later in the year. We will work with our partners and stakeholders to use the provisions of the Localism Act 2011 to make the very best use of the resources available to us and to continue to make our city a great place to live.

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### Appendix 2

#### **Southampton City Council proposed succession policy 18th December 2012 onwards for tenancies which began after 1 April 2012.**

Following the death of a tenant the City Council 's policy as regards succession is as follows :-

For tenancies granted prior to 1 April 2012 :

The policy for dealing with succession requests in respect of tenancies which commenced prior to 1 April 2012 remains as set out in the Housing Act 1985 s87 prior to its amendment by the Localism Act 2011 and the Authority's Statutory Succession Procedure, last updated in October 2010.

Therefore for those tenancies pre 1 April 2012 the criteria for succession are:-

that if person occupies the dwelling-house as his only or principal home at the time of the tenant's death and either—

(a) the person is the tenant's spouse or civil partner, or

(b) he is another member of the tenant's family and has resided with the tenant throughout the period of twelve months ending with the tenant's death;

(unless, in either case, the tenant was himself a successor), then the person is qualified to succeed to the tenancy.

For tenancies granted after 1 April 2012:

After the 1 April 2012, the only persons statutorily entitled to succeed to a tenancy are the spouse ( or partner) or civil partner.

Any further succession rights to family members as in the previous legislation can be granted only by an express term in the tenancy agreement

#### **The policy set out in this document applies to all tenancies which began on or after 1st April 2012 .**

The Authority's policy is:

That the tenancy agreement issued to all secure tenants will not be amended to include succession to family members .

The Authority will instead apply the new provisions of s 86A Housing Act 1985 ( as amended by the Localism Act 2011) which states that a person is qualified to succeed to a tenancy only if they

occupied the property as their only or principal home at the time of the tenant's death, **and** (b) were at that time the tenant's spouse (or living with the tenant as their husband or wife) or civil partner.

There will be no succession to other family members

Where the Authority decides to seek possession of a property following the death of a tenant it will give 4 weeks notice of its intention to any occupiers of the property.

The Authority will consider each such case on its merits. Existing arrangements which enable the grant of a new tenancy in exceptional circumstances will be used if the Authority decides to award a new tenancy where there is no right to succeed.

In coming to a decision as to whether to grant a new tenancy, the Authority will have regard to all the circumstances of the case including the need to make best use of its housing stock and the needs of any affected individuals



# Appendix 3

## Changes of Tenure Survey 2012

### Headline Results:



# Survey Set Up

- The Surveys were conducted from 10<sup>th</sup> September – 29<sup>th</sup> October 2012.
- Survey was generated in SNAP and inserted into the Southampton City Council Internet and Intranet web pages, and the Home Connections website for five weeks.
- Hard copies of the survey were sent to 503 Southampton City Council tenants and 491 applicants on the waitlist. These were randomly selected in each age band to exactly match both tenant and applicant populations. Responses were collated over six weeks.

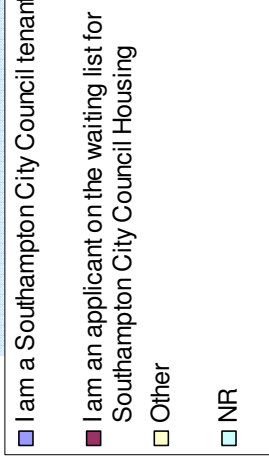
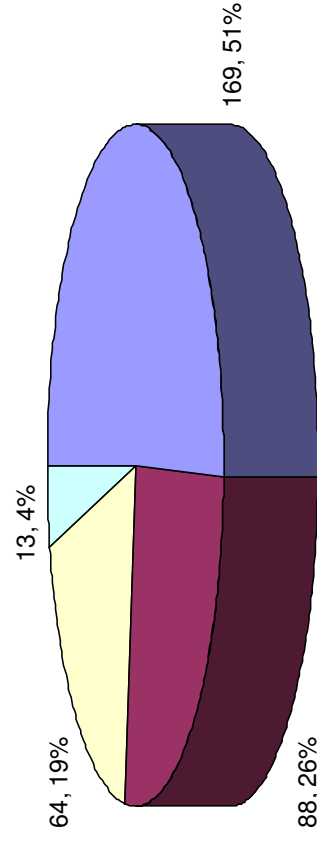
- Housing staff were also encouraged to complete the survey and for three weeks add the survey link to their signature bars for other staff and partner agencies to complete.
- Emails were also sent to other housing providers in the Southampton area, asking them to complete a brief questionnaire on their views on the Localism Bill 2011.

# Results

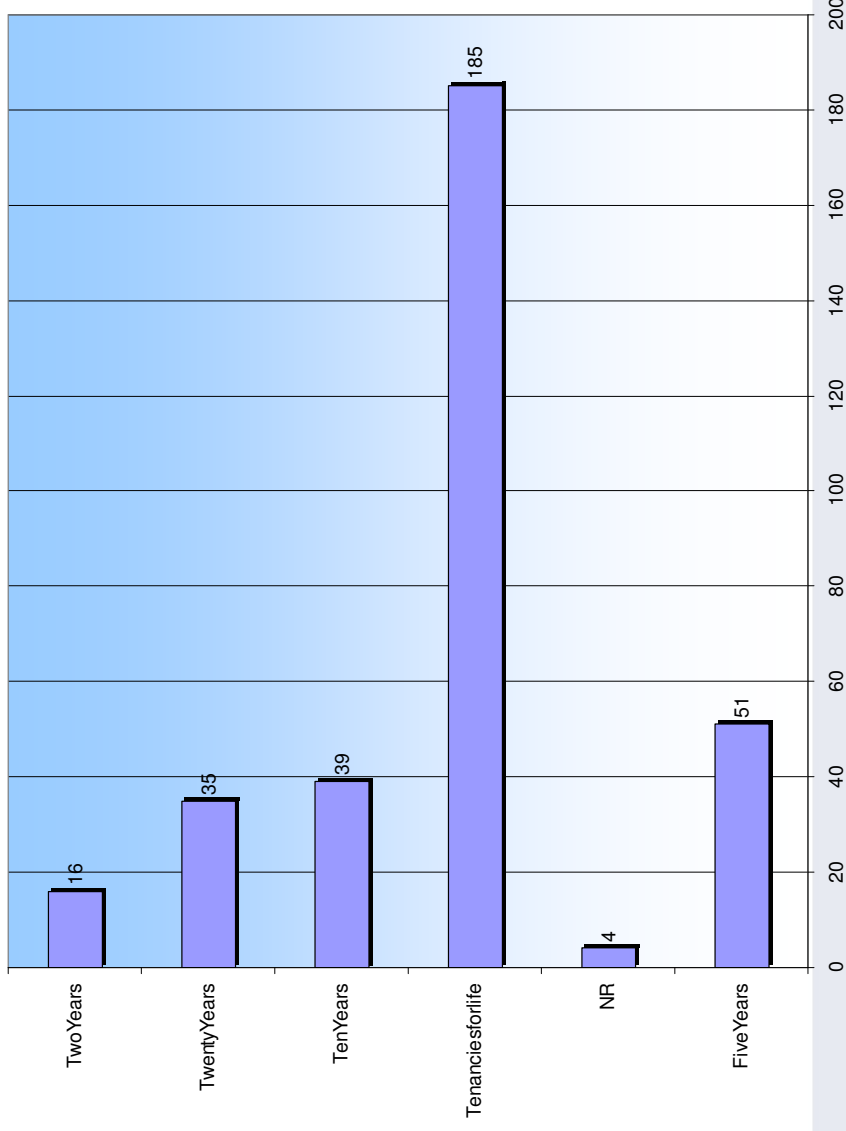
- 346 tenants and applicants responded to the survey.
- Of which 186 responded using the paper survey, and 159 on the online SNAP survey.

# The Headlines – Respondent Profile

- 169 respondents (51%) stated they were Southampton City Council tenants
- 88 respondents (26%) stated they were applicants on the waitlist
- 64 respondents (19%) were Other
- 13 residents (4%) did not respond



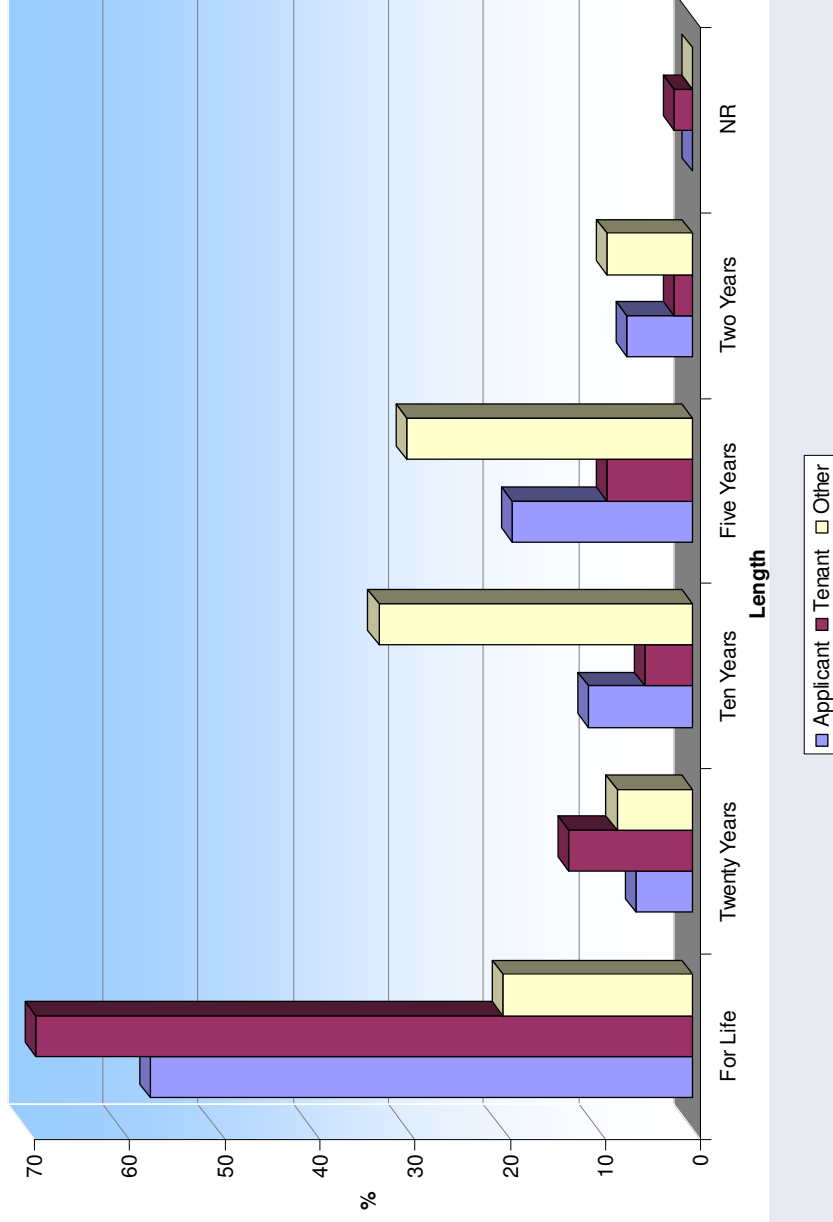
# How long should council tenancies be?



- 185 (56%) thought that tenancies should remain for life
- 51 (15%) thought tenancies should be for five years
- 39 (12%) thought tenancies should be for ten years
- 35 (11%) thought tenancies should be for twenty years
- 16 (5%) thought tenancies should be for two years
- 4 (1%) did not respond

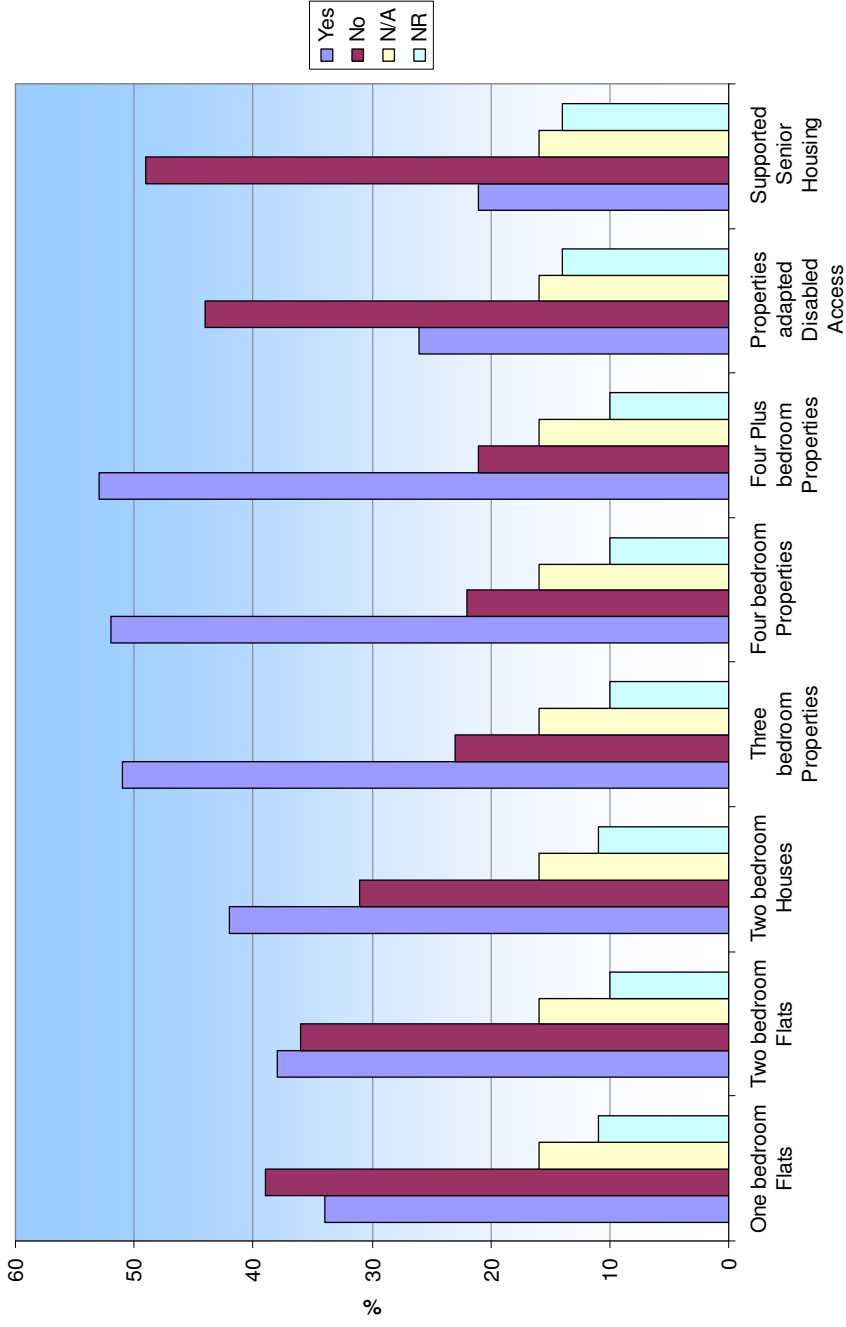
# Comparison Tenants and Applicants

Tenancy Length by Respondent Type %



- The majority of tenants and applicants believed tenancies should remain for life.
- Significantly more tenants than applicants believed tenancies should be for life; 69% v 57% respectively
- Only 20% of 'Other' respondents believed tenancies should be for life
- Tenants next favoured tenancy length was 20 years, while applicants was five years
- Differences in favoured tenancy length may be due both to a much smaller response rate of applicants and shorter tenancies leading to more tenancies being available

# What should non-secure tenancies apply to? (%)



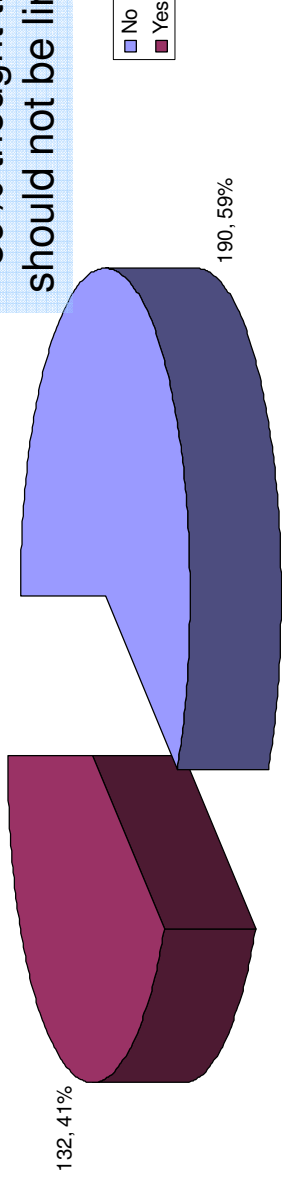
- Most respondents agreed that if non-secure tenancies were introduced, they should not apply to all property types
- The types of property that most respondents agreed should be subject to non-secure properties were two bedroom houses, three and four bedroom, and four plus properties. This may indicate that these properties are those in the highest demand or the most desirable.
- The majority of respondents did not agree that non-secure tenancies should apply to properties adapted for disabled access or Supported Senior Housing.
- 16% of respondents stated that non-secure tenancies should not apply to any property, while 10% did not respond





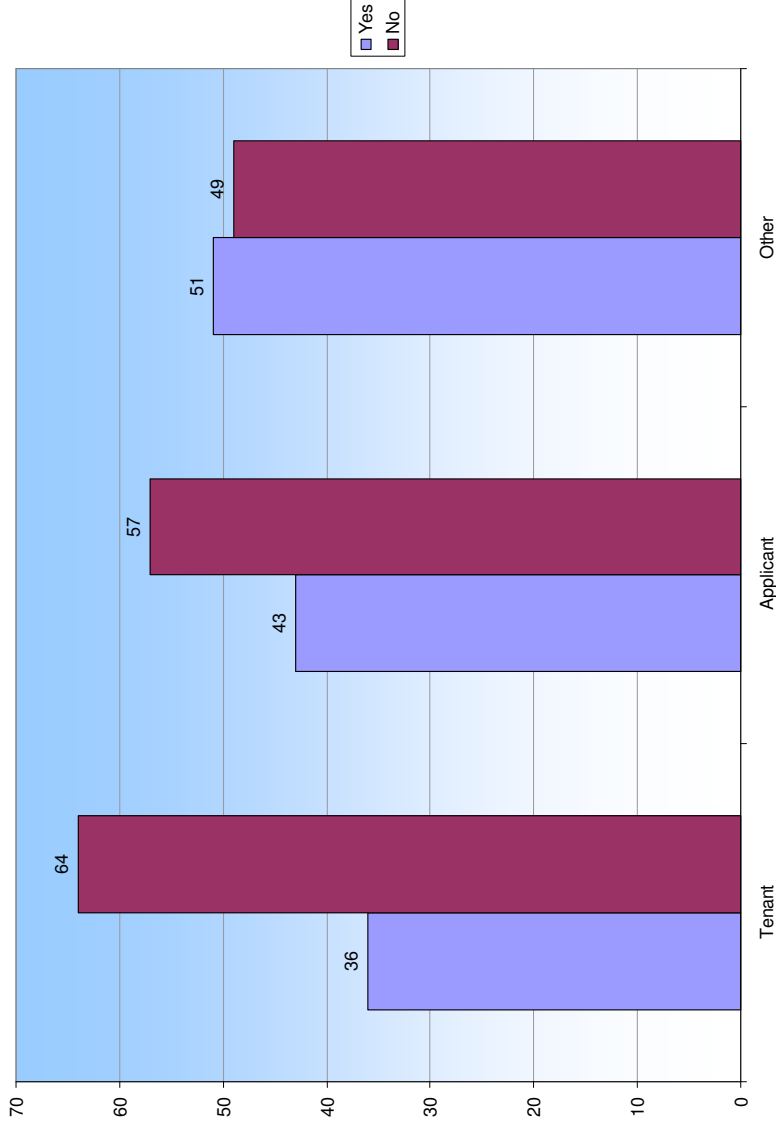
# Should Council tenants give up their home if their income rises above a certain threshold?

- 41% respondents thought tenants should give up their homes if their income rose above a certain threshold
- 59% thought that council tenancies should not be linked to income



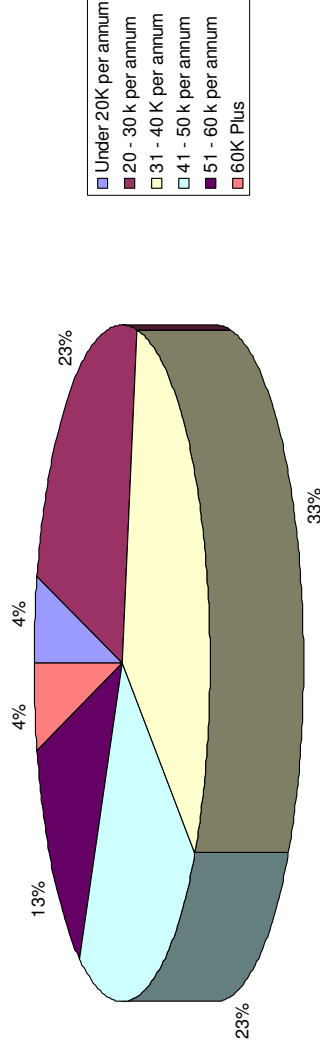
# Income link compared to respondent type (%)

- When income link to tenancies is compared with respondent type; significantly more tenants (64%) thought tenants should not be compelled to give up their home if their income rises above a certain threshold, compared with 57% of applicants.
- In the Other category, significantly more respondents (51%) thought tenants should give up their home if their income rose.



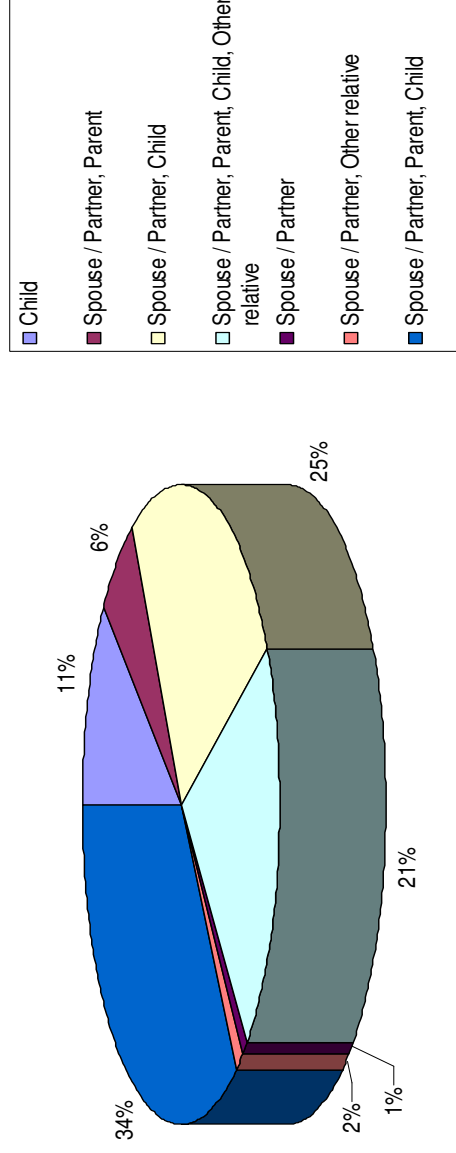
# If Yes, what should the income level be?

Income Level



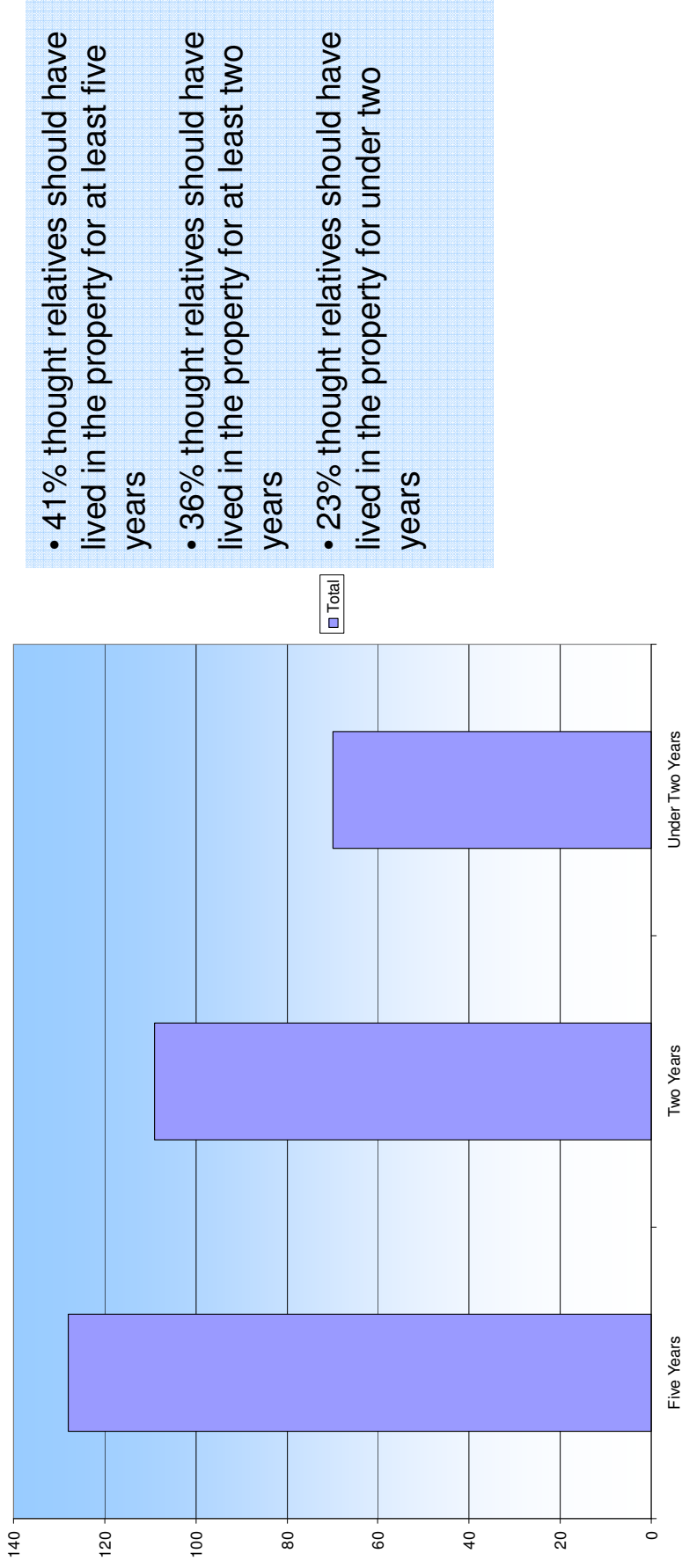
- There was significant variation as to what the income threshold should be with levels ranging from 18 K per year to £200 K per year.
- Most respondents (33%) believed the income should be set between 31 – 40 K per year
- 23% believed it should be set at 41 – 50 K per year
- 23% thought it should be set between 20 – 30 K per year
- 13% thought it should be between 50 – 60 k per year
- 4% respectively thought it should be over 60K per year or below 20 K

# Who should Inherit a tenancy?



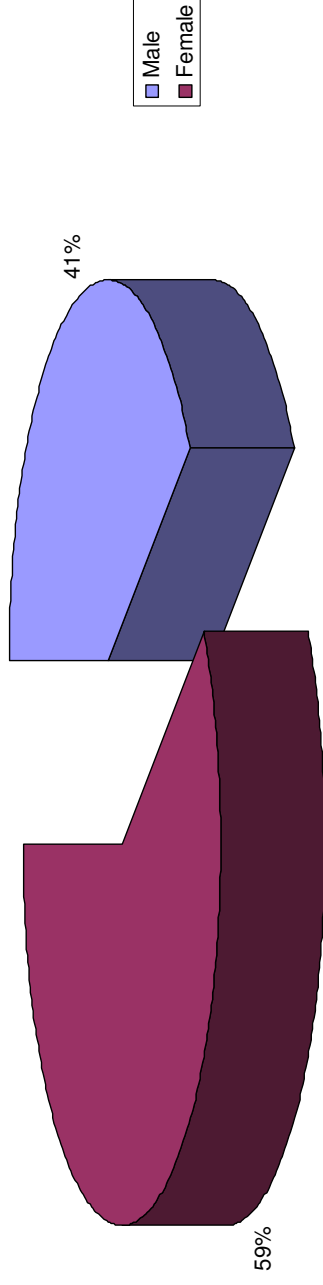
- 34% thought only a spouse / partner, parent or child should inherit a tenancy
- 25% thought only a spouse / partner or child should inherit
- 21% thought a spouse / partner, parent, child or other relative should inherit
- 11% thought only a child should inherit
- 6% thought a spouse / partner or parent should inherit
- 2% thought a spouse / partner or other relative should inherit
- 1% thought only a spouse / partner should inherit

# What is the minimum period other family members should have lived in the home before being able to take over the tenancy?



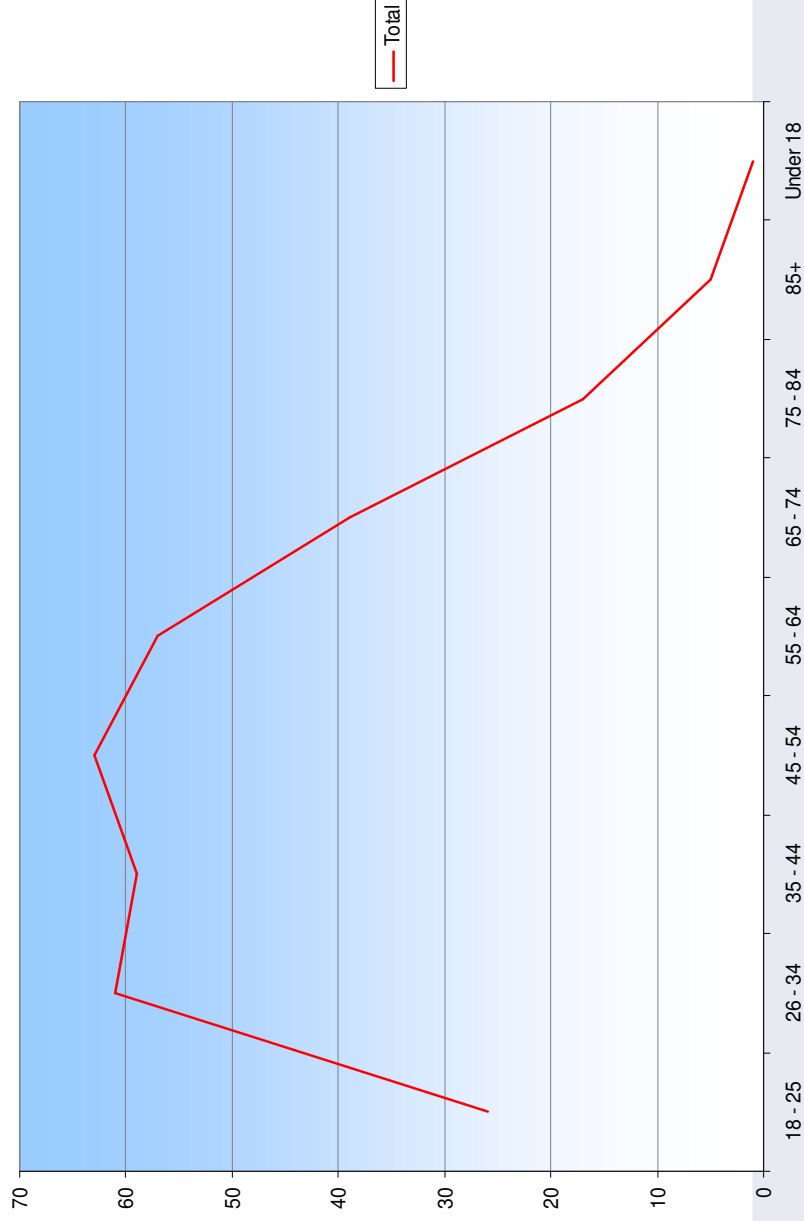
## Gender %

- 41% of respondents were male
- 59% were female



# Age Profile

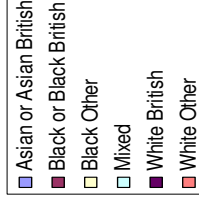
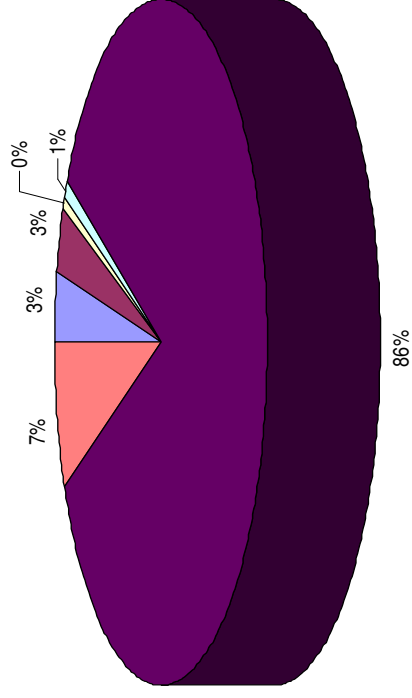
Age Range



- Most respondents were aged in the 45 – 64 age brackets with 48% aged in this category
- 18% were aged 35 - 44
- 17% were aged 26 – 34
- 12% were aged 65 – 74
- 8% were aged between 18 – 25
- 7% were aged over 75

# Ethnicity

Ethnic Background



- 86% of respondents described their background as White British
- 7% described their background as White Other
- 3% described their background as Asian or Asian British
- 3% described their background as Black or Black British
- 1% described their background as Mixed
- Under 1% described their background as Black Other



<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	HOUSING REVENUE ACCOUNT - VARIOUS SCHEME APPROVAL, CAPITAL PROGRAMME 2012/13/14 - FUTURE DECENT NEIGHBOURHOODS.
<b>DATE OF DECISION:</b>	18 DECEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR HOUSING AND LEISURE SERVICES
<b>STATEMENT OF CONFIDENTIALITY</b>	
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 Housing Revenue Account (HRA) Business Plan and Capital Programme, under the HRA self-financing regime, as agreed at Council in February 2012.

The proposed works cover elements under the heading of Well Maintained Communal Facilities.

## RECOMMENDATIONS:

- (i) To approve a series of virements, totalling £2,289,000 from the uncommitted provision for Future Decent Neighbourhoods Schemes, within the HRA Capital Programme and Business Plan, to provide budgets for specific schemes, as detailed in Table 1 below.

**Table 1**

	<b>£000</b>
Decent Neighbourhoods - Shirley	1,267
Decent Neighbourhoods - Shirley Transport	100
Decent Neighbourhoods - Holyrood	397
Decent Neighbourhoods - Leaside Way	225
Decent Neighbourhoods - Estate Improvement Programme	200
Decent Neighbourhoods - Beechfield Court	50
Decent Neighbourhoods - Wyndham Court	50
<b>Total Well Maintained Communal Facilities</b>	<b><u>2,289</u></b>

- (ii) To note that there is an existing uncommitted budget of £574,000 for Roads, Paths and Hardstandings, within the Well Maintained Communal Facilities section of the HRA Capital Programme
- (iii) To approve, in accordance with Financial Procedure Rules, capital spending of £2,863,000 on Decent Neighbourhoods schemes, phased £1,794,000 in 2013/14, £737,000 in 2014/15 and £332,000 in 2015/16 as detailed in the Appendix to this report.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. Financial Procedure Rules state that all schemes already in the Capital Programme up to the value of £125,000 require approval by the relevant Chief Officer, following consultation with the relevant Cabinet Member and Chief Finance Officer. Schemes over £125,000 but less than £250,000 will require approval by the Cabinet Member. Schemes between £250,000 and £2 million will require Cabinet approval. The schemes in this report fall into all three categories but are presented in one report to Cabinet for completeness.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. There have been various consultation meetings with tenant groups and leaseholders during the last nine months with regard to the proposed programme of capital expenditure associated with the Housing Revenue Account (HRA) and the new self-financing regime.
3. These works form part of the approved 4 year plan (formally approved in November 2011).
4. 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)**

5. This report seeks permission to proceed with the development, procurement and implementation of capital projects which form part of the HRA Capital Programme approved by Council in February 2012.
6. 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.
7. A key role in the development of the Capital Programme has been the involvement of the Tenant Resource Group, 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.

### **Well Maintained Communal Facilities**

#### **Decent Neighbourhoods – Shirley (£1,267,000)**

8. The original scheme was approved by Cabinet in April 2011. The project scope and design has evolved through an extensive consultation process into a more ambitious scheme to meet the aspirations of residents. Over 600 homes will benefit from the high quality remodelled public amenity space within a 500m radius of Shirley Towers.

9. The proposals include:- improved footpaths, key routes, focal points, planting, car parks, signage, artwork, lighting, play, recycling, new community gardens and creation of semi private areas so that residents can enjoy the space outside of their flats. These measures will improve the appearance and feel of the neighbourhood making it a more pleasant, welcoming and safer place for residents and visitors.
10. The scheme will be procured via the new Landscape Framework and the 45 week contract is programmed to start in August 2013. The stage C report is available as backing documentation and provides more detailed information on what is proposed.
11. The completed scheme will provide a much needed boost to this community and make a significant contribution to raising local pride in Shirley.

#### **Decent Neighbourhoods - Shirley Transport (£100,000)**

12. An opportunity to coordinate and integrate Decent Neighbourhood improvements with other departments where possible is always explored.
13. An opportunity has been identified to attract a significant transport improvement scheme to Shirley. Following the Wordsworth / St James traffic study commissioned in response to the issues raised by the popularity of the park scheme in St James Road a number of transport issues have emerged that need resolving. These include:
  - On-street parking controls /residents parking schemes.
  - Parking/ access review at junctions.
  - Church Lane reconfiguration.
  - New pedestrian crossings.
  - St James/ Winchester Road junction reconfiguration.
  - Overall speed limit review and area-wide 20 Zone.
  - Traffic calming – physical/ psychological, including landscaping.
  - Home Zone-type treatments (eg. Wordsworth Rd)
  - HGV routing/ weight restrictions.
  - New cycle routes, bypasses and signage.
  - Pedestrian fingerpost signs.
  - School and organisational Travel Plans.

The Shirley East Transport Plan working group has been set up and had its first meeting in November 2012 to consider these issues and develop the plan.

14. Although the project is at an embryonic stage it is envisaged that subject to the main funding being in place, work will commence in the summer 2014 with completion in 2015.
15. This scheme will be procured through the Highways Partnership and the Strategic Services Partnership.
16. The approval of this part match funding will deliver these additional and complimentary improvements for the further benefit of residents.

### **Decent Neighbourhoods – Holyrood (£397,000)**

17. The high quality, remodelled public amenity space bounded by Queens Way, Lime St, Threefield Lane and Bernard St will benefit 500 homes. The stage C report is available as backing documentation and provides more detailed information on what is proposed.
18. The proposals include: - improved footpaths, soft landscaping, hard landscaping, entrances, Kings House Bin store and Court Yard, key routes, focal points, planting, car parking, signage, site furniture, artwork, lighting, play, recycling, Lime St frontage, resident designed Green Wall and new City gardens.
19. The scheme has been procured via the Landscape Framework. It is envisaged that the 35 week contract will start 7 January 2013.
20. These works compliment the new play area that the residents' association (HERTA) have provided via Community Spaces funding.
21. These measures will improve the appearance and feel of the neighbourhood making it a more pleasant, welcoming and safer place for residents and visitors.

### **Decent Neighbourhoods - Leaside Way (£225,000)**

22. This approved scheme is centred on the two large blocks at Ventnor Court but will also benefit the 50 supported housing properties in Leaside Way and the wider neighbourhood.
23. There is little sense of privacy around Ventnor Court due to increasing levels of inconsiderate foot and cycle traffic using this route as a short cut to Bassett Green Road. A semi private area will be created so residents can enjoy the space outside of their flats.
24. This approved scheme has evolved into a high quality improvement project that meets the aspirations of residents.
25. The scheme has attracted £13,500 of Section 106 funding via Play Services that will part fund the complete refurbishment of the play area in Leaside Way.
26. The estate will be a more welcoming place for residents and visitors. The improved privacy, natural and resident led growing both in the community garden and on window sills will promote improved social cohesion and resident health/wellbeing.
27. It is envisaged that the work will start Spring 2013 and be completed in the Autumn 2013.

### **Decent Neighbourhoods - Estate Improvement Programme 13/14 (£200,000)**

28. This programme provides immediate solutions to a wide range of issues that blight our estates and irritate residents and is driven by the Local Housing team's patch plans in consultation with residents.
29. The work is carried out by Open Spaces, Housing Operations and small local suppliers.

30. The programme promotes a sense of local pride and resident wellbeing and continues this approach to improving the lives of our residents. Work starts in April 2013 with completion in March 2014.

**Decent Neighbourhoods - Beechfield Court (£50,000)**

31. This scheme approval seeks to enhance the quality of the soft landscaping, together with improvements to the access footpaths/road, providing a safe, attractive and welcoming experience for residents and visitors of Beechfield and Graylings Court.
32. The landscaped area viewed on the approach from Regents Park Road is tired and dated. The existing planting will be cut back/thinned/crown lifted and a new landscape design will be implemented to provide colour throughout the year.
33. The work will be procured via the Strategic Services Partnership and completed in the Autumn 2013.

**Decent Neighbourhoods - Roads, Paths and Hard standings (£574,000)**

34. There is currently no approved budget to keep Housing owned roads, paths and hard standings in a good state of repair.
35. This scheme approval deals with this issue and will enable Housing owned roads, paths and hard standings to benefit from the established experience and expertise that exists for maintaining the City's public footpaths and roads.
36. It is envisaged that the current system will be able to provide residents and local teams with up to date information on what has happened to the repair that they have reported.
37. The implementation of this scheme provides a robust defence to public liability claims and minimises the risk of reputational damage.
38. The scheme will consist of:-
- Inspection of 100% of housing owned roads, paths and hard standings that will produce a priority list for action.
  - A reactive maintenance service.
  - A programme of planned maintenance.
39. The scheme will be procured through the Highways Services Partnership.
40. Getting Started – the Strategy is provided as backing documentation and provides more detail of what is planned.
41. This programme of works will run over three years starting April 2013 and finishing in March 2016.

**Decent Neighbourhoods - Wyndham Court (£50,000)**

42. The ambitious externally funded North of the Station Quarter improvements is advancing rapidly and Wyndham Court (Grade 2 listed) occupies a central position within the designated improvement area.
43. This approval seeks to ensure that the best complimentary design options for Wyndham Court are explored and fed into the master plan.

- 44. The designs will ensure that the Wyndham Court avoids being conspicuous by its absence from this scheme and residents' aspirations influence the final designs.
- 45. The design work will be procured via the Strategic Services Partnership and completed in January 2013.

**RESOURCE IMPLICATIONS**

**Capital/Revenue**

- 46. The most recent version of the 30 Year HRA Business Plan, as used to inform the HRA budget approved by Council on 15<sup>th</sup> February 2012, indicates that there is provision for the works seeking scheme approval. This report recommends a virement that creates seven new schemes and seeks approval, in accordance with Financial Procedure Rules, for these schemes and the existing scheme for Roads, Paths and Hardstandings. The Appendix to this report shows the budgets in the HRA Capital Programme, approved by Council in September 2012, and the revised programme following the agreement of the recommendations in this report.

**Property/Other**

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

**LEGAL IMPLICATIONS**

**Statutory power to undertake proposals in the report:**

- 48. 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:**

- 49. None.

**POLICY FRAMEWORK IMPLICATIONS**

- 50. 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

<b>WARDS/COMMUNITIES AFFECTED:</b>	All wards
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## SUPPORTING DOCUMENTATION

### Appendices

1.	Proposed Changes to Decent Neighbourhoods Capital Programme
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### Documents In Members' Rooms

1.	Stage C Report – Decent Neighbourhoods - Shirley
2.	Stage C Report - Decent Neighbourhoods – Holyrood

### Equality Impact Assessment

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

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

Title of Background Paper(s)

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

1.	None.	
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### PROPOSED CHANGES TO DECENT NEIGHBOURHOODS CAPITAL PROGRAMME

#### HRA Capital Programme as approved in September 2012

Well Maintained Communal Facilities	2012/13	2013/14	2014/15	2015/16	Total
	£000	£000	£000	£000	£000
Decent Neighbourhoods - Roads, Paths and Hardstandings		187	190	197	574
Future Decent Neighbourhood Schemes	511	1,313	1,338	1,381	4,543
<b>Unapproved Total</b>	<b>511</b>	<b>1,500</b>	<b>1,528</b>	<b>1,578</b>	<b>5,117</b>

#### HRA Capital Programme following approval of recommendations in this report

Well Maintained Communal Facilities	2012/13	2013/14	2014/15	2015/16	Total
	£000	£000	£000	£000	£000
Decent Neighbourhoods - Shirley		720	487	60	1,267
Decent Neighbourhoods - Shirley Transport			25	75	100
Decent Neighbourhoods - Holyrood		362	35		397
Decent Neighbourhoods - Leaside Way		225			225
Decent Neighbourhoods - Estate Improvement Programme		200			200
Decent Neighbourhoods - Beechfield Court		50			50
Decent Neighbourhoods - Roads, Paths and Hardstandings		187	190	197	574
Decent Neighbourhoods - Wyndham Court		50			50
<b>Approved Total</b>	<b>0</b>	<b>1,794</b>	<b>737</b>	<b>332</b>	<b>2,863</b>
Future Decent Neighbourhood Schemes		217	791	1,246	2,254
<b>Unapproved Total</b>	<b>0</b>	<b>217</b>	<b>791</b>	<b>1,246</b>	<b>2,254</b>
<b>Total</b>	<b>0</b>	<b>2,011</b>	<b>1,528</b>	<b>1,578</b>	<b>5,117</b>

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<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	PROPOSED LEASE OF PART OF MANSEL PARK TO BUSH HILL FC – CONSIDERATION OF OBJECTIONS RECEIVED
<b>DATE OF DECISION:</b>	18 DECEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR RESOURCES
<b>STATEMENT OF CONFIDENTIALITY</b>	
Not applicable	

## **BRIEF SUMMARY**

Bush Hill Football Club is seeking to lease part of Mansel Park for use as a club football pitch. The use of dedicated and improved facilities will enable the Club to retain and attract experienced players, expand their youth teams and offer training and fitness opportunities to the wider community. Improved facilities are also required to allow progression to the higher football leagues.

This proposal was considered by Cabinet at its meeting on 18 September 2012 and Cabinet agreed to the grant of a lease in principle subject to there being no objections received under the proposed public consultation.

As Mansel Park is defined as public open space, any proposal to grant a lease of open space must be advertised with any objections considered by the Council.

This report details the results of public consultations in relation to the proposal to lease the land including details of three objections with responses in order that Cabinet may make a final decision in respect of this matter.

## **RECOMMENDATIONS:**

- (i) To consider and determine the objections along with other representations in relation to the proposed disposal of part of Mansel Park by lease to Bush Hill Football Club;
- (ii) If Cabinet decide the benefits of the proposals outweigh the objections, to authorise the grant of a lease of part of Mansel Park (as set out on the plan at Appendix 1) for a period of 10 years subject to planning permission being granted for the proposed use; and
- (iii) To delegate authority to the Senior Manager: Property, Procurement and Contract Management to determine the terms and conditions to be applied to the lease approved at recommendation (ii) above, subject to remaining within the overall proposals for the lease as set out within this report.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. To enable the Club to expand from their current position. Promotion within the league requires certain ground requirements that can not be presently met. Also to provide wider community facilities and opportunities to the local community.
2. It is considered that the benefits of the proposal outweigh the grounds of objections.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

3. Not to consider the grant of a lease, however this could prevent the expansion and progression of the football club and limit its membership which would be detrimental for community provisions.

### **DETAIL (Including consultation carried out)**

4. A Cabinet report was presented on 18 September 2012 outlining a proposal to grant a lease of part of Mansel Park to the Bush Hill FC.

For many years Millbrook has produced successful football teams however, retaining the talent season after season has been difficult due to the absence of facilities which allow progression into higher leagues, therefore players have ventured outside of the area sometimes playing in different towns simply to benefit from the standard of football and pitches.

No successful senior side other than Bush Hill play their football in this area with spectators numbering up to 50 or 60 on a match day. The Club feel they can use the success of the Club as the spring board to generate more interest in local Football. With the use of a new dedicated pitch and changing facilities the Club intend to introduce a number of youth teams. Training will be held not only for registered players but anyone within the community who wishes to improve their fitness. They will actively seek players from the local community who currently play outside of the area for the reasons outlined above.

The Club have in principle, spoken with The Saints Foundation and have agreed that they too can use the facility for their local youth projects.

Bush Hill FC has submitted an application to Hampshire FA to join the Hampshire Premier Football League. One of the conditions of membership is having their own ground and associated facilities.

Consideration has been given to locating the changing rooms in existing buildings close to the proposed pitch however; these have not been suitable because under Hants FA rules the changing facilities have to be within a certain distance of the pitch.

Plan V3343 attached as Appendix 1 shows the proposed area that is to be leased.

5. The grant of a lease to Bush Hill FC would also be subject to the applicant obtaining planning permission for the proposed use. The proposals involve the construction of changing rooms on land currently allocated as open space. The development of open space is contrary to the Development Plan for the City and, if the Council minds to permit it, the application will be a departure. This is due to the loss of open space to the changing rooms and hard standing on a protected open space. In order to justify this, the council needs to demonstrate that there are opportunities to replace the quantity of open space lost and show how the proposal improves the quality and accessibility of this open space. An acceptable solution to these issues is under discussion with Planning Officers. This is likely to involve the provision of an alternative identified site as replacement open space. The issues have been discussed with the applicant and it has been agreed that the Council will work with the applicant in the submission of the planning application in order to seek an acceptable solution.

6. As Mansel Park is defined as public open space, any proposal to grant a lease of open space must be advertised with any objections considered by the Council.
7. In September and October 2012 a period of public consultation was undertaken by the Council.
  - Letters were sent to The Friends of Mansel Park and SCAPPS (Southampton Common and Park Preservation Society) on 24 September 2012.
  - SCAPPS have advised that they had no objection to the proposed lease.
  - The Friends of Mansel Park advised that they did not receive the Council's formal letter of consultation. This was posted at the same time as the letter to SCAPPS and was sent to the Friends at the Mansel Park Pavilion where they hold their monthly meetings. The reason for non-delivery is not known.
  - However the Friends were otherwise made aware of the proposals by SCAPPS representatives and through informal discussions with Council Officers.
8. The required Statutory notice (Appendix 2) was published twice in the Southern Daily Echo on 2 October and 9 October 2012.
9. During the period of statutory notice three objections were received, each listing a variety of grounds for objection. Two of these objections were from residents who do not live in the immediate vicinity of the park. The third was from the Millbrook Community Association and the Friends of Mansel Park.
10. The following objections were raised:
  - i. Loss of public open space
  - ii. Loss of free access to the land (perception that people would be charged to enter the site)
  - iii. Increase in anti-social behaviour linked to noise, rubbish and increased alcohol consumption
  - iv. Issues with parking with additional vehicles in the area on match days
  - v. Other Pitches already available locally
  - vi. Damage to grass verges around Mansel Park as a result of increased vehicle usage
  - vii. Increased traffic volume in the Millbrook area as a result of spectators visiting the site. Could pose problems for emergency services trying to access narrow roads nearby.
  - viii. Parkland excavated to provide sewerage and other utilities, such as electricity.
  - ix. Loss of the Mansel Park Labyrinth
  - x. The park will be spoilt, public use reduced and wildlife harmed
  - xi. This may lead to other similar applications.

The full details of the objections together with officer responses are set out in Appendix 3 attached. Copies of the individual letters of objection (with personal details removed) are attached at Appendix 4.

11. During October 2012 notices concerning the proposals to lease the land to the Bush Hill Football Club were also displayed in Millbrook Towers, the Mansel Park 3 pavilion and on notice boards in the park. A copy of this public notice is attached at Appendix 5. No formal comments or objections were received by the Parks Team in response to these notices.  
  
Local ward councillors have undertaken their own informal discussions with residents including those in the blocks of flats adjacent to the proposed pitch and have fed back that the majority of those were either supportive of the proposals or held no particular view and that, of approximately 100 people consulted, only 3 had any objection. The feedback/representations in respect of these informal discussions are attached as Appendix 6.  
  
A Local Ward Member has written to the Chair of the Millbrook Community Association and the Friends of Mansel Park offering to mediate a meeting between the objectors and the proposed lessee in order to alleviate some of the concerns. The results of any such meeting will be reported verbally at Cabinet.
12. Following the public consultation period, the FA development Officer has commented that he is supportive of the proposals as it will allow the Club to develop and progress. He has also has commented that he would like to see the Council set a deadline within the lease for the Club to achieve Charter Standard status and for the Club to put together a development plan looking at youth/ladies football.
13. Objections received are just one of a number of considerations that Cabinet must take into account when deciding this matter. Objections would typically be given greater weight if they were from residents living in the immediate vicinity of the area in question, raised genuine and well-founded concerns about the effect of any proposal, and received directly from the objector rather than via a third party or as part of a petition or similar. Other objections will still be valid, but may be weaker and less persuasive to Cabinet as decision maker.
14. Further dialogue with the applicant following receipt of objections has provided considerable reassurance that principal issues raised by objectors are recognised by the applicant and measures are in hand to effectively manage them. Furthermore the lease terms will include conditions to ensure the site is properly managed and maintained and to ensure the site is used in line with the principles set out in this report.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

15. The building and maintenance works will be managed and commissioned directly by Bush Hill Football Club using the grant allocated and will therefore not form part of the Council Capital Programme.
16. The advertising, legal and Capita costs are to be met by the football club. The rent payable by the Club will be £1000 per annum and will be attributable to the Housing General Fund Portfolio.

## **Property/Other**

17. Bush Hill Football Club requires a new lease for 10 years. This new lease will be at a rent of £1,000 pa which is equivalent to current charges to Bush Hill for use of the shared pitch at Green Park. This is less than the estimated rental value of the site which is considered to be £ 2000. A lower rental is proposed to help the Club keep membership charges down and so help attract the wider community. The rent will increase annually in line with increases in the retail price index.
18. Bush Hill Football Club will have full repairing and insuring responsibilities for the new premises. The Club will erect new changing rooms on site (subject to planning permission and detailed plans being approved by the City Council as Landlord). The new lease will exclude security of tenure under the Landlord and Tenant Act 1954.
19. The public will have an opportunity to comment on the design and layout of the pitch/changing room during the planning application consultation process.

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

20. The Council is required to advertise proposed disposals of open space land, under section 123(2A) of the Local Government Act 1972, in a local newspaper for 2 consecutive weeks and any objections considered. A “disposal” includes the grant of a lease.
21. Proposals are required to be advertised in a local paper for 2 consecutive weeks followed by a reasonable consultation period. A representation period of 21 days from the publication date of the last advertisement was provided. Cabinet must consider any representations received during this period along with other material considerations.

### **Other Legal Implications:**

22. The proposals in this report have been developed having regard to the Council’s duty under s.17 of the Crime & Disorder Act 1998 to exercise it’s functions with a view to reducing crime and disorder, the need to maintain equality of access to the proposed provision under the Disability Discrimination Act 1995 and equalities legislation. The proposals have also been assessed against the requirements of the Human Rights Act 1998 and are deemed to be necessary and proportional in so far as they may impact upon any individually protected rights.
23. With reference to the proposal to let the land at less than market rent - The Local Government Act 1972 General Disposal Consent (England) 2003 enables the Council to dispose of land for less than its full market value where the undervalue (i.e. the value being foregone in the transaction) does not exceed £2 million without the need for obtaining specific consent to the transaction from the Secretary of State. However in reaching any decision to dispose of land at an undervalue Members must:-
  - (i) take into account their general accountability and fiduciary duty to local people;

- (ii) consider that such disposal will help secure the promotion or improvement of the social economic or environmental well being of the area – this disposal will assist in the provision of improved leisure facilities for the local community;
- (iii) have regard to the transaction in the context of the Community Strategy –
- (iv) the proposals comply with the Community Strategy
- (v) comply with all normal and prudent commercial practices – the proposal reflects common practices associated with other non-profit making sports organisations
- (vi) Have clear and realistic professional valuation advice available to verify the actual amount of the under value – professional advice has been obtained and the estimated undervalue of this transaction is £1000 per annum.
- (vii) Comply with EU State Aid Rules – this transaction does comply.

#### **POLICY FRAMEWORK IMPLICATIONS**

24. The proposals comply with the Community Strategy.



<b>AUTHOR:</b>	Name:	Sharon Bishop	Tel:	023 8083 2754
	E-mail:	<a href="mailto:sharon.bishop@southampton.gov.uk">sharon.bishop@southampton.gov.uk</a>		

**KEY DECISION?** No

<b>WARDS/COMMUNITIES AFFECTED:</b>	Redbridge
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### **SUPPORTING DOCUMENTATION**

#### **Appendices**

1.	V3343 – showing the extent of the area subject to the disposal
2.	The Public Notice published in the Southern Daily Echo
3.	A summary schedule of objections and responding comments
4.	Copy of Letters of Objection
5.	The Council Notice erected in the vicinity of Mansel Park
6.	Representations/Feedback from Local Ward Member

#### **Documents In Members' Rooms**

1.	None
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#### **Equality Impact Assessment**

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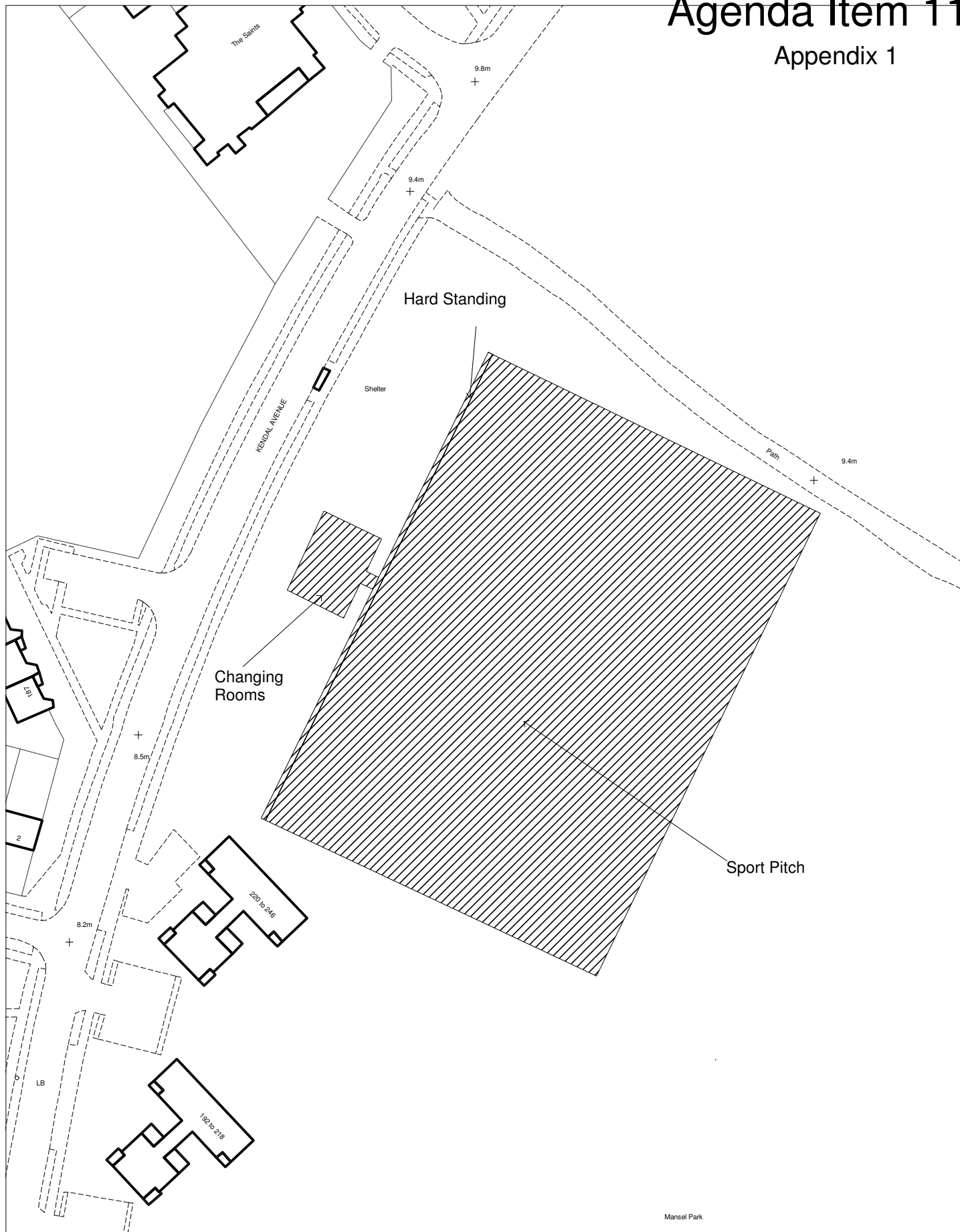
#### **Other Background Documents**

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



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

1.	N/A	
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 <p><b>SOUTHAMPTON CITY COUNCIL</b></p>	<p><b>PROPERTY SERVICES</b>                  SOUTHAMPTON CITY COUNCIL                  ONE GUILDHALL SQUARE, ABOVE BAR,                  SOUTHAMPTON, SO14 7FP.</p>		<p>SCALE (1:) 1000</p>	<p>DATE 22/6/12</p>
	<p>PLAN NO V3343</p>	<p>Sports Pitch Mansel Park</p>		

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**Mansel Park, Redbridge, Southampton**  
**INTENDED DISPOSAL OF OPEN SPACE LAND**

Section 123 Local Government Act 1972  
(as amended)

Notice is hereby given that Southampton City Council pursuant to powers under Section 123 Local Government Act 1972, as amended, intends to dispose of a leasehold interest in the building and land specified below.

**DESCRIPTION OF LAND**

Mansel Park, Redbridge, Southampton

**INSPECTION OF PLAN**

A Plan Numbered V3343 identifying the building and land concerned, by black hatching, is available for inspection in the offices of Gateway, One Guildhall Square, Above Bar Street, Southampton SO14 7PF during the following times:-

Monday, Tuesday, Friday	0830-1730
Wednesday	0930-1730
Thursday	0830-1900

**OBJECTIONS**

Any objections to the intended disposal should be made in writing to the Head of Legal, HR and Democratic Services at the address below no later than 06 November 2012. Objections should state reference number: DC/EN12/06/6216(Mansel Park) and also include the grounds for objection.

Dated: 02 October 2012

RICHARD IVORY, Legal HR and Democratic Services, Southampton City Council, Civic Centre, Southampton SO14 7LY

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**i. Objection:** Loss of public open space due to football pitch and changing rooms on site along with fencing and seating.

Comment from Objector 1(MCA&FMP) – “we also as a committee object to the Bush Hill Football Pitch and building being installed into our local park”

**Response:**

*The open space will still be accessible by the public. There will be a post and rail type barrier around the pitch only to stop motor vehicles entering the site etc. There will be openings in the barrier to enable members of public to enter through the gaps.*

*There used to be a football pitch on this site and 3 adult pitches in the park in total, although no changing rooms close to the site of the proposed lease.*

*The pitches were last operated by SCC as public pitches approximately 10 years ago.*

*Replacement open space is to be offered by the Council as part of the planning application.*

*There will be no overall loss of open space in the vicinity and the land (excluding changing rooms) will be fully accessible when the pitch is not in use for football matches, training etc.*

**ii. Objection:** Loss of free access to land (believing public will need to pay to see matches/access land)

Comment from Objector 2 – “this being public lands means the public has FREE access to them” “there are numerous football pitches in the area that are suitable for their use, without having to build a permanent structure with new plumbing, sewer outlets fences and paid seating structures for financial gain”

**Response:**

*There is no charge to watch the games and public access to the site will not be prevented except during matches etc*

**iii. Objection:** Increase in anti social behaviour linked to noise, rubbish and increased alcohol consumption.

Comment from Objector 1(MCA&FMP) - “We do not want the “noise and rubbish” and presumably “alcohol” being brought across from the Saints Pub on match days”

Comments from Objector 2 – “ one only has to see the rubbish left behind by these people using the grounds of other football pitches, as has recently been reported by the Southampton Echo (Saturday October 13<sup>th</sup> 2012)”

“the language and the drunken hooliganism from these people is atrocious”

“the noise from these people can be heard for miles and is very disturbing”

Comment from Objector 3 – “The only reason I see for Bush Hill football club wanting to build a new facility on the PUBLIC land of Mansel Park is so the Saints pub can sell more alcohol of which they are involved with this club. This will increase the current alcohol abuse and leave even more rubbish to be removed from our lovely park”

**Response:**

*The football club will be ensuring that all litter/rubbish from the game is cleared up and disposed of. This will be made a lease requirement.*

*The only additional noise will be from the players and supporters at the game which only take place during daylight hours.*

*There will be limited noise at training sessions but this should be no more than is usual from other open space users.*

*There will be no alcohol served at or taken to the game by the club.*

*There will be 15 home league games and possibly 10 cup games depending on progress in the competitions and where the club are drawn to play (eg home or away).*

**iv. Objection:** May affect residents parking close to the site.

Comment from Objector 2 – “these people take over the area and park in any place they think fit”. “ the damage to property caused by their vehicles leaves the residents to repair or live in a depressed state of deep ruts to the grassy verges and they have absolutely no respect for the residents legal rights to parking of their own vehicles on their own property”

**Response:**

*The home team and supporters will be requested to park in the “Saints Pub” car park, if they come by car.*

*To help stop additional parking on the streets, Bush Hill FC is proposing that the away team park on the existing hard standing in the park adjacent to Mansel Park Pavilion. A parking attendant will be supplied by the club to ensure correct parking on the hard standing only and not the park area itself. Lease conditions will be incorporated to ensure the parking is properly supervised and controlled.*

*There will be approx 60 spectators, most are home supporters who are local and will walk or come with team members.*

*Away supporters will come with away team players and park as proposed above, approximately 10 cars, due to car sharing and use of public transport etc.*

**v. Objection:** Other pitches already available locally.

Comment from Objector 1(MCA&FMP) - “There are plenty of pitches within this area to be used including changing facilities. Test Park and Green Park to name but two”

Comment from Objector 2 – “there are numerous football pitches in the area that are suitable for their use, without having to build a permanent structure with new plumbing, sewer outlets fences and paid seating structures for financial gain”

Comment from Objector 3 – “ I am against the Bush Hill football club moving from Green Park where they have already a changing room and football grounds with which they already hold matches” “If as they say the pitches are not big enough I am sure it would be easy enough to enlarge the current pitches to their required use”

**Response:**

*Bush Hill FC are trying to establish a community facility for people in Millbrook as they are a local team, Mansel Park is more central.*



*The Bush Hill Football Club require dedicated facilities to allow them to progress up the league and suitable facilities cannot be provided at other grounds.*

**vi. Objection:** Damage to verges and other grassed areas due to an increase in vehicle usage. Also risk of vehicles coming on to Mansel Park.

Comment from Objector 1(MCA&FMP) “our grass verges are being ruined as it is by cars parked on them and no money to put them right. This will make things a whole lot worse by the increased number of vehicles trying to use those verges”

Comment from Objector 3 - There is no space for vehicle parking along the road now so these people will be parking on our grass verges or the park itself and causing more damage”

**Response:**

*Except as necessary to install the changing rooms and in cases of emergency, there should be no vehicle access to the park and this will be a condition of the lease. Any damage caused due to club activities will be the responsibility of the club to re-instate. As previously mentioned no additional on street parking is anticipated due to the above proposals.*

*When the 3 original pitches were used the cars parked by the pavilion and in Evenlode Road with no major problems/issues.*

**vii. Objection:** Increase in traffic volume and parking close to the site affecting public transport, impeding pedestrian visibility and impeding access for emergency services.

Comments from Objector 1(MCA&FMP) “there is already a huge volume of cars and vans on the pathways from the Saints Pub. I am sure this will triple” “The road structure is not wide enough to support parked vehicles and if allowed would seriously impede pedestrian visibility crossing the road. It would also seriously hamper the travelling public as well as the public bus services. But perhaps even more seriously would be the restriction of emergency services such as the Fire Brigade, Ambulance and Police Services”

Comment from Objector 3- “they will be blocking the narrow streets preventing buses and other travelling public from accessing the roads. Even worse delaying emergency vehicles from going about their business

**Response:**

*Again parking of additional vehicles will be off road and not on pathways or roads as proposed above, so there should be no increased problems for public transport, pedestrian visibility and emergency services*

**viii. Objection:** Digging up of parkland and road in order to bring services to the changing rooms.

Comment from Objector 1(MCA&FMP) - “the road has only recently been completely resurfaced at a huge cost. To now build a changing room on our pristine park would require construction services digging out our wild life bushes and creating expensive road works to install sewerage plumbing and

electrical services to this unwanted building and football ground”

**Response:**

*Any required works will be discussed with SCC and relevant suppliers, but should be able to be taken from existing services in or very close to the park with little disruption to the area. All land will be correctly reinstated following the works.*

*The local water authorities would be consulted as it is proposed to use mains water and drainage.*

**ix. Objection:** Loss access to the Labyrinth at Mansel Park

Comment from Objector 2 – “ the general public will have no access to the Labyrinth created by the Friends of Mansel Park”

**Response:**

*There will still be access to the Labyrinth as this is on the other side of the oak trees and close to the centre path.*

**x. Objection:** The park will be spoilt, public use reduced and wildlife harmed  
Comment from Objector 1(MCA&FMP) - “The park has received a green flag status and a community flag, we don’t want or see it all being spoilt by a money making exercise”

Comment from Objector 2 – “ The Friends of Mansel Park and the Millbrook Community Association have worked hard and long to get the youths of Millbrook to use the Mansel Park facilities and this football pitch will reduce the usage of the public park considerably and destroy the wildlife such as the squirrel and bird population”

**Response:**

*The proposals will increase community usage of the park/open space which is in line with the council’s community strategy. Usage should not be reduced.*

*This is not a money making exercise for the council as the income will only equate to the usual pitch fees receivable from the club.*

*This is not a money making exercise for the club. It has a limited income mainly from membership fees and little if no profit is anticipated. The adults running the club are volunteers.*

*Wildlife will not be detrimentally affected. No habitats or trees will be destroyed.*

**xi. Objection:** This may lead to other similar applications

Comment from Objector 1(MCA&FMP) - “Surely this will see other football clubs also wanting to be building on parks if this is allowed to be”

**Response:**

*Any further application would be considered independently of this matter and decided on its own merit.*

# Agenda Item 11

Appendix 4

Millbrook Community Association & Friends of Mansel Park,  
Millbrook Rowers,  
Windermere Avenue,  
Southampton,  
~~Southampton~~

Head of Legal,  
HR and Democratic Services,

Reference DC/EN12/06/62(Mansel Park)

As chair person for the Millbrook Community Association and Friends of Mansel Park. We also as a committee object to the Bush Hill Football pitch and building being installed onto our local park.

We have over the years worked hard and tirelessly to have our park looking great and increase it's usage by people.

The park has received a Green Flag Status and a Community Flag, we don't want or see it all being spoilt by a money making exercise.

There are plenty of pitches within this area to be used including changing facilities. Test Park and Green Park to name but two!

Surely, this will see other football clubs also wanting to be building on parks if this is allowed to be.

We all know the council is strapped for cash, but this is not fair to the people of Millbrook.

We don't want the "Noise & Rubbish" and **presumable "achohol"** being brought across from the Saints Pub on match days here!

We have not been consulted as a group or even personally. Just here say that it is a DONE deal with powers that be, on a twenty year lease.

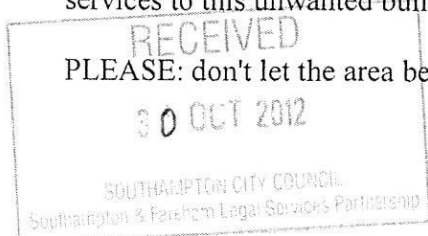
Our grass verges are being ruined as it is by cars parked on them & no money to put them right. This will make things a whole lot worse by the increased number of vehicles trying to use those verges.

There is already a huge volume of cars and vans on the pathways from the Saints Pub. I am sure this will more than triple if allowed. Especially as the Bush Hill Football Club is the Saints Pub anyway.

The road structure is not wide enough to support parked vehicles and if allowed would seriously impede pedestrian visibility crossing the road. It would also seriously hamper the travelling public as well as the public bus services. But, perhaps even more seriously would be the restriction of emergency services such as the Fire Brigade, Ambulance and Police services.

Further more the road has only recently been completely resurfaced at a huge cost of financing. To now build a changing room on our pristine park, would require construction services digging out our wild life bushes and creating expensive road works to install sewerage, plumbing and electrical services to this unwanted building and football ground.

PLEASE: don't let the area be taken over by this "MINDLESS for a minority" act.



*Handwritten signature*

~~Redbridge Towers~~  
Cutmere Lane  
Southampton

Head of Legal,  
HR and Democratic Services,

Reference DC/EN12/06/62(Mancel Park)

I am against Bush Hill football club moving from Green Park where they have already a changing room and football grounds with which they already hold matches.

If, as they say the pitches are not big enough, I am sure it would be easy enough to enlarge the current pitches to their required size.

The only reason I see, for Bush Hill football club wanting to build a new facility on the PUBLIC land of Mansel Park, is so the Saints pub can sell more alcohol, of which they are involved with this club. This will increase the current alcohol abuse and leave even more rubbish to be removed from our lovely park.

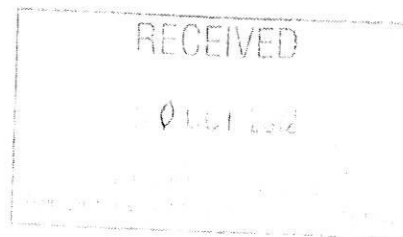
There is no space for vehicle parking along the road now, so these people will be parking on our grass verges or the park itself and causing more damage, or they will be blocking the narrow streets preventing buses and other traveling public from accessing the roads.

Even worse delaying emergency services from going about their business.

Where as; at Green Park there is a car park provided.

Discusted,

~~\_\_\_\_\_~~



Stafford Road,  
Winchester,  
Southampton,

Head of Legal,  
HR and Democratic Services.

Reference DC/EN12/06/62(Mancel Park)

I am **STRONGLY OPPOSED** to the selling or leasing of Public Lands to private ventures such as the proposed football pitch on Mansel Park.

One only has to see the rubbish left behind by these people using the grounds of other football pitches, as has recently been reported by the Southampton Echo (Saturday October 13<sup>th</sup> 2012).

The language and the drunken hooliganism from these people is atrocious.

These people take over the area and park in any place they think fit.

The damage to property caused by their vehicles leaves the residences to repair or live in a depressed state of deep ruts to the grassy verges and they have absolutely no respect for the residents legal rights to parking of their own vehicles on their own property.

The noise from these people can be heard for miles and is very disturbing. Those in the Millbrook Flats can hear almost every word from people in the Saints Pub as it is. So I shudder to think how unbearable the noise will be from these unruly inconsiderate football hooligans.

This being Public Lands means the public has FREE access to them!

There are numerous football pitches in the area that are suitable for their use, without having to build a permanent structure, with new plumbing, sewer outlets, fences and paid seating structures for financial gain.

The general public will have no access to the Labyrinth created by the Friends of Mansel Park.

The Friends of Mansel Park and the Millbrook Community Association have worked hard and long to get the youths of Millbrook to use the Mansel Park facilities and this football pitch will reduce the usage of the public park considerable and destroy the wildlife, such as the squirrel and bird population.

I say again in the loudest possible terms of objection. **I AM OPPOSED to this plan DC/EN12/06/62(Mancel Park).**

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**APPENDIX 5****PUBLIC CONSULTATION – PROPOSED LEASE OF LAND IN MANSEL PARK  
BY BUSH HILL FC**

Public comment is invited on a proposal by Southampton City Council to grant a 10 year lease to Bush Hill Football Club of a defined area within Mansel Park, returning this land to its former usage as a local football pitch. The area of the Park covered by this lease application is shown on the plan below.

Bush Hill FC have applied to the Council for the lease of this pitch as a facility of this order is required to enable the progression of the Club's first team to the Hampshire Premier League. The provision of a high quality local pitch will help the club retain its most skilled players, and provide an opportunity to attract local footballers who may currently play for Clubs outside of the area. Bush Hill FC is a well supported local Club, with its weekend games currently watched by up to 50 people.

Bush Hill FC also proposes to use the leased pitch area to develop ladies' and young people's football in the area, and to run training and fitness sessions open to the local community. The perimeter of the pitch will be marked by sections of low rail fencing, with gaps at intervals to allow continued public access to the area while matches are not in progress.

As the land to be potentially leased is classed as public open space, the Council is bound to advertise the proposed lease and to consider any objection prior to approval. The Council will consider public feedback on this proposal at the conclusion of a four week consultation period beginning Tuesday 2<sup>nd</sup> October before making a final decision on the granting of a lease. If you have any query about this proposal or a comment or objection to register during the consultation period, then please contact the Parks Team by writing to Brian Kneller at Red Lodge Depot, Vermont Close SO16 7LT, phoning Brian on 8083 4286, or emailing us at [neighbourhoodservices@southampton.gov.uk](mailto:neighbourhoodservices@southampton.gov.uk).

Your local councillors have been canvassing public opinion of residents by speaking to them face-to-face on their doorsteps, and by telephone. If you wish to contact them, please do so by phone or email ([councillor.c.mcewing@southampton.gov.uk](mailto:councillor.c.mcewing@southampton.gov.uk) 8032 8621, [councillor.a.pope@southampton.gov.uk](mailto:councillor.a.pope@southampton.gov.uk) (07580) 715 687, [councillor.l.whitbread@southampton.gov.uk](mailto:councillor.l.whitbread@southampton.gov.uk) 02380 775619) or writing to them directly c/o Members' Services, Civic Centre, Southampton SO14 7LY

If successful in the lease application, Bush Hill also advise that to satisfy League requirements they intend to apply for planning permission to erect changing facilities close to the pitch area for the use of competing teams and officials. This potential development is also shown on the plan below. The planning application for this changing facility will only be approved subject to a separate and satisfactory public consultation, as required by the planning process.

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### **APPENDIX 6**

#### **Representations/Feedback from Local Ward Member**

Feedback from a local ward member:

“The results of consultations were as follows:

1. During the consultations that myself and another local ward member carried out, we spoke directly by phone or on the doorstep with around 100 people who live in the properties surrounding Mansel Park. That is, Windermere Avenue, Green Lane, Millbrook Towers and Kendal Avenue. Out of these, only 3 have objected to the proposal. The rest were either supportive or did not mind about the proposal. The last conversations we had with residents on Evenlode Road. Again, support outweighed opposition by 10 to 1.
2. During the separate consultation conducted by Council officers, only 3 objections were received.
3. Further, I understand from residents that Bush Hill FC have also petitioned the area and gained a large number of signatures in support. I have yet to see this petition.

All 3 Redbridge councillors will be supporting the proposal. I believe it can greatly benefit the community, including adults but especially with youth football. Residents also mentioned these benefits of the proposal for their own families”

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# Agenda Item 12

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	COMMUNITY RIGHT TO BID – DECISION MAKING & GOVERNANCE.
<b>DATE OF DECISION:</b>	18 DECEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR RESOURCES AND CABINET MEMBER FOR COMMUNITIES
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

## **BRIEF SUMMARY**

The Government has introduced legislation under the banner of “Community Right to Bid”, as part of their commitment to Community Empowerment, within the Localism Act 2011. The Assets of Community Value (England) Regulations 2012 (the Regulations) sets out the basis for the new “open approach” to Community Assets (Assets of Community Value) and their subsequent disposal. The Regulations ensure that community organisations have a fair chance to bid for assets and facilities that are important to them before they are sold elsewhere. The Regulations came into force on 21<sup>st</sup> September 2012. There is currently no specific authority in place to enable the Council to make a Decision about any nomination, review or compensation claim which may come forward under these Regulations.

## **RECOMMENDATIONS:**

- (i) That authority be delegated to the Communities Manager to consider and determine Nominations to List Assets of Community Value following consultation with the ward councillors in which the property is located and other consultees as appropriate, including relevant Council officers, representatives from partner agencies and community spokesperson/people as relevant and appropriate
- (ii) That authority be delegated to the Senior Manager – Communities, Change and Partnership to consider and determine Reviews of the Listing of Assets of Community Value following consultation with the Cabinet Member for Communities and Cabinet Member for Resources and other consultees as appropriate, including relevant Council officers, representatives from partner agencies and community spokesperson/people as relevant and appropriate.
- (iii) That authority be delegated to the Senior Manager - Property, Procurement and Contract Management to agree the payment of compensation.
- (iv) That authority be delegated to Chief Internal Auditor (Head of Partnership) to determine Compensation Reviews.
- (v) That authority be delegated to the Head of Legal, HR and Democratic Services to approve the application and removal of Local Land Charges and Title Restrictions on a Listed property’s title preventing disposal of the property in accordance with the Regulations.

- (vi) That the Governance Committee be requested to review the governance arrangements pertaining to the Council's Community Right to Bid scheme as part of the annual review of the Council's Constitution, and recommend any amendments as necessary.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. The Regulations came into force on 21<sup>st</sup> September 2012. There is currently no authority in place for any officer within the Council to determine any Nomination for listing an Asset of Community Value, to determine a Review request made against a decision to List or for the approval for the payment of compensation made by an affected owner.
2. The potential number of Nominations, Reviews and Compensation claims is unknown at this stage. In order to manage the decision making process in the most effective and efficient manner the provision of delegated powers permitting officer decision making is considered the most appropriate mechanism for processing these type of applications given the statutory timescales imposed.
3. A decision cannot be taken by Senior Manager for Property, Procurement and Contract Management in respect of Nominations and Reviews as a conflict of interest arises where the City Council owns a property that has been nominated. From a property point of view it may be preferable to the Council for a nominated property not to be listed, as listing could delay disposal and affect dealings with the property in future. The decision should therefore be made by an officer who is, and can be seen to be, independent of the property function. In addition, whilst the decisions affect property, the regulations enable Community Empowerment, and therefore the decision needs to be made on a community benefit rationale. It is not a decision about property per se, but about whether property has, or could have, a community benefit. The key issue is therefore about community benefit, not the property itself.
4. The Regulations mean the Council will need to make decisions not just on its own property but also on property owned by private individuals and other Public and Private Sector bodies in the City. A transparent approach to Community Value needs to be taken through the decision making process which can be achieved by the Communities Manager being the lead officer involving other consultees as appropriate.
5. At the point of Listing after Nomination or Review, the Council is required to place a Local Land Charge against the property and place a restriction on the title in order to prevent owners selling without complying with the Regulations. The removal of these restrictions is a legal function (as it affects property that is not owned by the Council as well as property that is) and authority to remove following compliance should fall to the Head of Legal, HR and Democratic Services.
6. The owners of properties that are listed and are subject to the moratorium periods and prescribed disposal procedures, are entitled to claim for compensation from the Council for losses and expenses incurred as a result of the listing, and thereby delaying a disposal by moratorium periods of the 6 and 20 week windows of opportunity. The assessment and negotiation of the

claim relates to property issues and should therefore be determined by the Senior Manager – Property, Procurement and Contract Management.

7. The compensation claimant has the right to request a Review of the compensation offer. The Review is to be taken by an officer of appropriate seniority and a person who has not taken part in the original claim decision. The Review must be undertaken within 8 weeks of the request for a Review. The Review therefore will be determined by Chief Internal Auditor (Head of Partnership) as a senior officer who has not been involved in any previous decisions associated with the property. The Delegation is required in order to comply with the timescales set out by the Regulations.

#### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

8. Decision making to be conducted through Cabinet – rejected due to the timescale imposed by the Regulations and the ability for the owner to seek an oral hearing. A Nomination must be determined within 8 weeks of submission. A Review request is to be made within 8 weeks from 'Listing' and enables the owner to request an oral hearing for the Review.
9. Utilise existing delegated authority – there is not any existing delegated authority within the Officer Scheme of Delegation which covers the various authorities required for these new regulations.

#### **DETAIL (Including consultation carried out)**

10. The Assets of Community Value (England) Regulations sets out the basis for the open approach to Community Assets (Assets of Community Value) and their subsequent disposal.
11. An 'Asset of Community Value' is not described precisely in the Localism Act or the Regulations; the Government have enabled Local Authorities to have some flexibility to decide what constitutes an Asset of Community Value in their areas. The Act prescribes that a building or other land in a local authority's area is land of community value if in the opinion of the authority:-
  - a. an actual current use of the building or other land that is not an ancillary use furthers the social wellbeing or social interests of the local community; and
  - b. it is realistic to think that there can continue to be non-ancillary use of the building or other land which will further (whether or not in the same way) the social wellbeing or social interests of the local community.
12. The Regulations which came into force on 21<sup>st</sup> September 2012, entitle a community or voluntary body to nominate public or private properties to be included on a list of assets of community value (the List) and for the relevant local authority to determine nominations and maintain the list for properties in its area.
13. If the property owner then wishes to dispose of a listed property it must advertise this and Regulations allow a 'window of opportunity' for community groups to make a bid/business case to acquire it before the property can be sold on the open market. However, there is no presumption that a community group has a right to purchase or that the owner will have to dispose of the property to them, or accept a value below its market value.

14. There are strict procedures and processes to be followed and this report sets out the authorities required to implement the Regulations.
15. The Council cannot nominate either its own or other properties; the Council is to be the decision making and monitoring body. The Council will be responsible for compiling and managing the list, making decisions as to what should and should not be included, and liaising with the relevant property owners.
16. Once an asset is nominated by an eligible community or voluntary body group (for which there is a specific criteria) the Council must consider whether the nominated asset meets the definition of 'community value'. If it does, it must be placed on the List. The Regulations require that before making the decision Local Authorities should contact the landowner to seek their views. Following a decision by the Authority to 'List' a property, the owner will have a right to request that the Council carry out an internal review of that decision. The owner may be able to further challenge this through an external First –Tier Tribunal (an independent body).
17. Local authorities will be required to publish the List, as well as a list of assets that are unsuccessfully nominated. Once placed on the List, an asset will remain on it for a period of five years or until sold if within the five year listing period.
18. To ensure that community groups are given the opportunity to bid for listed properties, a Local Land Charge and a Restriction on the property's title must be placed at the point of 'Listing' to prohibit a sale until the Council have been satisfied the vendor has complied with the regulations. The Council must then notify the nominating community/voluntary group of the intended sale. If an asset is placed on the List, this means that when the owner wants to sell they must inform the Council.
19. If an owner wishes to sell, a community group will be given an initial six week period to decide whether they wish to be considered as a potential purchaser. If a group indicate they wish to be considered as a potential purchaser the owner must wait a further 20 weeks before entering into a sale, thus allowing the group the opportunity to raise funds and make an offer during that 20 week period. The property can be advertised during the 20 week period.
20. There is no obligation on the owner to sell to the community group. After the expiry of the initial 6 weeks and, if applicable, the subsequent 20 weeks, the owner will be free to sell to whoever and on whatever terms they wish.
21. There will be a compensation scheme for owners for costs and losses incurred as a result of listing which would be unlikely to have been incurred if the land had not been listed. This is expected to relate primarily to costs and expenses incurred as a result of complying with the procedural requirements of the scheme during the 6 and 20 week windows. The Council will have to administer this process and meet the cost of compensation. The Council will be able to seek a refund of compensation claims from Central Government over £20,000 for either single or cumulative claims as part of the new Burdens Assessment. The period for these refunds is unclear.

22. The owner will be able to seek a Review (appeal) of the compensation offer. The Review must be undertaken by a senior officer who was not involved in the original compensation decision. The Review must take place within eight weeks of the request. An impartial officer within the Audit Risk and Assessment has been identified as the appropriate person to implement a Review Decision. If the applicant is still dissatisfied with the financial offer following Review, they can apply to the First Tier Tribunal a new tribunal within the Lands Tribunal chamber. The compensation decision will then become an external decision, at which the Council will need to provide representation.

## **RESOURCE IMPLICATIONS**

### **Capital**

23. There are not any direct capital implications in implementing the Regulations and setting out the governance for these regulations.

### **Revenue**

24. The Regulations prescribe several new systems which have been set up to manage the Nomination process, Review process and Compensation Claims procedure. These will be resource intensive and lengthy in duration. Most of the detailed work will be undertaken by Capita under the Strategic Services Partnership (SSP) contract but as this is a new service, this will be subject to additional charges. Any revenue pressures which cannot be absorbed within existing budgets need to be addressed in the development of the budget in future years.
25. One-off set up costs have also been incurred for the construction of the web pages and online forms and there will be ongoing charges for the maintenance of these pages. To date these unplanned costs have been met from existing property management budgets following a re-prioritisation of work. However, a more detailed assessment of the estimated financial impact will be undertaken as potential numbers of nominations are processed.
26. In addition to these one-off set up costs and ongoing management costs, the Council will be required to pay compensation to land owners. The Regulations do not set out which losses and expenses are to be compensatable or which will be exempt. It is for the Local Authority to assess an owner's losses and expenses incurred. Each claim will therefore have to be considered on its own merits. The quantum of compensation will also depend upon the type of property and the prevailing market conditions. '4
27. Within the new burdens assessment, the Government will meet costs of compensation payments of over £20,000 of compensation costs in a financial year, This could occur through the Council paying out over £20,000 in one financial year either on one large claim or as a combined total on a number of smaller claims. This currently limits the Council's liability to £20,000 in any one financial year.
28. These Regulations affect the Council's own property portfolio. Any property which is subject to 'Listing' will need to comply with the Regulations, the Council is not exempt from these procedures.

**LEGAL IMPLICATIONS**

**Statutory power to undertake proposals in the report:**

29. The Council is required to make appropriate arrangements to fulfil its duties in relation to the Community Right to Bid scheme contained within the Localism Act 2011 and subordinate legislation.

**Other Legal Implications:**

30. The Scheme is intended to provide adequate protection to the Council in the event that an affected property owner suffers a loss attributable to the Scheme whilst attempting to sell that property. The Council should be mindful that as no indemnity has been provided by the Government, liability may arise in unanticipated circumstances for which the Council may become responsible by default at least in the first instance.

**POLICY FRAMEWORK IMPLICATIONS**

31. The implementation of these regulations is one element of the Government’s ‘Localism Agenda’ which is focussing on placing more power in the hands of communities. The Regulations whilst property drive, accord with the Council’s wider community Strategy.

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**KEY DECISION?** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	All
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**SUPPORTING DOCUMENTATION**

**Appendices**

1.	None.
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**Documents In Members’ Rooms**

1.	None.
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**Equality Impact Assessment**

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

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

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



<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	STRATEGIC CITY WIDE APPROACH TO ENERGY
<b>DATE OF DECISION:</b>	18 DECEMBER 2012
<b>REPORT OF:</b>	LEADER OF THE COUNCIL
<b>STATEMENT OF CONFIDENTIALITY</b>	
NOT APPLICABLE	

## **BRIEF SUMMARY**

This report seeks Cabinet approval for a strategic, city-wide approach to the delivery of low Carbon energy. This would involve drawing up an energy programme for the delivery of suitable schemes across Southampton, to reduce energy costs, improve energy security, and support the strategic objectives of the Council both as a large organisation in the City and as a community leader.

There are opportunities to work in partnership with other local authorities, the wider public sector, other organisations, and the private sector, in the Solent region, and nationally, through collaborative working, sharing best practice, and in turn generating economies of scale.

A strategic approach to energy would also make a substantial contribution towards a sustainable low carbon economy in the City, and in the wider Solent region and further enhance the Council's National reputation in energy and sustainability.

## **RECOMMENDATIONS:**

- (i) To approve the development of a strategic action plan for the delivery of low carbon and renewable energy for the Council, the City of Southampton and the Solent region.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. A strategic cross council, city-wide and inter authority approach to energy is required to maximise available opportunities and impacts in the City and in the Solent region.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. The alternative of energy and energy efficiency schemes delivered within individual divisions across the council, and in some cases solely within Southampton, could miss the benefits and impacts that would accrue through a more strategic joined up approach to delivery.

## **DETAIL (Including consultation carried out)**

### **BACKGROUND:**

3. The UK is now a net importer of energy and is experiencing the impact of significant fluctuations in global energy markets and political uncertainties. The National energy generation and transmission infrastructure also requires significant investment. These factors combined are leading to energy price uncertainty and significant rises in the costs of energy for domestic and commercial consumers.

4. The Department for Energy and Climate Change (DECC) currently estimates that energy prices are likely to rise by 4% per annum over market fluctuations to 2020. Although past energy prices cannot be used to forecast the future, energy costs for UK householders have doubled since 2006
5. It is estimated that the entire City of Southampton spends approximately £150 million per annum on electricity and gas, which produces an estimated 900 thousand tonnes of Carbon dioxide emissions.
6. Energy supply market volatility over the past 10 years represents a key risk to the Council's annual corporate expenditure. Based on the annual non market rise the Council's total corporate (non housing) energy spend could rise from £5 million in 2011/12 to £6.6 million by 2020. In 2011/12 the Council spent over £2.9 million on energy for its own operational buildings and streetlighting (excluding leisure sites) and £2.1 million in schools. The Council's annual Carbon Reduction Commitment (CRC) tax bill in 2011 was £209,000.
7. As a community leader the Council has a role to play in addressing the risks of rising energy costs, reduced energy security, and the cost of Carbon, for its citizens and businesses in the City. There is an opportunity for the Council to lead the development of a strategic low Carbon energy programme for the City. The Council's role would be one of delivering suitable low carbon energy schemes, and to encourage and support appropriate commercial investments.
8. New guidance under the Home Energy Conservation Act (HECA) requires local authorities to publish a report on their plans to achieve improved energy efficiency in all housing tenures, by 31 March 2013. Councils are required to identify practicable and cost-effective measures likely to result in significant energy reduction in all homes in their area and to consider the role key local partners, such as social housing providers and community organisations, can play in supporting their plans.
9. The Government expects councils to make the best use of the financial incentive schemes such as the Renewable Heat Incentive (RHI) and the Energy Company Obligation (ECO), which replaces the previous CESP and CERT utility funding in January, and to develop suitable projects under the Green Deal. Local energy generation also plays an important part in meeting HECA requirements.
10. Southampton has well developed energy and sustainability policies. The Council's Energy Vision 2007 sets out objectives to supply a high proportion of the heat and energy requirements locally using low carbon technology through an interconnected city wide heat supply network. The Carbon Reduction Policy & Action Plan 2009 aims for a 40% CO<sub>2</sub> reduction by 2020.
11. The Low Carbon City Strategy (LCCS) 2010 has overall targets and a delivery plan to achieve its key objectives. A report to be presented to Cabinet in January will provide an update on progress in achieving the objectives of the LCCS and for proposed revisions to reflect a strategic approach to energy.

12. The Department of Energy & Climate Change (DECC) aims to provide future incentives and changes to legislation to help achieve the Government's objective to provide low carbon heat via energy networks in suitable urban areas. DECC have been clear that Local Authorities have a key role to play in the development of local low carbon energy networks that will enable the UK to meet the legally binding CO<sub>2</sub> reduction target of 80% by 2050.
13. There are significant opportunities to achieve energy cost reductions from the Council's building stock and to support similar achievements in the City's commercial sector. This can be realised through the generation of low Carbon electricity and/or heat on a district or community level as an energy supplier, by making use of existing energy sources such as heat from industrial or waste processes, or through the delivery of energy efficiency retrofitting programmes.
14. Local energy generation and improvements in energy efficiency can also drive economic growth and jobs. Rising energy costs and energy insecurity are having a marked effect on business investment decisions. Money saved through reduced fuel bills is also likely to be reinvested into the local economy. A strategic approach to energy could provide additional future revenue streams and also become a mechanism through which the Council attracts new businesses to the City.
15. Providing cheaper energy and improved energy efficiency would also work to overcome fuel poverty particularly in those areas of the City occupied by the most vulnerable. For example, the Council procured £5 million worth of energy for heating for its tenants in Council owned flats, in 2011/12. Current economic conditions combined with energy price rises mean that many home owners and private or social landlord tenants are finding it more and more difficult to meet the cost of heating and lighting their homes.
16. National policy on energy including the Energy Act 2012 has focussed on energy market reform, promoting the use of renewable sources and improving the efficiency of the building stock. The Government recognises the importance of this agenda and have placed obligations on energy providers to support initiatives such as feed-in tariffs and home insulation. Adopting a strategic approach to energy will maximise any benefits available through Government incentive schemes.
17. The Council's national reputation as a leader in energy and sustainability would be further enhanced through the adoption of a strategic city wide approach to energy and through taking a lead on cross authority collaborative working.

18. In summary the benefits to Southampton in the council developing a strategic approach to energy are as follows:
- Ensure more secure energy supplies for the City;
  - Enable energy cost stabilisation or cost reductions for consumers;
  - Achieve significant reductions in Carbon emissions;
  - Help to tackle fuel poverty in areas of most need;
  - Provide a boost to economic activity and jobs, and increase the level of investment into the City, and support the growth of a Green Economy;
  - Improve the energy performance of LA owned / operated buildings including reductions in Carbon Reduction Commitment (CRC) costs;
  - Exploit the potential for a long term and sustainable revenue income for the council;
  - Support collaborative partnerships for delivering energy projects, and
  - Maintain the national reputation of Southampton as a leader in energy and sustainability.

### **A Citywide Approach**

19. A strategic approach to energy can achieve greater economies of scale, adding value to individual schemes and for Southampton as a whole. Investment on a large scale in the City would reduce the reliance on third party energy sources and help support a more sustainable pattern of energy use over time.
20. It would be the intention to ensure that this investment programme is funded as far as possible by private sector partners, applying Government incentives and programmes to stimulate that investment where appropriate. Renewable energy provision and district energy have the potential to generate significant medium and long term profits. The Council may also wish to consider investment in suitable projects, where justified by the detailed business cases. There are examples in the UK and in Europe where local authorities have developed energy services companies (ESCos) to provide energy and heat to council owned and commercial buildings in their municipal areas.
21. Taking this approach proposes that the Council has a role in delivering energy projects and managing and influencing energy in a way which is not limited to its own built estate. The Council is in an excellent position to influence investment in low carbon energy, as a unitary authority with access to schools, corporate buildings, care homes and other buildings in the City. The retained housing stock of over 19,000 properties has 11,000 flats including 23 high and medium rise blocks and a large network of over 800 small low rise blocks.
22. A programme of investment would build on existing improvement plans and estate regeneration plans for Council owned buildings throughout the City. This investment would also enable planned delivery within specific areas and strengthen the case for connecting new or existing energy schemes to new developments and non-council owned buildings. This approach requires detailed investigations into financially viable options to deliver a programme of investment.

23. A strategic energy programme would initially focus on the following:
- The feasibility of district energy (DE) schemes in suitable City locations.
  - Identifying suitable renewable and low carbon technologies, including supporting smart energy technology solutions.
  - Ensuring regeneration areas are supported by and include provision for low carbon energy.
  - Ensuring mechanisms are in place to maximise the financial and other benefits of retrofitting energy efficiency in the public and private sector building stock.
  - Assess the potential for collective purchasing of energy on behalf of residential and commercial consumers.
  - Assess mechanisms to support private sector and community low carbon energy projects.
  - Development of joint local authority collaboration, to take advantage of efficiencies, and the sharing of best practice.
24. Key to the development of a longer term programme will be the preparation of a pipeline of suitable delivery projects. Whilst recognising that economic returns and direct savings might be low for some of these projects, the economic, environmental and social benefits to the City will be other key drivers for consideration.

### **Partnership Working**

25. This agenda has attracted the interest of a number of other local authorities who are keen to maximise the value from energy and energy efficiency projects through sharing best practice and scarce staff resources. Discussions are taking place to support this agenda nationally and in the Solent region as well as with the Solent LEP and other private and third sector organisations.
26. Work is being progressed with the Local Government Association and a group of local authorities to determine the benefits of collective funding routes with a group of interested councils, to create the required scale for financing major energy infrastructure programmes. Other funding to be explored could include a range of Government and European sources and local government pension funds.
27. Investing in a number of energy schemes in the city ensures sufficient economies of scale are created for investment and reductions in overall programme costs. A strategic approach would also attract other complementary funding opportunities. This includes heating and insulation using the new Energy Companies Obligation (ECO). It could also include economic development and estates renewal funding, where justified by individual business cases.

28. The Council is looking to facilitate a partnership approach to maximising ECO investment. This funding will encourage the development of the local economy by investing in local supply chains, job market and skills training, and provide the maximum level of funding whilst giving the potential for a return for the City from wider business opportunities. Initial penetration utilising the Council's housing stock will act as a platform for a wider cross tenure approach. A procured strategic partner will also be expected to support the development of other energy and energy efficiency schemes in the City including the Green Deal.

### **District Energy**

29. District Energy (DE), also referred to as local decentralised energy networks, provides for the local generation and supply of heat and power to supplement or replace the traditional centralised energy infrastructure (the national grid for electricity and gas supply). DE heat and power currently uses a number of fuel sources including gas or renewable biomass.
30. DE provides the opportunity for significant cost savings and reductions in CO<sub>2</sub> emissions and is considered by Government as a key solution to delivering low carbon energy in areas with high heat demand density such as apartment blocks, schools, hospitals, commercial centres and public sector estates.
31. There are currently five DE schemes in the City, which include; the City Centre, Centenary Quay, Holyrood Estate, the University of Southampton campus, and the University Hospital of Southampton. These schemes reduce Southampton CO<sub>2</sub> emissions by around 20,000 tonnes per annum, 2% of the total for the City, which equates to a £4 million saving in annual energy costs..
32. The university and hospital schemes are public sector owned and currently only supply those specific sites. The Centenary Quay scheme is operated by EON under contract with developer Crest Nicolson supplying domestic and commercial users with heat and power on the development site.
33. Cofely District Energy own and operate the City Centre and Holyrood schemes under a subsidiary Energy Services Company (ESCo) - Southampton Geothermal Heating Company (SGHC). The scheme covers 45 major buildings including customers such as IKEA, John Lewis, BBC, Scandia Life and the Civic Centre.
34. Taking a strategic approach will include a review current district energy schemes operating in the City, with the aim of determining opportunities for expansion. The Council and Cofely undertook a heat mapping exercise, in 2010, to assess the potential for DE schemes in the City. An initial assessment has identified a number of Council owned social housing areas that may suit DE.

35. The areas highlighted include existing social housing and the regeneration of estates areas for example Weston Shore, Thornhill, Townhill Park and Millbrook. There are opportunities to create larger DE networks by incorporating other public sector buildings, including schools and leisure facilities, along with larger commercial developments. Best use of grant funding through the new Energy Company Obligation (ECO) will also be used to support a DE programme.
36. Feasibility work is currently being undertaken in the areas identified by heat mapping. This also includes the potential to capture heat from the Marchwood Energy from Waste (EfW) plant as a source of energy for the City.
37. Developers are already strongly encouraged by the planning process to consider DE or to connect to a relevant DE scheme in the City. This strategic work will ensure a clearer understanding of which development sites are suitable for a DE network, or for a connection to an existing scheme.

### **Current Energy Projects**

38. The Council has already made significant investments in energy efficiency and renewable energy measures over the last 5 years with measurable benefits in terms of cost reductions and Carbon savings.
39. Two examples of this are:
  - The Salix Energy Efficiency Programme has spent almost £900k on energy efficiency works, which is currently estimated to avoid costs to the Council of almost £250k per annum with a 3.5 year payback on investment.
  - Over the last 2 years the Council has installed over 500 kWp of solar photovoltaic on its buildings which is calculated to provide £100k per annum for 25 years in Feed in Tariff (FiT) payments.

Carbon savings for the examples above equate to approximately 2,000 tonnes of CO<sub>2</sub> per annum.
40. A strategic programme would seek to further expand this activity to significantly increase the benefits to the Council and to the City.

### **Next Steps**

41. If the strategic approach is approved, a Strategic Energy Action Plan will be drawn up with a list of feasibility study requirements and potential schemes for the City together with an outline indication of the likely resource commitment required.
42. The draft strategic energy action plan would outline the key opportunities and risks, and appropriate technologies, Other key considerations include the legal implications, and the resource requirements, both revenue and capital, of implementing a large programme of this nature. Investment grade business cases will be commissioned and produced for suitable schemes for appropriate member approvals.
43. Opportunities will be explored for joint working on low carbon energy with other local authorities in the Solent region and nationally.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

44. Existing officer resources within the Council are available to draw up a Strategic Energy Action Plan. Work will be progressed through the Action Plan to identify suitable funding streams for a strategic delivery programme, and for individual projects. Further resource requirements will be determined by developing a detailed delivery programme with options on how this could be delivered recognising the Council's significant financial constraints.
45. A large scale strategic programme for energy will require significant capital funding, either by the council, other public funding, or through private sector investment. There is an expectation that resources to support a delivery programme would be predicated on the achievement of financial benefits for the Council. In some cases this funding could return a long term income stream. In other instances such investments may be considered as infrastructure investment to meet wider community, environmental or economic objectives
46. A council-wide officer stakeholder group has been set up to ensure a corporate ownership of the Strategic Energy Action Plan. It is also intended that a delivery programme would be drawn up with support from Southampton University and key commercial partners in the sub-region and the Solent LEP.
47. Working collaboratively with other councils will generate efficiencies through, shared resources and best practice, and economies of scale. This approach could also provide access to other funding sources that would not be available to the Council on its own.

### **Property/Other**

48. A strategic programme for energy has major implications for the investment in and the design, development and maintenance of the Council's building estate.

## **LEGAL IMPLICATIONS**

### **Statutory power to undertake proposals in the report:**

49. The Council has the power to develop a strategic energy programme by virtue of s.1 Localism Act 2011. Under s.1 the Council has the power to do anything an individual may do subject to any pre or post commencement limitations (also known as the 'general power of competence'). Individual projects and legal powers / implications arising out of those will be considered separately on a case by case basis.

### **Other Legal Implications:**

50. Legal implications will arise from the development of a strategic programme of schemes and individual project developments. This includes, for example, the implications relating to funding, delivery structures (including related procurement issues), governance, and scheme operation.



**POLICY FRAMEWORK IMPLICATIONS**

- 51. A strategic approach to energy satisfies a number of council policies and key objectives.
- 52. The Council has embarked on a comprehensive programme of estate regeneration, whose vision is ‘to create successful communities on our estates where people will want to live in the future. Our 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 their community’. The strategy for delivering this vision includes high quality, environmentally sustainable new homes, and infrastructure with an emphasis on improving environmental well-being i.e. providing greener homes with cheaper running costs, which feeds into the wider city energy strategy objectives.

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**KEY DECISION?** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	All
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**SUPPORTING DOCUMENTATION**

**Appendices**

1.	None
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**Documents In Members’ Rooms**

1.	None
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**Equality Impact Assessment**

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

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

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

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