

# Public Document Pack

## Cabinet

Tuesday, 18th December, 2018  
at 4.30 pm

### **PLEASE NOTE TIME OF MEETING**

Council Chamber - Civic Centre

This meeting is open to the public

#### **Members**

Leader and Clean Growth & Development –  
Councillor Hammond  
Adult Care - Councillor Fielker  
Aspiration, Schools & Lifelong Learning –  
Councillor Paffey  
Children & Families - Councillor Jordan  
Community Wellbeing – Councillor Shields  
Finance & Customer Experience - Councillor Chaloner  
Green City – Councillor Leggett  
Homes & Culture - Councillor Kaur  
Transport & Public Realm - Councillor Rayment

(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.

### **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)

### **Implementation of Decisions**

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

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

### **Use of Social Media**

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

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

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

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

### **Executive Functions**

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

### **Procedure / Public Representations**

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

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

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

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

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

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

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

## **CONDUCT OF MEETING**

### **TERMS OF REFERENCE**

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

### **RULES OF PROCEDURE**

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

### **DISCLOSURE OF INTERESTS**

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

### **DISCLOSABLE PECUNIARY INTERESTS**

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

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

(ii) Sponsorship:

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

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

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

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

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

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

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

### **Other Interests**

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

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

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

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

### **Principles of Decision Making**

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

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

### **BUSINESS TO BE DISCUSSED**

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

### **QUORUM**

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

In exercising discretion, the decision maker must:

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

## AGENDA

### 1 APOLOGIES

To receive any apologies.

### 2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

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

## EXECUTIVE BUSINESS

### 3 STATEMENT FROM THE LEADER

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

Record of the decision making held on 20<sup>th</sup> November 2018, attached.

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

There are no matters referred for reconsideration.

### 6 REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (IF ANY)

There are no items for consideration

### 7 EXECUTIVE APPOINTMENTS

To deal with any executive appointments, as required.

## ITEMS FOR DECISION BY CABINET

### 8 COLLECTIONS DEVELOPMENT POLICY 2018-2023 (Pages 5 - 24)

To consider the report of the Cabinet Member for Homes and Culture seeking approval for the Collections Development Policy 2018-2023.

### 9 DISABLED ADAPTATIONS FINANCIAL ASSISTANCE POLICY (Pages 25 - 50)

To consider the report of the Cabinet Member for Homes and Culture seeking approval of the Disabled Adaptations Financial Assistance Policy.

**10 MODERN SLAVERY CHARTER** (Pages 51 - 58)

To consider the report of the Cabinet Member for Community Wellbeing seeking approval of the Modern Slavery Charter.

**11 SOUTHAMPTON COMMON PLAN** (Pages 59 - 92)

To consider the report of the Cabinet Member for Transport and Public Realm seeking approval of the Southampton Common Plan.

**12 EXCLUSION OF THE PRESS AND THE PUBLIC**

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

Confidential report contains information deemed to be exempt from general publication based on Category 3 and 7A of paragraph 10.4 of the Council's Access to Information Procedure Rules. In applying the public interest test if the content of this report were to be treated as a public document it would reveal information that is both commercially sensitive and detrimental to the business affairs of the Council.

**13 BEHAVIOUR CHANGE** (Pages 93 - 112)

Confidential Report of the Director of Quality and Integration regarding the Behaviour Change Contract.

Monday, 10 December 2018

Director of Legal and Governance

SOUTHAMPTON CITY COUNCIL  
EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 20 NOVEMBER 2018

Present:

Councillor Hammond	Leader of the Council, Clean Growth and Development
Councillor Rayment	Cabinet Member for Transport and Public Realm
Councillor Chaloner	Cabinet Member for Finance and Customer Experience
Councillor Jordan	Cabinet Member for Children and Families
Councillor Kaur	Cabinet Member for Homes and Culture
Councillor Shields	Cabinet Member for Community Wellbeing
Councillor Dr Paffey	Cabinet Member for Aspiration, Schools and Lifelong Learning
Councillor Fielker	Cabinet Member for Adult Care
Councillor Leggett	Cabinet Member for Green City

23. EXECUTIVE APPOINTMENTS

Cabinet approved the following Executive Appointments:

Councillor Bogle appointed Heritage Champion  
Councillor Shields appointed Mental Health Champion

24. CORPORATE REVENUE FINANCIAL MONITORING FOR THE PERIOD TO THE END OF SEPTEMBER 2018

On consideration of the report of the Cabinet Member for Finance, Cabinet noted the following:

- i) the forecast outturn position is an overspend of £2.91M, as outlined in paragraph 3.
- ii) that the forecast overspend for portfolios is £6.91M as outlined in paragraph 4 to 14.
- iii) the delivery to date of the agreed savings proposals approved for 2018/19 as detailed in paragraphs 15 to 18.
- iv) the Key Financial Risk Register as detailed in paragraph 25 and appendix 1.
- v) the performance against the financial health indicators detailed in paragraphs 29 and 30 and appendix 2.
- vi) the performance of treasury management, and financial outlook in paragraphs 31 to 38 and appendix 3.
- vii) the performance outlined in the Quarterly Collection Fund Statement attached at appendix 4 and detailed in paragraphs 42 to 43.
- viii) the forecast outturn position is an overspend of £0.95M as outlined in paragraphs 39 to 41.

25. CAPITAL FINANCIAL MONITORING FOR THE PERIOD TO THE END OF SEPTEMBER 2018

On consideration of the report of the Cabinet Member for Finance, Cabinet noted the following:

- i) the revised General Fund Capital Programme, which totals £167.42M as detailed in paragraph 44 and table 6 and the associated use of resources in table 7.
- ii) the revised HRA Capital Programme, which totals £184.90M as detailed in paragraph 44 and table 6 and the associated use of resources in table 7.
- iii) that the overall forecast position at Quarter 2 is £133.45M, resulting in a potential underspend of £7.22M, as detailed in paragraph 12, table 3, and Appendix 1.
- iv) that the capital programme remains fully funded up to 2022/23 based on the latest forecast of available resources although the forecast can be subject to change; most notably with regard to the value and timing of anticipated capital receipts and the use of prudent assumptions of future government grants to be received.
- v) that £0.67M has been added to the programme with approval to spend, under delegated powers. These additions are detailed in tables 1 and 2 and paragraphs 6-11.

26. COURT LEET PRESENTMENTS 2018

DECISION MADE: (CAB 18/19 21592)

On consideration of the report of the Director of Legal and Governance, 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, be noted; and
- (ii) that individual Cabinet Members ensure responses are made to Presenters regarding presentments within their portfolios as appropriate and as soon as practically possible.

27. HANTS AND IOW SYSTEM REFORM PROPOSAL

DECISION MADE: (CAB 18/19 21795)

On consideration of the report of the Chief Executive and having received representations from Richard Samuel (Senior Responsible Officer for Sustainability and Transformation Partnership) and John Richards (Chief Executive, Southampton Clinical Commissioning Group, Cabinet agreed the following:

- (i) To consider and endorse the recommendations relating to further development of elements of a Hampshire and Isle of Wight Sustainability and Transformation Partnership's System Reform Plan as outlined in sections 11 to 14 in the report.



28. DISPOSAL OF LAND AT REDBRIDGE WHARF PARK

DECISION MADE: (CAB 18/19 21652)

On consideration of the report of the Leader and Clean Growth and Development Cabinet approved the following:

- (i) To approve the advertising of the intention to dispose of land at Redbridge Wharf Park in accordance with statutory requirements.
- (ii) To report any objections received back to Cabinet for a final decision.
- (iii) In the event of no objections being received to delegate authority to Service Lead Capital Assets, following consultation with the Director of Finance & Commercialisation and Director of Legal and Governance, to agree detailed terms and conditions and to take any other actions required to give effect to this decision.

29. HOMELESSNESS PREVENTION STRATEGY 2018 - 2023

DECISION MADE: (CAB 18/19 21631)

On consideration of the report of the Cabinet Member for Homes and Culture and having received and considered recommendations from Overview and Scrutiny Management Committee meeting held on 15<sup>th</sup> November, 2018:

- i) That the Cabinet Member considers including within the Strategy explicit reference to effective multi-agency working to improve early intervention; and
- ii) That whilst recognising the current data difficulties, the Cabinet Member gives consideration to including targets within the Strategy, or commits to including targets when the data concerns are addressed.

Cabinet agreed to amend the Strategy to include i) above and consideration would be given to including targets in the Strategy, recommendation ii) above, once the targets were received from Central Government.

Cabinet approved the Homelessness Prevention Strategy 2018-2023.

30. TOWNHILL PARK INFRASTRUCTURE FUND AND FUTURE PROGRAMME

DECISION MADE: (CAB 18/19 21646)

On consideration of the report of the Cabinet Member for Homes and Culture Cabinet agreed the following:

- i) To delegate authority to the Director – Finance & Commercialisation following consultation with the Cabinet Member for Homes & Culture, Director of Growth, Director Legal & Governance and Lead Capital Assets to finalise and agree the conditions and monitoring framework of the Homes England Housing Infrastructure Bid.

- ii) Subject to approval by Council and subject to (i) above, to enter into a Grant Determination Agreement with Homes England for the Housing Infrastructure Fund grant of £3.75M.
- iii) To delegate authority to the Director of Growth to carry out the necessary procurement in order to deliver obligations contained within the Homes England Housing Infrastructure Fund funding agreement and bid.
- iv) To delegate authority to the Director of Growth, following consultation with the Director of Finance and Commercialisation and the Director of Legal & Governance, to take all necessary actions to implement and facilitate the delivery of the project funded by the Housing Infrastructure bid.

# Agenda Item 8

<b>DECISION-MAKER:</b>	CABINET		
<b>SUBJECT:</b>	COLLECTIONS DEVELOPMENT POLICY 2018-2023		
<b>DATE OF DECISION:</b>	18 DECEMBER 2018		
<b>REPORT OF:</b>	CABINET MEMBER FOR HOMES AND CULTURE		
<b><u>CONTACT DETAILS</u></b>			
<b>AUTHOR:</b>	<b>Name:</b>	<b>Carolyn Abel</b>	Tel: 023 80834516
	<b>E-mail:</b>	<b>carolyn.abel@southampton.gov.uk</b>	
<b>Director</b>	<b>Name:</b>	<b>Interim Service Director, Growth</b>	Tel: 023 8083 4095
	<b>E-mail:</b>	denise.edghill@southampton.gov.uk	
<b>STATEMENT OF CONFIDENTIALITY</b>			
Not applicable			
<b>BRIEF SUMMARY</b>			
An approved Collections Development Policy is an essential requirement of the Arts Council England (ACE) Accreditation Scheme for Museums. This report requests that the Collections Development Policy 2018-2023 for Cultural Services is approved by Cabinet. This policy sets out the governing framework and criteria for developing the maritime, archive, local history, archaeology and art collections and the process of acquisitions and disposal for the Service over the next five years.			
<b>RECOMMENDATIONS:</b>			
	(i)	To approve the Collection Development Policy 2018-2023 (see Appendix 1) for Cultural Services, as the collections development and acquisition and disposals policy for collections held in trust by Southampton City Council.	
	(ii)	To delegate authority to the Head of Service to revise the Implementation Plan associated with the Policy for Museum Accreditation if required, following consultation with the Cabinet Member for Homes and Culture.	
<b>REASONS FOR REPORT RECOMMENDATIONS</b>			
1.	A Council approved Collections Development Policy is an essential requirement of the Arts Council England (ACE) Accreditation Scheme for Museums. A separate but similar Accreditation scheme governing archives is administered by the National Archives. Without Accreditation, eligibility for funding for Southampton City Council from the Arts Council, Heritage Lottery Fund and other lottery, trust and foundation grant giving sources would be significantly restricted.		
2.	The Collection Development Policy will guide the work of the Cultural Services team as it rationalises current holdings, adds new material to its collections that reflect the needs of the city, and provides enhanced public access to this important learning resource.		
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>			
3.	To retain the existing Southampton City Council Arts and Heritage Collections Policy 2014-2017. This option is rejected because the current policy expired in 2017 and an up-to-date, forward looking policy is required to secure Accreditation status and to reflect our public offer and engagement programmes. In order to progress work surrounding collections		

	relocation as part of the Medium Term Financial Strategy proposals, a robust Collection Development Policy is required in order to adhere to national standards and guidelines.
<b>DETAIL (Including consultation carried out)</b>	
	<b>Background</b>
3.	<p>Under the previous Service Lead for Arts &amp; Heritage (now known as Cultural Services) the team submitted its Accreditation return in 2017 as is required for the quinquennial review by ACE. ACE then announced a 'light touch' review of the Accreditation Scheme review from the end of 2017 and all review submissions were put in suspense.</p> <p>Following this review, in July 2018 a new Accreditation Officer was appointed to Southampton City Council (SCC) who has been reviewing the submitted documentation to be taken to the Accreditation panel in November 2018. The remaining outstanding document is formal approval of the Collections Development Policy by the governing body, in this case Cabinet.</p>
4.	Using the Accreditation Scheme template, the policy sets out the parameters of the policy in terms of the responsibilities of the governing body, the principle of sound curatorial reasons for the acquisition and disposal of collections, the presumption against financially-motivated disposal and due diligence with regard to valid title for acquisitions whether by purchase, gift, bequest or exchange.
5.	<p>The policy describes the history and evolution of the collections held in trust by SCC and an overview of the current collections which includes two nationally important (Designated) collections. The collections cover the following areas:</p> <ul style="list-style-type: none"> <li>• Archaeology (Designated)</li> <li>• Art (Designated)</li> <li>• Maritime &amp; Local History</li> <li>• City Archive</li> </ul>
6.	Alongside this the policy outlines future collecting priorities and the themes and priorities for rationalisation and disposal, referring to the professional and ethical framework that guides this process and authorisation process for agreeing acquisitions. This gives due consideration to other legislative and regulatory frameworks such as guidance on dealing with human remains, biological and geological material and UNESCO 1970 Convention on Illicit Import, Export and Transfer of Ownership of Cultural Property (and subsequent ratifications).
	<b>Consultation</b>
7.	The policy has been developed in consultation with the Council's curatorial team and the Chipperfield Advisory Committee.
8.	Wider stakeholders are identified for consultation as part of the acquisitions and disposal process and reference is made to the Collections Development Policy of other museum and heritage organisations.
	<b>Forthcoming projects</b>
9.	This policy will be essential in guiding the Service in taking forward its work surrounding the collections review, MTFs savings targets and potential external funding applications.

<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
10.	<p>In order to retain Accreditation, SCC must ensure it applies Arts Council's standard guidelines. These state that only in exceptional circumstances may a governing body undertake financially motivated disposal and that it commits to pursue this, unless it can be demonstrated that all exceptional circumstances are met:</p> <ul style="list-style-type: none"> <li>• the disposal will significantly improve the long term public benefit derived from the remaining collection</li> <li>• the disposal will not be undertaken to generate short-term revenue (for example to meet a budget deficit)</li> <li>• the disposal will be undertaken as a last resort after other sources of funding have been thoroughly explored</li> <li>• extensive prior consultation with sector bodies has been undertaken</li> <li>• the item under consideration lies outside the museum's established core collection</li> </ul>
<b><u>Property/Other</u></b>	
11.	There are no property resource implications inherent in the policy itself. It will inform a collection review and storage relocation project which will have property implications in due course.
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
12.	Pursuant to the Public Libraries and Museums Act 1964, a local authority may provide and maintain museums and art galleries within its area and may do all such things as may be necessary or expedient for or in connection with the provision of maintenance thereof.
<b><u>Other Legal Implications:</u></b>	
13.	A Collections Development Policy is a requirement of Arts Council England which is the strategic public body tasked by the Department for Culture Media and Sport (DCMS) to develop and implement national museums policy and to distribute DCMS museums funding to non-national museums. Items owned by the Council on trust must be kept, maintained and disposed of in accordance with the terms of the relevant trust's Scheme. A failure to do so may result in legal or regulatory action being initiated by interested parties.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
14.	Failure to comply with the Accreditation Scheme's national standards and ethical framework may result in reputational issues for SCC.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
15.	The proposals are in line with the Policy framework.

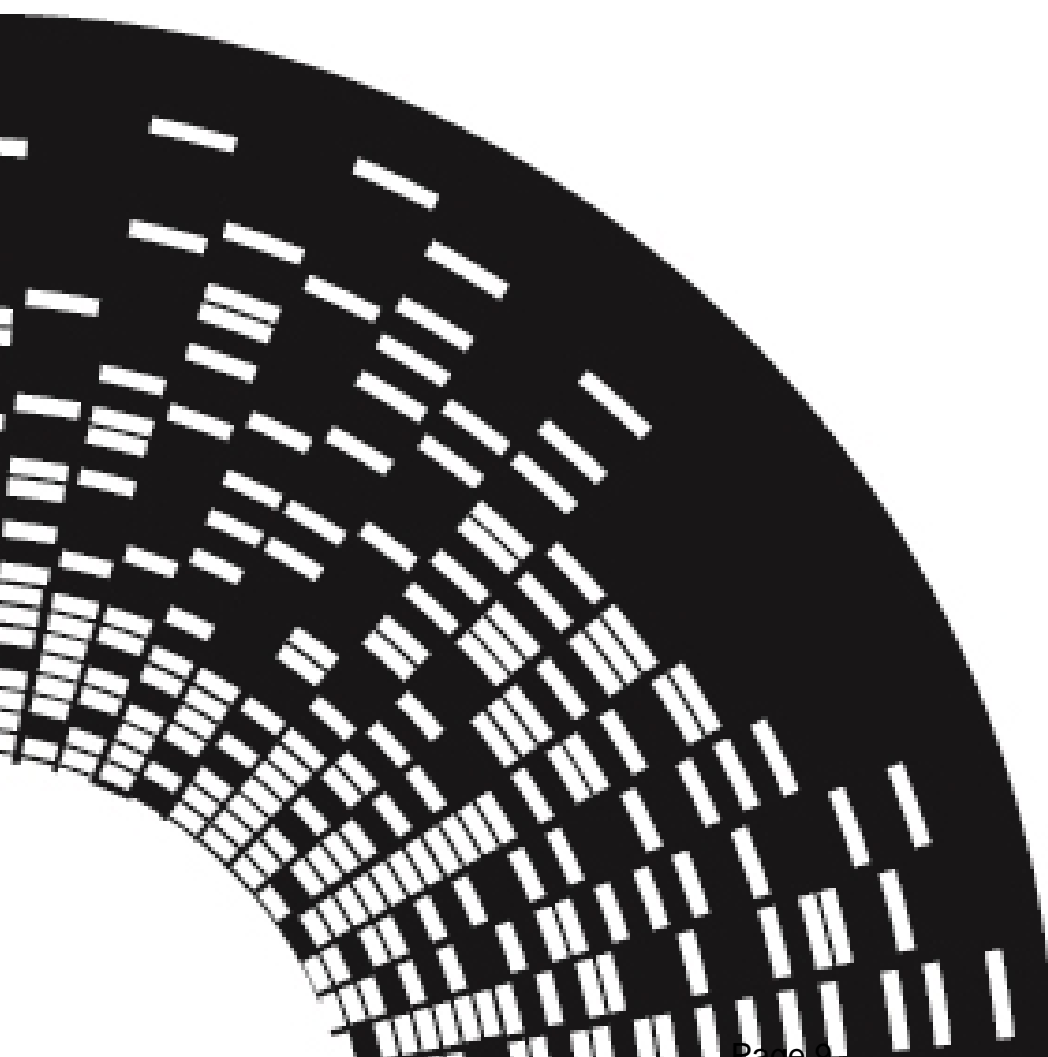
<b>KEY DECISION?</b>	<b>Yes</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	None directly as a result of this report.
<b>SUPPORTING DOCUMENTATION</b>	

<b>Appendices</b>	
1.	Collections Development Policy 2018-2023
<b>Documents In Members' Rooms</b>	
1.	None
2.	
<b>Equality Impact Assessment</b>	
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	
	No
<b>Data Protection Impact Assessment</b>	
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	
	No
<b>Other Background Documents</b>	
Other Background documents available for inspection at:	
<b>Title of Background Paper(s)</b>	<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>
1.	
2.	



# Accreditation

## Collections development policy



**Name of museum:** Southampton City Council Cultural Services: Tudor House Museum, Southampton City Art Gallery, SeaCity Museum

**Name of governing body:** Southampton City Council

**Date on which this policy was approved by governing body:** 18.12.2018

**Policy review procedure:**

The collections development policy will be published and reviewed from time to time, at least once every five years.

**Date at which this policy is due for review:** September 2023

**Arts Council England will be notified of any changes to the collections development policy, and the implications of any such changes for the future of collections.**

## **1. Relationship to other relevant policies/plans of the organisation:**

- 1.1. The museum's statement of purpose is:  
To build and promote a thriving not-for-profit business, which showcases and preserves the remarkable collections and assets held in trust for the people of Southampton.
- 1.2. The governing body will ensure that both acquisition and disposal are carried out openly and with transparency.
- 1.3. By definition, the museum has a long-term purpose and holds collections in trust for the benefit of the public in relation to its stated objectives. The governing body therefore accepts the principle that sound curatorial reasons must be established before consideration is given to any acquisition to the collection, or the disposal of any items in the museum's collection.
- 1.4. Acquisitions outside the current stated policy will only be made in exceptional circumstances.
- 1.5. The museum recognises its responsibility, when acquiring additions to its collections, to ensure that care of collections, documentation arrangements and use of collections will meet the requirements of the Museum Accreditation Standard. This includes using SPECTRUM primary procedures for collections management. It will take into account limitations on collecting imposed by such factors as staffing, storage and care of collection arrangements.
- 1.6. The museum will undertake due diligence and make every effort not to acquire, whether by purchase, gift, bequest or exchange, any object or specimen unless the governing body or responsible officer is satisfied that the museum can acquire a valid title to the item in question.
- 1.7. In exceptional cases, disposal may be motivated principally by financial reasons. The method of disposal will therefore be by sale and the procedures outlined below will be followed. In cases where disposal is motivated by financial reasons, the governing body



will not undertake disposal unless it can be demonstrated that all the following exceptional circumstances are met in full:

- the disposal will significantly improve the long-term public benefit derived from the remaining collection
- the disposal will not be undertaken to generate short-term revenue (for example to meet a budget deficit)
- the disposal will be undertaken as a last resort after other sources of funding have been thoroughly explored
- extensive prior consultation with sector bodies has been undertaken
- the item under consideration lies outside the museum's established core collection

## **2. History of the collections**

### **2.1 History of the archaeology collections**

The archaeology collections have their origins in the collections of Tudor House Museum, established as the city's first museum in 1912. The early collections were very eclectic, representing a general interest in things historic or curious as well as those with particular local connections. They included prehistoric axeheads and Roman and Saxon material recovered from building sites in the town. These collections also included ancient Egyptian material and ethnographic objects brought back to the city by travellers and explorers. The shape of these early collections was much influenced by the museum's first Honorary Curator, R.E. Nicholas, who donated items from his own collections, and persuaded many others to follow suit.

Systematic excavation began in the 1930s with early work at Bitterne Manor, the site of Roman Clausentum, and increasing momentum developed with work on bombed sites in the old town in the 1950s and 1960s. These excavations produced large quantities of Saxon and medieval material, providing a nationally significant resource for the study of everyday life in the medieval town and its Saxon predecessor, Hamwic. A new Museum of Archaeology was opened at Gods House Tower in 1961 to showcase these important collections, and this museum became the recognised repository for all archaeological material produced in the city.

As the pace of development has increased, so have opportunities for excavation and recording. Since 1990, planning regulations has enabled archaeological recording on hundreds of sites across the city, increasing the range and scope of material and broadening our understanding of the city's past. These collections now comprise over half a million items, and their national significance was officially recognised in 1998 when they were awarded Designated status, positioning them within the country's top ten archaeological collections outside London. Arts Council England's publication on Designated Outstanding collections states "The size and range of the archaeology collections reflect the importance of Southampton in the past and at present, and the 50 years of systematic archaeological investigations in the city." (2014)

### **2.2 History of the art collections**

Southampton's fine art collection, currently comprising over 5,000 works of art and "Designated" by the Government in 1998 as possessing pre-eminent national significance, is the finest public collection of art south of London. Robert Chipperfield, councillor, and JP laid the foundation in 1911, bequeathing money to build an art gallery and a separate trust fund for

the purchase of a growing art collection. He stipulated that the advice of the Director of the National Gallery should be sought in the use of his fund.

In 1933 that role was taken up by Kenneth Clark. He wrote a succinct and focussed acquisition policy, still broadly adhered to today: a small collection of old masters, a representative collection of 19th century work, a collection of drawings and watercolours and a growing collection of modern works in oils. In 1925 F.W Smith, a councillor involved in the new gallery project bequeathed a further fund for the purchase of paintings.

A professional curator, Loraine Conran, was appointed when the new gallery opened to the public in 1939. It was however his successor, Maurice Palmer, whose extensive, consistent and visionary purchasing over 20 years developed the collection into the rounded form it has today. The historic part of the collection was built up from the 1930s to 1975. Then the high cost of Monet's *The Church at Vetheuil* necessitated a change of direction. From that time the priority switched to the purchase of work by rising star British contemporary artists. The adviser also changed to a senior Tate curator knowledgeable in the field.

The collection has been almost entirely built up with private bequest funds, gifts and bequests. In 1963, gallery owner and dealer, Arthur Jeffress bequeathed 99 works to Southampton, many rare and significant, and in 2002 Dr David Brown (the Gallery's first Tate, modern adviser) bequeathed 220 modern works of art including 15 works by St Ives artist Roger Hilton. The Orris Bequest Fund was added in 1998 and the Dr David and Liza Brown Bequest Fund in 2002 (administered by the Art Fund). Outside organisations such as the Art Fund, the Contemporary Art Society and the Pilgrim Trust as well as the Friends of Southampton Museums and Galleries have also supported the Gallery through important gifts.

### **2.3 History of the maritime and local history collections**

Like the archaeology collections, the maritime and local history collections have their origins in the collections of Tudor House Museum, opened in 1912 as the city's first museum.

The early collections were wide-ranging and eclectic and included natural history specimens, archaeology and 'curios' as well as artefacts relating to the city's maritime and local history. A number of items were transferred to the museum from other Council departments, such as two banners from local volunteer regiments, dating from about 1802 and the town stocks, transferred in 1912 from the Town Clerk's Department. A significant number of items were acquired from William Burrough Hill, a local collector and auctioneer. Among these were a collection of 63 watercolours by William Cooper, depicting the old town in the 1890s, immediately before extensive slum clearance took place.

The collections developed, primarily through passive collecting (donations and bequests), but included significant items, such as the ceremonial sword belonging to *Titanic's* late Captain Smith, which was donated by his wife and daughter. The significance of the rich maritime holdings was reflected in the opening of a new Maritime Museum in 1964 to showcase this aspect of Southampton's history. The museum was located in a former medieval wool house near the Town Quay.

The 1980s and 1990s saw extensive collecting of maritime and local history material. Southampton was changing rapidly with industry and manufacturing being replaced with retail and leisure. Groups of industrial and maritime artefacts were collected from several closing businesses, including Pirelli Cable Works and the Vosper Thornycroft Shipyard. Other significant donations were received during this period, including a collection of more than 300 historic dresses and costume accessories, donated by Miss Cozens, a local collector.

In 2012, a new maritime museum was opened in the former Law Courts and Central Police Station. The displays in the new museum, SeaCity Museum, showcase the existing rich and varied maritime and local history collection.

## **2.4 History of the City Archive collection**

In 1983 Southampton began a one year project to record the life histories of Southampton people. Further projects included memories of the city's African-Caribbean community, women in World War 1, and dock workers. This direct voice of the recent past complemented written and object collections and by 1986 oral history was an accepted part of the approach to documenting the recent past. The collections hold 800 recordings and over 5000 related photographs documenting the lives of seafarers, shipyard workers, Titanic survivors, and local communities.

During the early 20<sup>th</sup> century there had been increasing pressure from citizens and historians throughout the country worried about a lack of access to and safe provision for written historical material. In Southampton the main demonstration of the interest in local archives came via the newly formed Southampton Record Society under the editorship of Hearnshaw. It (based at the now University of Southampton) began publishing editions of early borough records – starting with Court Leet records, borrowing material from the then Audit House and working on them at home. Southampton opened its Record Office in 1953 to the public staffed by one archivist and having only a handful of researchers a year. At that time the collections were small and included only the records of the local authority and its predecessor bodies; collections, staff and visitors were all housed in one windowless, basement room.

Now the collections have greatly expanded to include material from private individuals, public bodies, institutions, societies, churches etc which are consulted by some 2500 individuals from Southampton, and further afield, visiting the archives each year pursuing their interest in family history, educational projects, social, economic history and maritime history. This commitment to Southampton's history was one of the grounds on which Southampton petitioned for and was awarded City Status in 1964. The reasons for the successful application included the 'importance of the town in the shipping world' ... 'public spirit' .... 'maintenance of historical records and customs, and the existence of a true sense of citizenship'. Special mention was also made of the 'long history of public administration and the efficiency of municipal services' – still reflected today in the provision of a records management service to the authority to improve and maintain this efficiency and to meet demands of new legislation such as Freedom of Information.

## **3. An overview of current collections**

### **3.1 Current scope of the archaeology collections**

The archaeology collection contains material recovered from the city and its environs from the 19<sup>th</sup> century onwards. This includes a range of material collected prior to the beginnings of formal excavation programmes in the 1950s. This material, much collected by enthusiastic local people, such as the Rev Edmund Kell, and William Dale, includes large numbers of prehistoric stone and flint objects, Roman coins, pottery and metal objects, an eclectic range of Saxon and medieval objects, all from the city, as well as material from other parts of southern England and from abroad. Much of this material is of poor provenance, but provides important evidence of early archaeological recording and is a rich source of stories from all periods of Southampton's past.

The major element of the collection consists of the archives from over 1700 formal archaeological investigations (excavations, watching briefs, building and photographic surveys) carried out within the city since the 1950s. These archives include plans, photographs, paper and digital records as well as environmental samples and the artefacts themselves.

These collections are extensive, and provide unique, in depth evidence of the domestic, industrial and trading activities of the Saxon and medieval towns. The Saxon town is one of the best preserved in the country, with roads, alleys, houses, rubbish pits and wells recorded, and large amounts of associated finds. The medieval town has significant standing remains and important archaeological evidence from the late Saxon period onwards. The collections are rich in imported objects, demonstrating the town's importance as an international trading centre and port, and domestic objects and industrial waste which reflect the everyday life and technological achievements of its inhabitants. The range of domestic and imported goods, particularly pottery and glass, from the households of the wealthy cosmopolitan merchant class of medieval Southampton, for example, is second to none. The pottery collections are particularly important, including a broad range of local and imported wares, which are of international significance.

However, new research and fieldwork, particularly since the introduction of planning control work in 1990, has broadened the range of the collections. There is increasing material showing prehistoric activity in the city. Prehistoric worked flints and pottery sherds have been found across the city, associated with ditches, pits and other features. Our knowledge of the Roman town of Clausentum has been increased by new discoveries, such as a warehouse of Samian pottery from France which was destroyed by fire in the late 2<sup>nd</sup> century. An important late 3<sup>rd</sup> century hoard of over 3000 Roman coins, found during building work in 2007, was acquired through the Treasure process in 2011. Increasing amounts of post medieval material includes 18<sup>th</sup> century pottery from Georgian rubbish pits, 19<sup>th</sup> century material from artisan housing and evidence of 18<sup>th</sup> century sugar refining. These archives broaden the range of the collections and of the stories they can tell.

The object collections are accompanied and complimented by extensive archive collections, the records generated by the process of excavation. These records are of international significance, as they provide the academic depth which makes detailed research on the collections possible. These records include site records, reports and publication texts, photographs, plans and drawings, and increasing amounts of digital data, such as text documents, digital photographs, databases and GIS and ACAD data.

The collections are well-documented and appear in many local, national and international publications. They are a source of data for researchers from all over the world.

The archaeological collections also include individual objects of archaeological significance found in the city by gardeners, builders and metal detectorists. In addition, there is a small collection of ancient Egyptian material, some of which was collected by Flinders Petrie; an internationally renowned ancient Nubian statue of the black pharaoh Taharqa, and a small collection of ethnographic material, collected by people from Southampton travelling or working abroad in the 19<sup>th</sup> and early 20<sup>th</sup> centuries. This material reflected the collecting habits of individuals at the time and needs to be treated with some sensitivity towards today's communities.

### 3.2 An Overview of Current Art Collections

The art historian, John Thompson has stated that the story of western art from the Renaissance to the present day can be told using Southampton's collection. The earliest work held, Allegretto de Nuzio's *Coronation of the Virgin* is from the mid-fourteenth century.

The smaller old-master element of the collection has good clusters of work of the Renaissance, Baroque (notably Dutch 17th century), British 18th century and French and British 19th century (including Impressionism and Pre-Raphaelitism).

The core of the collection is built around British 20th century and contemporary art. Within that are four strong clusters: the Camden Town Group and related British Post-Impressionism (one of the best world-wide outside Tate), Surrealists, St Ives School and Contemporary post 1976 (many Turner Prize winners and nominees). The collection includes oil paintings, works on paper, sculpture, studio ceramics, wall-drawings and film/video work.

### 3.3 Overview of Maritime & Local History Collection

The maritime and local history collection contains objects, pictures, drawings, photographs, ephemera, film, video and archives that have strong associations with the maritime and local history of Southampton and Southampton Water.

These include

- Maritime souvenirs and about 4500 items of maritime ephemera, including menus, wine lists, deck plans, advertising brochures, ship-board newspapers, activity programmes as well as 47 posters, the earliest dating from 1893
- Items illustrating the story of Southampton as an eighteenth century spa town, including a sedan chair
- Unique holdings of material relating to the *Titanic* disaster, with a particular focus on the crew of this ship and the Southampton aspects of this global story
- Several thousand items of costume and costume accessories, most with a local connection, but also many of a maritime nature, such as merchant navy uniforms
- A number of photographic collections of ships and docks related to Southampton, including the ABP collection (c40000 photographs, mostly of Southampton), the Mitchell, Phillips and Kennaway collections (c4500 negatives and photographs) as well as many photograph albums, including both maritime and local photographs.
- A range of artworks, including a collection of several thousand maritime watercolours and drawings by local artist Arthur Cozens (1880-1947) and many hundred topographical prints.
- 300 ship models, including a 7 meter-long model of Cunard's Queen Mary as well as a small number of bone models, made during the Napoleonic Wars by French prisoners of war.
- Maritime furniture and other liner interiors, including marquetry panels from Mauretania and Queen Elizabeth.
- Several hundred ships' plans and engineering drawings from local shipyards Day & Summers, Vosper Thornycroft, British Power Boat Company and Camper & Nicholson
- Artefacts relating to domestic life in Southampton, including toys and needlework tools

- A reference library, comprising approximately 1000 volumes, relating to ships and shipping

In recent years, the collection has been enhanced by two major collections relating to specific shipping lines: Royal Mail Line and Shaw Savill. Both collections were donated by associations of former staff members, which were no longer able to look after them. Both collections comprise primarily ephemera and souvenirs, as well as various other items such as photographs, costume and accessories.

### **3.4 Overview of the current City Archive collection**

The City Archives collection contains archives about Southampton and its people from Southampton and further afield. It includes a wide range of written records for Southampton's history, development and governance from 1199 to the present day, for example:

- Southampton City Council's own archives and those of its predecessors
- Archives of statutory bodies operating in Southampton
- Public Records offered under the terms of the Public Records Acts 1958-67 relating to Southampton and its interests
- Southampton manorial and tithe documents offered under the Manorial Documents Rule 1960 and Tithe Act 1936
- Ecclesiastical records for Southampton parishes under the Parochial Registers and Records Measure 1978 and a 1966 agreement with the Diocese of Winchester
- Archives of individuals, organisations, businesses, institutions etc. germane to the history of Southampton
- The extensive oral history collections capture the personal stories of people who served in the merchant navy, worked in the docks and passed through the City as gateway to empire

The City Archive does not usually collect records outside Southampton's boundaries, with one notable exception of relevance to the city – the Central Index of Merchant Seamen 1918-1941 which covers all British registered ships.

## **4. Themes and priorities for future collecting**

### **4.1 Future collecting - Archaeology**

We will continue to collect the full archaeological archives created during systematic archaeological investigations carried out in Southampton, subject to the established process of assessment, to ensure that only archaeologically significant material is retained for the permanent collections. The city council is designated through the planning process as the appropriate recipient body for the archives from all developer-led archaeological investigations within the city.

We will also collect individual provenanced finds of archaeological interest found within the city boundaries, including items of treasure as defined by the 1996 Treasure Act.

### **4.2 Themes and Priorities for Future Collecting - Art**

We will continue to acquire progressive contemporary art in all media (often within two years of their making) by artists, notably rising stars, who are universally deemed to be advancing British art practice, continuing the founding tradition of creating a nationally significant

collection for the people of Southampton. We will continue to make funding applications to provide matched funding to the Chipperfield and other bequest funds for the purchase of works.

We will also continue to respond to opportunities to enhance strengths in the historic elements of the collection, especially British 20th and 21st century art and existing clusters such as Surrealism. We will also collect works that can contribute significantly to the Art Gallery's future exhibition programme and consider acquisitions by leading artists given one-person exhibitions at the Gallery.

### **4.3 Future Collecting – Maritime & Local History**

We will continue to collect maritime material from Southampton and Southampton Water and local material from Southampton, adopting a thematic, interdisciplinary approach, to build on existing strengths and fill in identified gaps.

Identified themes include:

- Diverse communities

- Contemporary lives

- Everyday lives and personal histories

- Southampton as a gateway – movements of goods and people

- The development of Southampton – from town to city through the ages

- Mariners' lives

Our active collecting activity will encourage community participation and will be focussed on projects that supports long-term exhibition and access projects – e.g. Southampton Treasures, Tudor House, and SeaCity Museum.

Dispersal and disposal of items will take place across collection areas which are not integral to the core purpose of the collections and the wider mission of Southampton City Council Cultural Services. A strategic collection review will be undertaken to inform this process.

### **4.4 Future Collecting – City Archive**

We will continue to collect relevant Southampton City Council and predecessor archives, those of relevant statutory bodies, Public Records, manorial and tithe documents, ecclesiastical and organisational/ business records as they become available.

We will also develop a proactive thematic and interdisciplinary approach for collecting as part of a collection development project that will also consider the maritime and local history collection.

For maritime, social history and archive collections, we will invite and encourage community participation in collecting activity and support the development of key strategic projects.

## **5. Themes and priorities for rationalisation and disposal**

- 5.1 The museum recognises that the principles on which priorities for rationalisation and disposal are determined will be through a formal review process that identifies which collections are included and excluded from the review. The outcome of review and any subsequent rationalisation will not reduce the quality or significance of the collection and will result in a more useable, well managed collection.

- 5.2 The procedures used will meet professional standards. The process will be documented, open and transparent. There will be clear communication with key stakeholders about the outcomes and the process.
- 5.3 Responsible, curatorially-motivated disposal will take place during the life of this Collections Development Policy, in order to increase public benefit derived from museum collections and to prepare the collections for a move to new storage at some stage in the foreseeable future.
- 5.4 All rationalisation and disposal of items from the collections held by Cultural Services will be undertaken in strict accordance with the Disposal Procedures in Section 16 of this policy.
- 5.5 Each collection area will continue to be audited to identify priority areas for rationalisation and disposal. Particular attention will be given to the following areas as detailed below.

#### 5.5.1 Archaeology.

Rationalisation of the archaeology bulk collections has already seen the recent recording and discard of archaeologically insignificant marine and terrestrial shell. Other materials have been identified as suitable for similar processing, and resources are being sought to carry out this work. These materials are:

- Unworked stone
- Mortar and plaster
- Ceramic building material
- Burnt clay
- Clay pipe
- Smithing slag

#### 5.5.2 Fine Art

A major review of the fine art collection was carried out in 2009. Each work of art was classified against the existing collecting policy. The categories were:

- 1) Highly significant
- 2) Significant to core collection
- 3) Of low significance to the core collection.

Within the 3rd category (low significance) we have identified the following works for de-acquisition:

- Duplicate prints (etchings, screen-prints and lithographs) where there are more than 2 examples.
- The collection includes 187 drawings and 256 small etchings by Vernon Hill (1886 – 1972), a gift from the artist's widow in 1972. 25 of the etching subjects include duplicates though these are on different coloured papers with varied aesthetic qualities. Surplus duplicates will be transferred to other public collections such as Halifax where Hill was born or Guildford where Hill produced decorative work for the cathedral.
- Non fine art material.

Any further disposals from the Fine Art and non-Fine Art collection will have to be discussed by the Chipperfield Advisory Committee, who will make their recommendations to the Trustees.



### 5.5.3 City Archives

The following categories have been identified for City Archives:

- Duplicate and non-Southampton books
- Multiple duplicates of printed material
- Rationalisation of some Council departmental records (notably Treasurer's records and Town Clerk's files)
- Distribution of material without a Southampton connection to more suitable repositories.

### 5.5.4 Maritime and Local Collection

The following categories have been identified for the Maritime and Local Collection:

- Duplicate objects with no additional distinct information
- Natural history specimens with no data
- Items in a poor condition that cannot reasonably be conserved or which pose a risk to other items in the collection
- Items with specific curatorial requirements which would be better met in other collections or by other institutions
- Any loaned items which are not required for current research or exhibitions

## 6 Legal and ethical framework for acquisition and disposal of items

- 6.1 The museum recognises its responsibility to work within the parameters of the Museum Association Code of Ethics when considering acquisition and disposal.

## 7 Collecting policies of other museums

- 7.1 The museum will take account of the collecting policies of other museums and other organisations collecting in the same or related areas or subject fields. It will consult with these organisations where conflicts of interest may arise or to define areas of specialism, in order to avoid unnecessary duplication and waste of resources.
- 7.2 Specific reference is made to the following museum(s)/organisation(s) but may include wider stakeholders with linked or associated resources in the city and beyond, with relationships leading potential collaborations and partnerships:

Tate

National Maritime Museum and UK Maritime Collection Strategy

Solent Sky Museum

Hampshire Cultural Trust

Hampshire Record Office

Portsmouth Museums and Records Service

National Museum of the Royal Navy group of museums

St. Barbe Museum, Lymington

Russell-Cotes Museum and Art Gallery, Bournemouth

Borough of Poole Museum Service

University of Southampton Archives

## 8 Archival holdings (see above, Sections 2, 3, 4 and 5)

## 9 Acquisition

- 9.1 Southampton City Council (SCC) recognises its responsibility, in acquiring additions to its collections, to ensure that care of collections, documentation arrangements and use of collections will meet the requirements of the Accreditation Standard. It will take into account limitations on collecting imposed by such factors as staffing, storage and care of collection arrangements.
- 9.2 When material is offered for acquisition that falls outside of our collecting policy we will refer, when possible, the potential donor, vendor etc. to an appropriate alternative museum.
- 9.3 The policy for agreeing acquisitions is:

### **Authorisation process for agreeing acquisitions**

All potential acquisitions are subject to a process of assessment before acquisition can be agreed.

For archaeological fieldwork archives, a collections assessment is undertaken. Each archive is considered individually, and only archaeologically significant material is retained for permanent archiving. This process is carried out by the Archaeology Curator, in liaison with the contracting unit, and is written into the council's Standards for Deposition. Acquisitions are approved by the Head of Service.

For acquisitions not coming through planning control work, an assessment process is conducted. Each potential archaeology, maritime, local history or archive acquisition is considered against a range of issues, including collecting policy, storage and conservation implications, and display and research potential. Acquisitions are agreed by the Collections Team Meeting and approved by the Head of Service.

The Tate Gallery continues to be our National Advisor on all Fine Art acquisitions. In December 2012 the City Council set up the Chipperfield Bequest Advisory Committee to advise the Trustees of the Chipperfield Art Gallery and School of Art charity who are also members of the City Council, on acquisitions to the fine art collection, including all potential purchases, gifts and bequests as well as giving advice on other Art Gallery related matters. The Trustees have delegated their power to acquire work to the Service Director of Growth for works under £125,000 in value. The committee consists of 7 members of the public with considerable knowledge and experience of the visual arts, gallery management and local cultural affairs, and includes a chair and vice-chair. The members will be elected every 4 years. City Council officers and the Tate advisor will report to the committee as required.

Items offered to the Maritime & Local Collection are assessed by the Curator of Maritime & Local Collections in liaison with curatorial colleagues where relevant. The current strengths and existing gaps in the collection, as well as the items' potential to enhance the stories told by the existing collection are all considered. Acquisitions are approved by the Head of Service.

- 9.4 The museum will not acquire any object or specimen unless it is satisfied that the object or specimen has not been acquired in, or exported from, its country of origin (or any intermediate country in which it may have been legally owned) in violation of that

country's laws. (For the purposes of this paragraph 'country of origin' includes the United Kingdom).

- 9.5 In accordance with the provisions of the UNESCO 1970 Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property, which the UK ratified with effect from November 1 2002, and the Dealing in Cultural Objects (Offences) Act 2003, the museum will reject any items that have been illicitly traded. The governing body will be guided by the national guidance on the responsible acquisition of cultural property issued by the Department for Culture, Media and Sport in 2005.

## **10 Human remains**

- 10.1 As the museum holds or intends to acquire human remains from any period, it will follow the procedures in the 'Guidance for the care of human remains in museums' issued by DCMS in 2005.

## **11 Biological and geological material**

- 11.1 So far as biological and geological material is concerned, the museum will not acquire by any direct or indirect means any specimen that has been collected, sold or otherwise transferred in contravention of any national or international wildlife protection or natural history conservation law or treaty of the United Kingdom or any other country, except with the express consent of an appropriate outside authority.

## **12 Archaeological material**

- 12.1 The museum will not acquire archaeological material (including excavated ceramics) in any case where the governing body or responsible officer has any suspicion that the circumstances of their recovery involved a failure to follow the appropriate legal procedures.
- 12.2 In England, Wales and Northern Ireland the procedures include reporting finds to the landowner or occupier of the land and to the proper authorities in the case of possible treasure (i.e. the Coroner for Treasure) as set out in the Treasure Act 1996 (as amended by the Coroners & Justice Act 2009).

## **13 Exceptions**

- 13.1 Any exceptions to the above clauses will only be because the museum is:
- acting as an externally approved repository of last resort for material of local (UK) origin
  - acting with the permission of authorities with the requisite jurisdiction in the country of origin

In these cases the museum will be open and transparent in the way it makes decisions and will act only with the express consent of an appropriate outside authority. The museum will document when these exceptions occur.

## **14 Spoliation**

- 14.1 The museum will use the statement of principles 'Spoliation of Works of Art during the Nazi, Holocaust and World War II period', issued for non-national museums in 1999 by the Museums and Galleries Commission.

## **15 The Repatriation and Restitution of objects and human remains**

- 15.1 The museum's governing body, acting on the advice of the museum's professional staff, if any, may take a decision to return human remains (unless covered by the 'Guidance for the care of human remains in museums' issued by DCMS in 2005), objects or specimens to a country or people of origin. The museum will take such decisions on a case by case basis; within its legal position and taking into account all ethical implications and available guidance. This will mean that the procedures described in 16.1-5 will be followed but the remaining procedures are not appropriate.
- 15.2 The disposal of human remains from museums in England, Northern Ireland and Wales will follow the procedures in the 'Guidance for the care of human remains in museums'.

## **16 Disposal procedures**

- 16.1 All disposals will be undertaken with reference to the SPECTRUM Primary Procedures on disposal.
- 16.2 The governing body will confirm that it is legally free to dispose of an item. Agreements on disposal made with donors will also be taken into account.
- 16.3 When disposal of a museum object is being considered, the museum will establish if it was acquired with the aid of an external funding organisation. In such cases, any conditions attached to the original grant will be followed. This may include repayment of the original grant and a proportion of the proceeds if the item is disposed of by sale.
- 16.4 When disposal is motivated by curatorial reasons the procedures outlined below will be followed and the method of disposal may be by gift, sale, exchange or as a last resort - destruction.
- 16.5 The decision to dispose of material from the collections will be taken by the governing body only after full consideration of the reasons for disposal. Other factors including public benefit, the implications for the museum's collections and collections held by museums and other organisations collecting the same material or in related fields will be considered. Expert advice will be obtained and the views of stakeholders such as donors, researchers, local and source communities and others served by the museum will also be sought.
- 16.6 A decision to dispose of a specimen or object, whether by gift, exchange, sale or destruction (in the case of an item too badly damaged or deteriorated to be of any use for the purposes of the collections or for reasons of health and safety), will be the

responsibility of the governing body of the museum acting on the advice of professional curatorial staff, if any, and not of the curator or manager of the collection acting alone.

- 16.7 Once a decision to dispose of material in the collection has been taken, priority will be given to retaining it within the public domain. It will therefore be offered in the first instance, by gift or sale, directly to other Accredited Museums likely to be interested in its acquisition.
- 16.8 If the material is not acquired by any Accredited museum to which it was offered as a gift or for sale, then the museum community at large will be advised of the intention to dispose of the material normally through a notice on the MA's Find an Object web listing service, an announcement in the Museums Association's Museums Journal or in other specialist publications and websites.
- 16.9 The announcement relating to gift or sale will indicate the number and nature of specimens or objects involved, and the basis on which the material will be transferred to another institution. Preference will be given to expressions of interest from other Accredited Museums. A period of at least two months will be allowed for an interest in acquiring the material to be expressed. At the end of this period, if no expressions of interest have been received, the museum may consider disposing of the material to other interested individuals and organisations giving priority to organisations in the public domain.
- 16.10 Any monies received by the museum governing body from the disposal of items will be applied solely and directly for the benefit of the collections. This normally means the purchase of further acquisitions. In exceptional cases, improvements relating to the care of collections in order to meet or exceed Accreditation requirements relating to the risk of damage to and deterioration of the collections may be justifiable. Any monies received in compensation for the damage, loss or destruction of items will be applied in the same way. Advice on those cases where the monies are intended to be used for the care of collections will be sought from the Arts Council England.
- 16.11 The proceeds of a sale will be allocated so it can be demonstrated that they are spent in a manner compatible with the requirements of the Accreditation standard. Money must be restricted to the long-term sustainability, use and development of the collection.
- 16.12 Full records will be kept of all decisions on disposals and the items involved and proper arrangements made for the preservation and/or transfer, as appropriate, of the documentation relating to the items concerned, including photographic records where practicable in accordance with SPECTRUM Procedure on deaccession and disposal.

### ***Disposal by exchange***

- 16.13 The nature of disposal by exchange means that the museum will not necessarily be in a position to exchange the material with another Accredited museum. The governing body will therefore ensure that issues relating to accountability and impartiality are carefully considered to avoid undue influence on its decision-making process.

- 16.13.1 In cases where the governing body wishes for sound curatorial reasons to exchange material directly with Accredited or non-Accredited museums, with other organisations or with individuals, the procedures in paragraphs 16.1-5 will apply.
- 16.13.2 If the exchange is proposed to be made with a specific Accredited museum, other Accredited museums which collect in the same or related areas will be directly notified of the proposal and their comments will be requested.
- 16.13.3 If the exchange is proposed with a non-Accredited museum, with another type of organisation or with an individual, the museum will place a notice on the MA's Find an Object web listing service, or make an announcement in the Museums Association's Museums Journal or in other specialist publications and websites (if appropriate).
- 16.13.4 Both the notification and announcement must provide information on the number and nature of the specimens or objects involved both in the museum's collection and those intended to be acquired in exchange. A period of at least two months must be allowed for comments to be received. At the end of this period, the governing body must consider the comments before a final decision on the exchange is made.

### ***Disposal by destruction***

- 16.14 If it is not possible to dispose of an object through transfer or sale, the governing body may decide to destroy it.
- 16.15 It is acceptable to destroy material of low intrinsic significance (duplicate mass-produced articles or common specimens which lack significant provenance) where no alternative method of disposal can be found.
- 16.16 Destruction is also an acceptable method of disposal in cases where an object is in extremely poor condition, has high associated health and safety risks or is part of an approved destructive testing request identified in an organisation's research policy.
- 16.17 Where necessary, specialist advice will be sought to establish the appropriate method of destruction. Health and safety risk assessments will be carried out by trained staff where required.
- 16.18 The destruction of objects should be witnessed by an appropriate member of the museum workforce. In circumstances where this is not possible, e.g. the destruction of controlled substances, a police certificate should be obtained and kept in the relevant object history file.

<b>DECISION-MAKER:</b>	<b>CABINET</b>		
<b>SUBJECT:</b>	<b>DISABLED ADAPTATIONS FINANCIAL ASSISTANCE POLICY</b>		
<b>DATE OF DECISION:</b>	<b>18 DECEMBER 2018</b>		
<b>REPORT OF:</b>	<b>CABINET MEMBER FOR HOMES AND CULTURE</b>		
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<b>STATEMENT OF CONFIDENTIALITY</b>			
Not applicable			
<b>BRIEF SUMMARY</b>			
<p>Approval is sought to adopt a policy on financial assistance for private sector disabled adaptations. This policy will give the Council more flexibility to support disabled residents to live safely and independently in their own homes.</p> <p>Southampton City Council has a mandatory duty under the Housing Grants, Construction &amp; Regeneration Act 1996 to provide grants, known as Disabled Facilities Grants (DFGs), towards the cost of works required for the provision of facilities for people living with disabilities. The grant has a maximum value of £30K and is used to cover the costs of the scheme of works identified as required by the Occupational Therapist to enable the disabled occupant to live safely, comfortably and independently in their own home. This can include the installation of ramps, lifts and stair lifts, through to major building works to provide adapted ground floor extensions, wet rooms and level-access showers.</p> <p>Mandatory DFGs are means tested for all adults so the level of grant is dependent on the financial situation of the disabled person. This means that a grant cannot always be offered if the persons calculated financial contribution exceeds the grant amount. There is no means testing for a disabled child, so the cost of the adaptations (up to £30K) will be covered by the DFG.</p> <p>Local Authorities have the discretion under the Regulatory Reform Order 2002 to provide additional financial assistance in addition to the mandatory DFGs, thus allowing greater flexibility to help support disabled residents. This would allow the Council the discretion to provide financial assistance to those that fail to qualify for a DFG or where adaptations schemes exceed £30K. However in order to provide discretionary financial assistance Southampton City Council must have a published policy defining how such financial assistance will be granted.</p> <p>Additional funds will be available to the council from 2019/20 to support the DFG programme via Better Care Southampton. This will enable more flexible, broader and joined up customer focused services to assist disabled people. This helps to reduce pressures on health services and reduce hospital and residential care admissions.</p>			

The increased funding therefore provides the opportunity for Southampton City Council to meet these objectives, primarily by increasing the flexibility of our financial assistance. This will enable the Council to undertake more disabled adaptations schemes and assist greater numbers of disabled residents.

The proposed Disabled Adaptations Financial Assistance Policy sets out how the Council will provide this discretionary financial assistance using the DFG funding and widen our service provision to assist those living with disabilities.

**RECOMMENDATIONS:**

	(i)	To consider and approve the proposed policy, attached as Appendix 1.
	(ii)	To delegate authority to the Director of Transactions and Universal Services to make minor amendments to the policy.
	(iii)	To delegate authority to the Director of Transactions and Universal Services to approve applications for financial assistance in accordance with the Disabled Adaptations Financial Assistance policy.

**REASONS FOR REPORT RECOMMENDATIONS**

1.	<p>Mandatory DFGs are prescribed by law but are inflexible which means that some vulnerable disabled people do not meet the criteria. The proposed discretionary financial assistance will enable the council to provide flexible financial assistance which will enable many more people to have adaptations made to their home. This will promote their wellbeing, prevent their needs escalating and enable them to live in their homes independently with less reliance on others for care and support.</p> <p>The discretionary financial assistance will also support delivery of a strengths-based approach to adult social care by helping to reduce reliance on funded care packages and will contribute to a reduction in emergency hospital admissions and length of stays in hospital.</p>
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**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2.	<p>Having no discretionary financial assistance and relying solely on mandatory DFG's was considered and rejected as the council already has a large number of vulnerable people who for many reasons do not qualify for the DFG e.g. the works are greater than the maximum amount permitted. This would mean that a significant number of people would not be able to have adaptations carried out, which is likely to result in further pressure on the local health and social care system.</p>
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**DETAIL (Including consultation carried out)**

3.	<p>Under the Housing Grants, Construction and Regeneration Act 1996 the Council has a mandatory duty to provide DFGs towards the cost of eligible works required for the provision of facilities for people living with disabilities.</p>
4.	<p>The Regulatory Reform (Housing Assistance) (England &amp; Wales) Order 2002 (RRO) introduced a more flexible system of housing assistance and enabled councils to have the freedom and opportunity to develop their own policies as to how they would provide financial assistance in addition to the DFG's</p>



5	Funding for DFGs is provided to the council annually by central government via the Better Care Fund (BCF). In 2016/17 government issued £395 million to LAs for DFG's from a total BCF budget of £3.9 billion. This BCF is set to increase to £5.3 billion for 2019/20 with an increased DFG budget of £500million. The expectation is that LAs will use the powers under the RRO to adopt a policy so that the monies can be spent in more flexible and responsive ways to help reduce pressures on health and social care.
6	Southampton City Council received £1.7 million from the BCF in 2017/18 for DFGs and £2 million in 2018/19. Under the current Mandatory DFG process the Council is issuing between £1-1.3 million per year in DFGs. The DFG element of the BCF is used to fund disabled adaptations for owner/occupiers, private tenants and tenants of registered providers of social housing (housing associations). Spending on disabled adaptations for council tenants is funded by the Housing Revenue Account.
7	Southampton City Council approves on average 145 DFG applications each year. However the council has between ten and twenty unsuccessful applications every year due to the financial constraints of the DFG process.
8	DFGs are means tested and therefore only adults with low income or those on specific benefits qualify for full or sufficient DFGs.
9	In addition some disabled adaptation schemes are not affordable due to the constraints of the statutory maximum amount of funding available as a mandatory DFG (£30K). This can prevent some adaptations being carried out or result in alternative schemes which may not provide all the desired adaptations.
10	With a published policy in place, the council will be able to offer much wider and more flexible financial assistance to those living with disabilities, which will support people to live independently, a key objective for the council.
11	Where the cost of the adaptation scheme exceeds the maximum mandatory grant (£30K), the Disabled Adaptations Financial Assistance Policy will enable the council to consider topping this up to enable the work to go ahead.
12	Through the policy the council will have the discretion to offer financial assistance on a case by case basis. This ensures that the council is able to assist more individuals to help them lead independent lives.
<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
13	Financial assistance offered under the scope of this policy will be purely at the discretion of the Council. Any discretionary financial assistance will be paid from the Better Care Fund budget. In 2018/19 Southampton City Council received £2,052,759 from the Better Care Fund in respect of disabled facilities grants. At current rates of spending outlined in paragraph 6, approximately £0.70M per annum would be available to support discretionary grants. The likely award of discretionary financial assistance is expected to be in the region of £200-£500K per annum. Financial assistance under this policy is at the discretion of the Council and awarding of assistance will depend on availability of funding.

14	Investment in adaptations can reduce the need for ongoing funded care and support, which will help address the in-year forecast overspend in adult social care.
<b><u>Property/Other</u></b>	
15	None
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
16	Disabled Facilities Grants are issued under the provisions of the Housing Grants, Construction and regeneration Act 1996
17	The Regulatory Reform (Housing Assistance) (England & Wales) Order 2002 enabled councils to offer discretionary financial assistance if they have a published policy
18	The Care Act 2014 introduced new statutory duties on Local Authorities. This includes promoting individual wellbeing and preventing needs for care by providing or arranging support, the provision of services, facilities and resources and meeting any unmet eligible needs for care and support. The Act also requires Local Authorities to co-operate generally and specifically in individual cases with their relevant partners. .
<b><u>Other Legal Implications:</u></b>	
19	The Council must have due regard to the Public Sector Equality Duty under the Equality Act 2010 when carrying out any functions including developing any policies that may have any effect on any protected persons, in particular the duty to eliminate discrimination, harassment and victimisation and advance equality of opportunity and fostering good relations. Local Authorities also have a duty under the Human Rights Act 1998, when carrying out any function, not to act incompatibly with rights under the European Convention for the Protection of Fundamental Rights and Freedoms.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
20	There is a risk that by not offering this additional discretionary financial assistance that the care needs of disabled individuals will increase and they will not be able to live independently. The Care Act 2014 requires local authorities to provide or arrange for the provision of services, facilities or resources, or take other steps, which will meet the eligible care and support needs of an individual or carer. If necessary adaptations are not undertaken this may mean the individual has to rely on an increased care and support package to meet their needs, which would not be financially sustainable.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
21	<p>The Disabled Adaptations Financial Assistance Policy supports the Southampton City Council Housing Strategy 2016-2025 priorities and outcomes;</p> <ul style="list-style-type: none"> <li>• Southampton is a city with a range of housing options and support for people with additional needs</li> <li>• We want to support more people to live independently for longer by offering the right housing options to meet their needs.</li> <li>• People in Southampton live safe, healthy, independent lives</li> </ul>

22	The Policy also supports the Adult Social Care and Support Planning Policy 2016 which sets out how the Council will meet the requirements of the Care Act 2014.
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<b>KEY DECISION?</b>	<b>Yes</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	All
<u>SUPPORTING DOCUMENTATION</u>	
<b>Appendices</b>	
1.	Proposed Disabled Adaptations Financial Assistance Policy
2.	ESIA

**Documents In Members' Rooms**

1.	None
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**Equality Impact Assessment**

<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>	<b>Yes</b>
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**Data Protection Impact Assessment**

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

**Other Background documents available for inspection at:**

<b>Title of Background Paper(s)</b>	<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>
1. The Disable Facilities Grant – before & after the introduction of the Better Care Fund – Foundations report 2016	<a href="https://www-foundations-uk-com/media/4665/dfg-report-final-interactive-converted-draft-6-small.pdf">https://www-foundations-uk-com/media/4665/dfg-report-final-interactive-converted-draft-6-small.pdf</a>
2. The Integration and Better Care Fund Operating guidance for 2017-19 - NHS	<a href="https://www-england-nhs-uk/wp-content/uploads/2018/07/better-care-fund-operating-guidance-v1.pdf">https://www-england-nhs-uk/wp-content/uploads/2018/07/better-care-fund-operating-guidance-v1.pdf</a>

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# Southampton City Council

## Disabled Adaptations Financial Assistance Policy





# Southampton City Council Disabled Adaptations Financial Assistance Policy

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## Introduction

1. The Southampton City Council Disabled Adaptations Financial Assistance Policy sets out how the Council can offer financial assistance in the form of grants or loans towards helping improving, repairing, etc. in the private housing stock in the city. This policy sets out assistance that the council is able to offer; who can apply, what it can be used for and any conditions attached to taking the assistance.
2. This policy updates and supersedes previous policies relating to the issuing of grants for housing adaptations, including elements of the Southampton City Council Private Rented Sector Strategy and Private Sector Housing Renewal Policy (2003) and any previous policies relating to the Accessible Homes Grant.

## Legal context

3. The Housing Grants, Construction and Regeneration Act 1996 (HGCRA 1996) places a mandatory duty on the Local Housing Authority to provide grants to be made towards the cost of works required for the provision of facilities for people living with disabilities as defined by the Equality Act 2010. These are called Disabled Facilities Grants (DFGs).
4. The Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO 2002), made under the Regulatory Reform Act 2001, enabled Local Authorities the discretion to provide additional financial assistance in addition to the use of mandatory Disabled Facilities Grants (DFGs). In order to provide non mandatory financial assistance Local Authorities must have a published strategy policy and defined tools as to how any financial assistance will be granted.
5. The Care Act 2014 requires local authorities to provide or arrange for the provision of services, facilities or resources, or take other steps, which will meet the eligible care and support needs of an individual or carer.
6. The Southampton City Council Adult Social Care and Support Planning Policy 2016 sets out how the council will meet the requirements of the Care Act to provide services that meet the needs of eligible individuals, which may include adaptations to the individual's home (section 10.9 Southampton City Council Adult Social Care and Support Planning Policy).
7. Southampton City Council will have regard to relevant legislation, regulations and guidance including;
  - ODPM Circular 05/2003
  - The Housing Renewal Grants (Services and Charges) Order 1996
  - The Housing Renewal Grants Regulations 1996
  - The Disabled Facilities Grant (Maximum Amounts & Additional Purposes)(England) Order 2008
  - The Equality Act 2010 and code of practice
  - Human Rights Act 1998 and United Nations Convention of the Rights of Person With Disabilities
  - The Children Act 1989

- The Care Act 2014, Statutory Guidance and Regulations

## Definitions

8. Under S100 HGCRA 1996, a person is defined as being disabled if: their sight, hearing, or speech is substantially impaired, they have a mental disorder or impairment of any kind, or they are physically substantially disabled by illness, injury, and impairment present since birth or otherwise.
9. A person aged 18 years or over is taken to be disabled if: they are registered as a result of any arrangements made under section 29(1) of the National Assistance Act 1948, or they are a person for whose welfare arrangements have been made under that section or might be made under it.
10. A person aged under the age of 18 is taken to be disabled if: they are registered in a register of disabled children maintained under the Children Act 1989, or in the opinion of the social services authority (Southampton City Council) they are a disabled child as defined for the purposes of Part III of the Children Act 1989.
11. Under the Equality Act 2010 if you have a physical or mental impairment that has a 'substantial' and 'long-term' negative effect on your ability to do normal daily activities.

## Disabled Facilities Grant (DFGs)

12. DFGs are provided to adapt a home environment to restore or enable independent living for individuals with a disability. The maximum amount of grant funding that can be awarded under a mandatory DFG is currently £30,000.
13. Southampton City Council will deliver DFGs within the guidance and scope set out in the HGCRA 1996 and other relevant legislation, regulations and guidance. The information in this policy provides a summary of these provisions and should be read in conjunction with the full relevant legislation, regulations and guidance.
14. The purposes for which a DFG may be given are set out in Housing Grants, Construction and Regeneration Act 1996 and can be summarised as follows:
  - Facilitating Access – works facilitate the disabled person's access to their home or garden.
  - Making a Dwelling or Building Safe – adaptations to ensure the safety of the disabled person within their home.
  - Access to a room usable for sleeping
  - Access to a bathroom
  - Facilitating preparation and cooking of food – adaptations to enable the disabled person to utilise a kitchen.
  - Heating, lighting and power – improvements to the home of the disabled persons home to meet their needs.
  - Dependant Residents – works to enable a disabled occupant better access around the dwelling in order to care for a dependent.



- Common parts – works to the common parts of a building to facilitate access to the individual disabled person's home or garden.

## Eligibility

15. Southampton City Council will consider applications for DFGs by owner occupiers, private tenants and Registered Providers of Social Housing (excluding Southampton City Council Tenants – who may be eligible separately for adaptations funded by the council using the Housing Revenue Account). In the case of tenants, the landlord may make an application on their behalf.
16. The purpose of the grant is to enable people to continue to live at home as safely and independently as possible. Applications can be made by an individual to meet their needs, or on behalf of a person for whom they are legally responsible (child or adult).
17. DFGs and financial assistance may be awarded to individuals living outside the boundary of Southampton City Council, where the council is responsible for the service user's care and adaptation.
18. All applicants must be eligible under the Act and there are no age restrictions. Applications must be supported by a recommendation from an Occupational Therapist confirming that the person is disabled for the purposes of the Act and that the proposed works are necessary and appropriate to meet the needs of the disabled person.
19. Applicants for a DFG will be subject to a formal means test in accordance with the Housing Renewal Grants Regulations 1996 to determine the customer's contribution towards the cost of the works. Applications where the work is to meet the needs of a child will not be subject to a formal means test.

## Conditions

20. Terms and conditions of DFGs are set out in the Act. In addition to general terms and conditions the following conditions will apply:
  - Where the cost of the DFG exceeds £5,000, Southampton City Council will place a charge against the property (limited to a maximum charge of £10,000). This will be repayable if the property is disposed of or ownership is transferred, or the conditions of the grant are breached within ten years. This applies to owner/occupiers only. In each case the council will take into account the individual circumstances of an applicant in deciding whether the charge should be made.
  - There is no restriction on DFGs for the same property, and depending on the time lapse between applications, there is provision for any means tested contribution made on the first grant to be taken into account on a subsequent application. This is five years for a tenants' application, and ten years for an owner-occupier's application.

## Discretionary Disabled Adaptations Financial Assistance (DDAFA)

21. Under the RRO 2002 Southampton City Council has powers and flexibility to provide additional financial assistance schemes. This can include assistance to meet people's needs through adaptations to their homes in cases including (but not limited to) the following:
- Where the amount of spend exceeds the maximum amount awarded as a Disabled Facilities Grant (currently £30,000).
  - To facilitate the relocation to a more suitable property for disabled people.
  - To facilitate urgent adaptation to a home to enable hospital discharge.
  - To facilitate essential repairs in addition to the mandatory DFG, to meet the needs of vulnerable individuals.
  - Where the individual is significantly impacted by statutory means testing in relation to adaptations.
  - To facilitate early adaptation in advance of the disabled person becoming eligible for DFG in the next 2 years, and an early adaptation will reduce risk of harm and cost of care package over future years.
  - To facilitate ongoing warranty for service, statutory inspection & maintenance of existing equipment so that it is safe, serviceable and legally compliant for continued use by the disabled person and/or carers.
  - Financial assistance where Disabled occupant fails to qualify for Mandatory DFG due to calculated financial contribution level exceeding grant amount.
  - Occupational therapy supported care or assisted technology adaptations needed to assist in improving the quality of life for those with disabilities and those living with Dementia.
22. Discretionary assistance may also be offered where a particular type of adaptation is not provided for within the mandatory DFG process, or where financial assistance will enable flexibility, quality and choice for the applicant to meet their specific needs, and help achieve person-centred integrated care.

### Eligibility

23. Discretionary financial assistance is funded and delivered as part of the Better Care Plan, and in accordance with the Southampton City Council Adult Social Care and Support Planning policy. The discretionary funding may be granted in cases where issuing of the grant helps define one or more of the outcomes specified in the Better Care Plan.
24. Discretionary disabled adaptations financial assistance will be subject to the same eligibility criteria as mandatory DFGs, in terms of tenure of property, and the purpose of the loan.
25. Exceptions to the eligibility criteria for DFGs that may be considered for discretionary financial assistance include but may not be limited to the following:
- Cases where assistance would enable the applicant to obtain or enable them to remain in remunerative employment
  - Cases where the adaptation will significantly reduce the costs or delay the future costs of care and support provided by the council under the Care Act 2014. This will

assist the council in meeting its statutory duties to promote individuals' wellbeing and prevent needs arising or escalating.

26. The council also has discretion on a case by case basis not to apply the means test normally applied to DFG applications. Any discretionary award will only be considered having regards to the amount of resources available to the council at that time, and the council reserves the right not to approve discretionary assistance if funds are not available or the applicant is reasonably considered to be in a position to afford to meet the costs of the adaptation.

## Conditions

27. The payment of this DDAFA is fully at the discretion of the local authority. There is no minimum or maximum amount. The amount awarded will be assessed on its own merits, to meet the needs of the individual applicant(s) as agreed by the occupational therapist.
28. Payment arrangements will be agreed at the time of approval of the financial assistance.
29. Where DDAFA is approved to facilitate relocation to a more suitable home, the costs which can be covered include but are not limited to the following:
- Legal fees incurred by the applicant in connection with the sale and purchase of their home;
  - Stamp duty on the cost of the new home;
  - Necessary and appropriate estate agent and survey fees;
  - Any other professional fees as deemed suitable by the council;
  - Removal costs.
30. Where the cost of the DDAFAs exceeds £5,000, Southampton City Council will place a charge against the property (limited to a maximum charge of £10,000). This will be repayable if the property is disposed or ownership is transferred, or the conditions of the grant are breached within ten years. This applies to owner/occupiers only. In each case the council will take into account the individual circumstances of an applicant in deciding whether the charge should be made.
31. This Legal Charge will be registered at HM Land Registry and secured against the property.
32. Detailed terms and conditions will be set out in the DDAFA agreement, and may vary depending on the nature of the financial assistance and circumstances of the applicant. Appendix 1 provides indicative examples of eligibility and conditions for types of financial assistance granted.

## Governance

33. This policy will be reviewed when legislative changes come into force that effect the council's responsibilities with regards Disabled Facilities Grants and associated discretionary payments.

## Appendix 1: Discretionary Disabled Adaptations Financial Assistance Criteria

The following criteria are illustrative and should be used as a guide for practitioners and applicants to indicate how applications will be assessed. The council has the discretion to offer financial assistance on a case by case basis and will not be restricted by these criteria.

Outcome	Indicative Eligibility Criteria	Indicative Conditions
<p>To top-up a mandatory DFG where cost of work exceeds maximum grant (this can include ancillary costs such as architect fees, temporary rehousing, unforeseen works)</p>	<p>Will usually be eligible for a mandatory DFG.</p> <p>The applicant will not be eligible for a discretionary DFG top-up grant where a relocation grant has previously been provided by the council.</p> <p>Cost/benefit analysis will be prepared; The council must deem Mandatory DFG with top-up as most suitable and cost-effective option.</p>	<p>Cost/benefit analysis of options available including relocation to a more suitable property.</p> <p>Land charge placed on property, equivalent to level of assistance provided (maximum £10,000). Repayable in full if the property is sold within 10 years of the grant being provided.</p>
<p>To facilitate the relocation to a more suitable property for disabled people</p>	<p>Will usually be eligible for a mandatory DFG.</p> <p>Occupational Therapist report that new home is suitable to fully meet, or has the potential to meet, the needs of disabled person and their family.</p> <p>Cost/benefit analysis must be prepared; The council must deem rehousing as most suitable and cost-effective option.</p>	<p>Land charge placed on property, equivalent to level of assistance provided (maximum £10,000). Repayable in full if the property is sold within 10 years of the grant being provided.</p>
<p>To facilitate urgent adaptation to a home to enable hospital discharge</p>	<p>Must be in hospital at time of referral and awaiting discharge.</p> <p>Referral from hospital Occupational Therapist advising of urgent needs to facilitate hospital discharge.</p>	<p>Property must be occupied on a permanent basis by applicant unless hospital Occupational Therapist advises appropriate to discharge to another property.</p> <p>Land charge would not normally apply.</p>
<p>To facilitate essential repairs in addition to the mandatory DFG, to meet the needs of vulnerable individuals.</p>	<p>On a case by case basis.</p>	<p>Land charge placed on property, equivalent to level of assistance provided (maximum £10,000). Repayable in full if the property is sold within 10 years of the grant being provided.</p>

Outcome	Indicative Eligibility Criteria	Indicative Conditions
<p>To facilitate early adaptation in advance of the disabled person becoming eligible for DFG in the next 2 years. Whereby an early adaptation will reduce risk of harm and cost of care package over future years.</p>	<p>In line with Mandatory DFG conditions.</p>	<p>In line with Mandatory DFG terms and conditions.</p>
<p>To facilitate ongoing warranty for service, statutory inspection &amp; maintenance of existing equipment so that it is safe, serviceable and legally compliant for continued use by the disabled person and/or carers</p>	<p>Owner occupier or private tenant. Report from Occupation Therapist to show ongoing requirement for that equipment and cost benefit analysis for its continued use.</p>	<p>Property must be occupied on a permanent basis by applicant.  Land charge would not normally apply.</p>
<p>Financial assistance where Disabled occupant fails to qualify for Mandatory DFG due to Calculated financial contribution level exceeding grant amount.</p>	<p>Applicants grant contribution exceeds £30,000.  Report from Occupational Therapist recommending requirement &amp; demonstrating severe health impact if assistance refused.  Evidence of financial hardship required. E.g. Confirmation from High Street Bank/Lender of refusal to loan funds.</p>	<p>Land charge placed on property, equivalent to level of assistance provided (maximum £10,000). Repayable in full if the property is sold within 10 years of the grant being provided.</p>
<p>Occupational Therapist supported care or assisted technology adaptations needed to assist in improving the quality of life for those with disabilities and those living with Dementia.</p>	<p>Owner occupier or private tenant. Report from Occupational Therapist recommending requirement.</p>	<p>No means test. No conditions.</p>

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### Equality and Safety Impact Assessment

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

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

<p><b>Name or Brief Description of Proposal</b></p>	<p>Draft Disabled Adaptations Financial Assistance Policy</p>
<p><b>Brief Service Profile (including number of customers)</b></p>	<p>The draft Southampton City Council Disabled Adaptations Financial Assistance Policy sets out how the council can offer financial assistance in the form of grants or loans towards improving and repairing private housing stock in the city. This draft policy sets out assistance that the council is able to offer; who can apply, what it can be used for and any conditions attached to taking the assistance.</p> <p>Disabled Facilities Grant (DFGs) are provided to adapt a home environment to restore or enable independent living for individuals with a disability. The maximum amount of grant funding that can be awarded under a mandatory DFG is currently £30,000.</p> <p>The purposes for which a DFG may be given are set out in Housing Grants, Construction and Regeneration Act 1996 and can be summarised as follows:</p> <ul style="list-style-type: none"> <li>- Facilitating Access – works facilitate the disable person’s access to their home or garden.</li> <li>- Making a Dwelling or Building Safe – adaptations to ensure the safety of the disabled person within their home.</li> </ul>

- Access to a room usable for sleeping.
- Access to a bathroom.
- Facilitating preparation and cooking of food – adaptations to enable the disabled person to utilise a kitchen.
- Heating, lighting and power – improvements to the home of the disabled persons home to meet their needs.
- Dependant Residents – works to enable a disabled occupant better access around the dwelling in order to care for a dependent.
- Common parts – works to the common parts of a building to facilitate access to the individual disabled person’s home or garden.

Under the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (RRO 2002), Local Authorities have powers and the flexibility to grant financial assistance packages including the power to provide Discretionary Disabled Adaptations Financial Assistance schemes. In order to legally be able to offer discretionary financial assistance any council must have a published strategy, have a specific policy to provide financial assistance which also sets out how this assistance will be provided.

This discretionary financial assistance can include assistance to meet people’s needs through adaptations to their homes in cases including (but not limited to) the following:

- Where the amount of spend exceeds the maximum amount awarded as a Disabled Facilities Grant (currently £30,000).
- To facilitate the relocation to a more suitable property for disabled people.
- To facilitate urgent adaptation to a home to enable hospital discharge.
- To facilitate essential repairs in addition to the mandatory DFG, to meet the needs of vulnerable individuals.
- Where the individual is significantly impacted by statutory means testing in relation to adaptations.
- To facilitate early adaptation in advance of the disabled person becoming eligible for DFG in the next 2 years, and an early adaptation will reduce risk of harm and cost of care package over future



	<p>years.</p> <ul style="list-style-type: none"> <li>- To facilitate ongoing warranty for service, statutory inspection &amp; maintenance of existing equipment so that it is safe, serviceable and legally compliant for continued use by the disabled person and/or carers.</li> <li>- Financial assistance where Disabled occupant fails to qualify for Mandatory DFG due to calculated financial contribution level exceeding grant amount.</li> <li>- Occupational therapy supported care or assisted technology adaptations needed to assist in improving the quality of life for those with disabilities and those living with Dementia.</li> </ul> <p>Discretionary assistance may also be offered where a particular type of adaptation is not provided for within the mandatory DFG process, or where financial assistance will enable flexibility, quality and choice for the applicant to meet their specific needs, and help achieve person-centred integrated care.</p> <p>Currently, Southampton City Council on average approve 145 DFG applications per year. There are currently 55 DFG applications on the waiting list.</p> <p>During the period of 2018/19, Southampton City Council received 137 referrals and 58 of these have been approved.</p> <p>The finances for DFG are paid by the Government into the Better Care Fund (BCF). This money is no longer ring fenced but any money not spent on DFG's must meet the BCF objectives and have approval from the Clinical Commissioning Group (CCG)</p> <p>The amount issued by the Government via the Better Care Fund varies each year but is usually between £800k - £1.2million.</p> <p>The council has reached agreement with the CCG for an annual amount to be released to the council to fund the discretionary adaptations grants. This finance will vary from year to year and there is no guaranteed amount in any year.</p> <p>The council therefore are seeking approval to offer a discretionary disabled adaptation financial assistance</p>
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	<p>(DDAFA).</p> <p>Over the last two years there were 22 DFG applications that were declined and could have benefitted from a DDAFA. Further, there are 5 specific cases raised this year by the occupational therapists for clients that needed large scale projects where the cost would far exceed the mandatory DFG, therefore under the DDAFA these needs may have been met.</p> <p>Under the Equality Act 2010 the council must have due regard to its public sector equality duty when carrying out any of its functions. Age, sex and disability are some of the 9 protected characteristics under the Act. The aims of the Act are to eliminate discrimination, harassment, victimisation and any other prohibited conduct because of any of the protected characteristics; to minimise or removes disadvantages; to take steps to meet the different needs of people with different protected characteristics and enhancing equality of opportunity.</p> <p>The draft discretionary policy enables the council to meet its obligations under the Act and in particular enable disabled people to have full access to their property.</p>
<p><b>Summary of Impact and Issues</b></p>	<p>The draft Disabled Adaptations Financial Assistance Policy sets out how Southampton City Council can offer financial assistance in the form of grants or loans towards improving and repairing private housing stock in the city.</p> <p>Thus, the impact of this policy means that it allows Southampton City Council to do more with its discretionary powers. By using the powers given by legislation, Southampton City Council can help the community by using a strengths based approach which allows more people to stay independent in their own homes which leads to better outcomes for individuals and their families.</p>
<p><b>Potential Positive Impacts</b></p>	<p>The draft proposals for the Disabled Adaptations Financial Assistance Policy will enable the council to legally be able to offer discretionary financial assistance by using powers under the RRO 2002. The draft policy, clarifies what is the eligibility criteria for DFG's and what other discretionary assistance may be available in a</p>

	<p>more understandable format including who can apply, what it can be used for and any conditions attached to taking the financial assistance.</p> <p>The proposals ensure that Southampton City Council are able to use their discretionary powers effectively meaning more of the community can be assisted than the powers given in the DFG legislation.</p> <p>By using the discretionary powers more members of the community will be assisted in allowing them to stay independent in their own homes.</p> <p>If approved, this draft policy will enable the use of discretionary powers to use the current allocated fund to assist those in the community that require it, especially those who are on the current waiting list and who may not meet the criteria of the DFG.</p>
<b>Responsible Service Manager</b>	Steven Hayes-Arter – Service Manager – HMO Licensing & Adaptations
<b>Date</b>	19/11/2018

<b>Approved by Senior Manager</b>	Felicity Ridgway
<b>Signature</b>	
<b>Date</b>	19/11/2018

### Potential Impact

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Age</b>	<p>Due to increasing aging population there is a higher amount of older persons in the community. Currently the life expectancy for men in Southampton is 78.5 years and for women 82.8 years. Statistics show that the age group of 65 – 74 year olds will increase by 6.7% in 2024 and the age group for 75 – 84 year</p>	<p>The draft policy and discretionary financial assistance will enable this group of people to be more independent, fully enjoy their accommodation and lead fulfilled lives.</p>

	<p>olds will go up by 28% in 2024. This would suggest that there will be an increasing amount of elderly people who are likely to need adaptations.</p> <p>There has been a National concern about the delayed discharge of people from hospitals. Older people and disabled people are more likely to be affected by this. One of the reasons for delayed discharges is the individuals home no longer meets the person's care and support needs.</p>	<p>The proposed discretionary financial assistance will have a positive impact on this as it will enable individuals to have adaptations done more quickly and adaptations to be done where previously they had to be declined under the DFG.</p> <p>A positive effect will be that personal budgets set under the Care Act 2014 may be lower as people's needs for domiciliary care may be lower after adaptations have been carried out. This will benefit both self-funders and people who are eligible for their care and support needs to be funded by the council</p>
<p><b>Disability</b></p>	<p>According to the current statistics and census 16.2% of the population in Southampton have long term health problems or a disability which implies they might need support or adaptations to allow them to be independent and live in their homes for longer. Further as indicated above the statistics show that the older population in Southampton is increasing and by 2024 the age group of 65 – 84 year olds will increase by 34.7%.</p>	<p>The draft policy and discretionary financial assistance will enable more disabled people to fully enjoy their accommodation and lead greater independent and fulfilled lives.</p> <p>This complies with the strength based approach and enables the council to comply with its statutory duties under the care Act 2014 including promoting peoples wellbeing and</p>

	<p>Currently, Southampton City Council on average approve 145 DFG applications per year. There are currently 55 DFG applications on the waiting list.</p> <p>During the period of 2018/19, Southampton City Council received 137 referrals and 58 of these have been approved.</p> <p>Over the last two years there were 22 DFG applications that were declined and could have benefitted from a DDAFA. Further, there are 5 specific cases raised this year by the occupational therapists for clients that needed large scale projects where the cost would far exceed the mandatory DFG, therefore under the DDAFA these needs may have been met.</p> <p>The likely impact of the draft policy could be negative in the sense this group of people may feel their dignity is affected by having to adapt their homes and infringe on their independence.</p> <p>There has been a National concern about the delayed discharge of people from hospitals. Older people and disabled people are more likely to be affected by this. One of the reasons for delayed discharges is the individuals home no longer meets the person's care and support needs.</p>	<p>preventing needs arising/escalating.</p> <p>The DDAFAs will go wider than the DFGs and applicants that do not satisfy the requirements of DFGs may still receive assistance through these discretionary powers.</p> <p>Further, the payment of the DDAFA is fully at the discretion of the Southampton City Council and there is no minimum or maximum amount.</p> <p>The draft policy actually gives the group dignity and more independence as without the adaptations, there may be a need for them to leave their home.</p> <p>The proposed discretionary financial assistance will have a positive impact on this as it will enable individuals to have adaptations done more quickly and adaptations to be done where previously they had to be declined under the DFG.</p>
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		A positive effect will be that personal budgets set under the Care Act 2014 may be lower as people's needs for domiciliary care may be lower after adaptations have been carried out. This will benefit both self-funders and people who are eligible for their care and support needs to be funded by the council.
<b>Gender Reassignment</b>	No identified impacts	N/A
<b>Marriage and Civil Partnership</b>	No identified impacts	N/A
<b>Pregnancy and Maternity</b>	No identified impacts	N/A
<b>Race</b>	No identified impacts	N/A
<b>Religion or Belief</b>	No identified impacts	N/A
<b>Sex</b>	The draft policy is likely to affect females more as the life expectancy after 65 years of age is a further 17.9 years therefore women may face a longer period of requiring adaptations in their homes. Further, statistically 58% of carers are female according to Carers UK, therefore women are more likely to be affected by carers fatigue due to greater amount of people remaining independent in their homes.	The draft policy and discretionary financial assistance will enable this group of people to be more independent, fully enjoy their accommodation and lead fulfilled lives.
<b>Sexual Orientation</b>	No identified impacts	N/A
<b>Community Safety</b>	No identified impacts	N/A

<p><b>Poverty</b></p>	<p>Where the cost of the DDAFAs exceeds £5,000, Southampton City Council will place a charge against the property (limited to a maximum charge of £10,000). This will be repayable if the property is disposed or ownership is transferred, or the conditions of the grant are breached within ten years.</p>	<p>This is discretionary and Southampton City Council in each case will take into account the individual circumstances of an applicant in deciding whether the charge should be made or repaid if required.</p>
<p><b>Health &amp; Wellbeing</b></p>	<p>The draft policy aims to provide Southampton City Council with discretionary powers set out under the RRO 2002, which allows them to provide discretionary financial assistance. This draft policy enables the council to meet people's needs through adaptations to their homes.</p>	<p>The positive impact on health and wellbeing is the fact that the adaptations mean the Council are promoting people's wellbeing and preventing needs escalating and enabling people to develop their skills and live independently. This enable the council to comply with its obligations (not limited to) under the Care Act 2014, Children's and families Act 2014 and Equality Act 2010 protecting the vulnerable and reducing other resources in the community as the changes allow for the individual to remain safe in their homes.</p>

<p><b>Other Significant Impacts</b></p>	<p>Where the cost of the DDAFAs exceeds £5,000, Southampton City Council will place a charge against the property (limited to a maximum charge of £10,000). This will be repayable if the property is disposed or ownership is transferred, or the conditions of the grant are breached within ten years.</p> <p>The charge will only be placed on private owned homes and not applied to Tenants or Landlords, this may be seen as inequality to home owners.</p>	<p>This is discretionary and Southampton City Council in each case will take into account the individual circumstances of an applicant in deciding whether the charge should be made.</p>
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<b>DECISION-MAKER:</b>		<b>CABINET</b>	
<b>SUBJECT:</b>		<b>CHARTER AGAINST MODERN SLAVERY</b>	
<b>DATE OF DECISION:</b>		<b>18 DECEMBER 2018</b>	
<b>REPORT OF:</b>		<b>CABINET MEMBER FOR COMMUNITY WELLBEING</b>	
<b><u>CONTACT DETAILS</u></b>			
<b>AUTHOR:</b>	<b>Name:</b>	<b>Paul Paskins</b>	<b>Tel: 023 8083 4353</b>
	<b>E-mail:</b>	<b>paul.paskins@southampton.gov.uk</b>	
<b>Director</b>	<b>Name:</b>	<b>James Strachan</b>	<b>Tel: 023 8083 3436</b>
	<b>E-mail:</b>	<b>james.strachan@southampton.gov.uk</b>	
<b>STATEMENT OF CONFIDENTIALITY</b>			
NOT APPLICABLE			
<b>BRIEF SUMMARY</b>			
<p>This paper recommends that the Council adopts the Co-operative Party’s Charter Against Modern Slavery which commits the Council to taking action through procurement and contract management to ensure that its suppliers are not involved in modern slavery. The charter will be known as ‘Southampton City Council’s Charter Against Modern Slavery’.</p>			
<b>RECOMMENDATIONS:</b>			
	(i)	To adopt the Co-operative Party’s Charter Against Modern Slavery. The charter will be known as ‘Southampton City Council’s Charter Against Modern Slavery’.	
	(ii)	To delegate authority to the Service Director – Digital and Business Operations, following consultation with the Cabinet Member for Community Wellbeing and the Cabinet Member for Finance and Customer Experience, to develop a plan for implementing the Charter Against Modern Slavery.	
	(iii)	To delegate authority to the Service Director – Digital and Business Operations to report on the progress of implementation of the Charter Against Modern Slavery in 12 months’ time following the return of the Procurement Service to council control.	
<b>REASONS FOR REPORT RECOMMENDATIONS</b>			
1.	<p>The term ‘Modern Slavery’ captures a whole range of types of exploitation, many of which occur together. These include but are not limited to:</p> <ul style="list-style-type: none"> <li>•Sexual exploitation;</li> <li>•Domestic servitude;</li> <li>•Forced labour;</li> <li>•Criminal exploitation;</li> <li>•Other forms of exploitation include organ removal, forced begging, forced benefit fraud, forced marriage and illegal adoption.</li> </ul>		

2.	Modern Slavery occurs when traffickers and slave masters use whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and/or inhumane treatment.
3.	The Charter Against Modern Slavery will ensure that the Council takes all reasonable steps to prevent its contractors and suppliers from undertaking practices which directly or indirectly support modern slavery through a firm and unequivocal commitment to the ten elements of the Charter.
4.	The Charter will also ensure that the Council's procurement and contract management processes prevent the Council contracting with any organisations which have a link to, or involvement in, Modern Slavery.
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
5.	Not to adopt the Charter Against Modern Slavery
6.	To adopt some clauses from the Charter Against Modern Slavery or create a separate charter.
<b>DETAIL (Including consultation carried out)</b>	
7.	Following adoption of the Charter Against Modern Slavery, Southampton City Council will:
8.	<ul style="list-style-type: none"> <li>• Train its procurement team to understand modern slavery through the Chartered Institute of Procurement and Supply's (CIPS) online course on Ethical Procurement and Supply.</li> </ul>
9.	<ul style="list-style-type: none"> <li>• Require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance in respect of all new contracts.</li> </ul>
10.	<ul style="list-style-type: none"> <li>• Challenge any abnormally low-cost tenders to ensure they do not rely upon the potential contractor practising modern slavery.</li> </ul>
11.	<ul style="list-style-type: none"> <li>• Highlight to its suppliers that contracted workers are free to join a trade union and are not to be treated unfairly for belonging to one.</li> </ul>
12.	<ul style="list-style-type: none"> <li>• Publicise its whistle-blowing system for staff to blow the whistle on any suspected examples of modern slavery.</li> </ul>
13.	<ul style="list-style-type: none"> <li>• Require its tendered contractors to adopt a whistle-blowing policy which enables their staff to blow the whistle on any suspected examples of modern slavery.</li> </ul>
14.	<ul style="list-style-type: none"> <li>• Review its contractual spending regularly to identify any potential issues with modern slavery.</li> </ul>
15.	<ul style="list-style-type: none"> <li>• Highlight for its suppliers any risks identified concerning modern slavery and refer them to the relevant agencies to be addressed.</li> </ul>
16.	<ul style="list-style-type: none"> <li>• Refer for investigation via the National Crime Agency's national referral mechanism any of its contractors identified as a cause for concern regarding modern slavery.</li> </ul>
17.	<ul style="list-style-type: none"> <li>• Report publicly on the implementation of this policy annually.</li> </ul>
<b>RESOURCE IMPLICATIONS</b>	
<u>Revenue</u>	

18.	The impact is expected on the revenue budget:				
	Current Budget	2018/19	2019/20	2020/21	2021/22
		£	£	£	£
	Contract Management / training	1,400	1,400	1,400	1,400
	Estimated training cost £958 – this will be resourced within the current training budget				
19.	The fee to undertake the recommend Chartered Institute of Procurement and Supply's (CIPS) online Ethical Procurement and Supply training course is £38.00 per person (plus VAT).				
20.	All the members of the Procurement Services team will be expected to undertake the online training.				
21.	The costs will be met from existing revenue budgets. There may be an impact on new contract let, this has yet to be determined.				
<b><u>Property/Other</u></b>					
22.	N/A				
<b>LEGAL IMPLICATIONS</b>					
<b><u>Statutory power to undertake proposals in the report:</u></b>					
23.	Modern Slavery Act 2015, Section 1 Localism Act 2011 and Section 111 Local Government Act 1972.				
<b><u>Other Legal Implications:</u></b>					
24.	Since 1 November 2015, local authorities have a duty to notify the Home Office of any individual encountered in England and Wales who they believe is a possible victim of slavery or human trafficking under the Modern Slavery Act.				
25.	Since 1 October 2015, commercial organisations that carry on a business or part of business in the UK, supply goods or services and have an annual turnover of £36 million or more have been required under Section 54 of the Act to prepare a slavery and human trafficking statement as defined by Section 54 of the Act.				
<b>POLICY FRAMEWORK IMPLICATIONS</b>					
26.	The Charter, which commits the Council to taking action through procurement and contract management, is being adopted ahead of the proposed re-write of the Council's Ethical and Sustainable Procurement Policies in 2019. It is envisaged that the Charter will be incorporated into these revised policies.				

<b>KEY DECISION?</b>	<b>Yes</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	<b>Not Applicable</b>

SUPPORTING DOCUMENTATION

**Appendices**

<b>1.</b>	<b>Charter Against Modern Slavery ESIA</b>
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**Documents In Members' Rooms**

<b>1.</b>	<b>N/A</b>
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<b>2.</b>	
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**Equality Impact Assessment**

<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>	<b>Yes</b>
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**Privacy Impact Assessment**

<b>Do the implications/subject of the report require a Privacy Impact Assessment (PIA) to be carried out.</b>	<b>No</b>
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**Other Background Documents**

**Other Background documents available for inspection at: N/A**

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



### Equality and Safety Impact Assessment

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

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

<p><b>Name or Brief Description of Proposal</b></p>	<p>The proposal recommends that the Council adopts the Co-operative Party’s Charter Against Modern Slavery which commits the Council to taking action through procurement and contract management to ensure that its suppliers are not involved in modern slavery. The Charter will be known as ‘Southampton City Council’s Charter Against Modern Slavery’.</p>
<p><b>Brief Service Profile (including number of customers)</b></p>	
<p>The potential impact is on Council employees, agency workers provided through the Council’s managed service provider and employees of organisations delivering services on behalf of the Council or as part of the Council’s supply chain.</p>	
<p><b>Summary of Impact and Issues</b></p>	
<p>The Council will train its procurement team to understand Modern Slavery through the Chartered Institute of Procurement and Supply’s (CIPS) online course on Ethical Procurement and Supply.</p> <p>Since 1 October 2015, commercial organisations that carry on a business or part of business in the UK, supply goods or services and have an annual turnover of £36 million or more have been required under Section 54 of the Modern Slavery Act to prepare a slavery and human trafficking statement as defined by Section 54 of the Act.</p> <p>The Council will require its contractors to comply fully with the Modern Slavery Act 2015, wherever it applies, with contract termination as a potential sanction for non-compliance in respect of all new contracts.</p>	
<p><b>Potential Positive Impacts</b></p>	
<p>The Charter Against Modern Slavery goes further than existing law and guidance, committing councils to proactively vetting their own supply chain to ensure no instances of modern slavery are taking place.</p>	

<b>Responsible Service Manager</b>	Paul Paskins - Service Lead Supplier Management
<b>Date</b>	23.11.2018
<b>Approved by Senior Manager</b>	James Strachan - Service Director Digital and Business Operations
<b>Date</b>	23.11.2018

### Potential Impact

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Age</b>	No negative impacts identified	2016 figures from the United Kingdom Trafficking Centre estimates that approx. 1/3 of trafficked victims are children.
<b>Disability</b>	No negative impacts identified	Victims of Modern Slavery are often the most vulnerable members of society.
<b>Gender Reassignment</b>	No negative impacts identified	
<b>Marriage and Civil Partnership</b>	No negative impacts identified	
<b>Pregnancy and Maternity</b>	No negative impacts identified	
<b>Race</b>	No negative impacts identified	Victims of modern Slavery are often transported from all over the world.
<b>Religion or Belief</b>	No negative impacts identified	Victims of modern Slavery are often transported from all over the world.
<b>Sex</b>	No negative impacts identified	2016 figures from the United Kingdom Trafficking Centre show while there are significant numbers of women forced into sexual exploitation there is a growing trend for men to be forced into labour exploitation and criminality.
<b>Sexual Orientation</b>	No negative impacts identified	
<b>Community Safety</b>	No negative impacts identified	

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
<b>Poverty</b>	No negative impacts identified	Victims are often forced/ coerced into Modern Slavery to pay off debts.
<b>Health &amp; Wellbeing</b>	No negative impacts identified	
<b>Other Significant Impacts</b>	It is recognised that there are victims of trafficking or slavery irrespective of any protected characteristic they may share and therefore have viewed the proposal and the actions it identifies, as having a potentially positive impact across all society.	

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<b>DECISION-MAKER:</b>	<b>CABINET</b>		
<b>SUBJECT:</b>	<b>SOUTHAMPTON COMMON PLAN</b>		
<b>DATE OF DECISION:</b>	<b>18 DECEMBER 2018</b>		
<b>REPORT OF:</b>	<b>CABINET MEMBER FOR TRANSPORT AND PUBLIC REALM</b>		
<b><u>CONTACT DETAILS</u></b>			
<b>AUTHOR:</b>	<b>Name:</b>	<b>Nick Yeats</b>	Tel: 023 8083 2857
	<b>E-mail:</b>	<a href="mailto:nick.yeats@southampton.gov.uk">nick.yeats@southampton.gov.uk</a>	
<b>Director</b>	<b>Name:</b>	<b>Mitch Sanders</b>	Tel: 023 8083 3613
	<b>E-mail:</b>	mitch.sanders@southampton.gov.uk	
<b>STATEMENT OF CONFIDENTIALITY</b>			
NOT APPLICABLE			
<b>BRIEF SUMMARY</b>			
<p>The most recent management plan for Southampton Common relates to the Site of Special Scientific Interest (SSSI) is out of date and does not embrace the full use of the common.</p>			
<p>The Council has therefore worked with the Southampton Common Forum (SCF) Group to come up with a framework plan which will enable a way forward to produce more detailed delivery plans. This report therefore seeks to get the Southampton Common Plan 2019-30 (the Plan) adopted so that The Council and The SCF can then move forward and produce delivery plans for the various other activities on the Common.</p>			
<p>As part of the governance and delivery of the Plan the Council is seeking to move forward in partnership with the Common Forum to create a charitable foundation. The charitable foundation will then work in parallel with and complementing the work of the Council.</p>			
<b>RECOMMENDATIONS:</b>			
	(i)	To adopt the Southampton Common Plan 2019 – 30.	
	(ii)	To delegate to the Service Director Transactions & Universal Services the power to work with the Southampton Common Forum to establish a charitable foundation.	
<b>REASONS FOR REPORT RECOMMENDATIONS</b>			
1.	Adopting the Plan will give a clear way forward for the enhancement of Southampton Common enabling a framework for future management and governance to be delivered.		
2.	This will enable us to provide a robust governance and management system for Southampton Common.		
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>			
3	Do Nothing – This would leave Southampton Common without any clear management plan for the future or effective governance arrangements. Working with the SCF would continue in an ad-hoc way with no terms for engagement.		

4	Complete a detailed management plan covering all aspects of the maintenance and use of Southampton Common – this was considered to be too onerous as a one off project. The Southampton Common Plan is designed to facilitate a framework of more detailed plans to be written in a timely fashion, enabling engagement of stakeholders at the appropriate time and reducing the risk of non-adoption due to disagreements over minor/detailed points.
<b>DETAIL (Including consultation carried out)</b>	
5	Southampton Common is an area of Council owned parkland straddling the Shirley and Portswood Wards. It is approximately 148 hectares in size and provides wildlife habitat, recreation, wellbeing and events space for the residents of and visitors to Southampton.
6	In 1993, following a designation on part of the Common to become an SSSI, a 20 year management plan was drawn up, consulted on and adopted by the Council. A further plan was then written in 2003 in order to give guidance to the original plan and to address other issues which had not been covered in the original plan. Although much of these plans are still relevant, they are out of date and require reviewing and updating.
7	Since 2008 resource levels within the Parks and Street Cleansing teams have been diminishing, in line with Council resources as a whole. This has had a negative impact on the maintenance standards at the Common. Some areas of the Common have become overgrown, scrub and tree cover has increased and the open space footprint has reduced as a result.
8	This reduced maintenance led to residents forming a community group with a view to working in partnership with the Council to manage and maintain the Common into the future. Their first step was to carry out an extensive consultation (over 2100 replies) asking what facilities they use on the Common, for likes, dislikes and any improvements. . The results of this consultation were published and a press release sent out. These findings provided a good basis for the development of the plan and the future management of the Common.
9	A working group was set up with the SCF in order to draw up an overarching plan which could provide a framework for the more detailed delivery plans that would be required. The SCF consulted on an early draft of this plan, with very positive results, and this then became the basis for the Southampton Common Plan 2019-30 (the Plan).
10	<p>The Plan was drafted and an engagement with residents and visitors was undertaken between 28th June 2018 and 30th July 2018. Engagement using social media and email alerts ran from 2nd July – 22nd July 2018 and received 842 responses. We used the following media to engage with the public:</p> <ul style="list-style-type: none"> <li>• A series of emails and posts</li> <li>• Facebook: 4 posts throughout July.</li> <li>• Twitter: 4 tweets throughout July.</li> <li>• LinkedIn: 1 LinkedIn post</li> <li>• E-alerts (including Your City Your Say; Community news and events; City news): included in 5 email alerts of 3 different mailing lists across July.</li> </ul>

	The results have been analysed and interpreted in the attached Common Plan questionnaire results document. In summary they showed a strong agreement with the Plan, its vision and the priorities set out within it.
11	The only area which was slightly less well supported was to increase the proportion of open and accessible space. The Council worked with the SCF to reword this section to reflect comments made and to give residents confidence that there will not be a significant impact from this priority on the other priorities within the plan.
12	The Plan (as attached) is therefore the result of working closely with SCF, taking on their consultation work and testing this through the Council's own engagement process. It is a robust document which provides a good way forward to start to deliver management plans that will improve the Common for residents and visitors.
13	With regards to future working with the SCF, they are keen (as are the Council) to continue to work together. There are a number of options and the attached paper explores these in more detail (enc. 3). The preferred option would be for the Council and SCF to work together to establish a charitable foundation. This would provide associated benefits such as fundraising, recruiting volunteers and implementing an annual volunteer work schedule, promoting the Common and providing independent viewpoint regarding the management of the Common.
14	The formation of a charitable foundation would provide a governance model which would enable it to provide resources through its charitable goals. It is envisaged that the goals would be set to help to manage, maintain and improve Southampton Common and donations to the charity would be apportioned accordingly. Through a memorandum of understanding the Council and the Foundation would work together to achieve the charitable goals, providing greater engagement, accountability and transparency leading to greater ownership and successful delivery of outcomes by stakeholders in the management of the Common. The exact form of the foundation will be explored through ongoing work with SCF and may involve a city wide foundation.
<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
15	There are no direct cost implications for capital or revenue to adopt the plan. Officer time will be required to both liaise with the SCF and write the delivery plans, which will be contained within existing staffing budgets. There will also be a resource implication for setting up the charitable foundation. There is no cost associated with registration, other than voluntary donation. The foundation would be run on a voluntary basis, and input from Southampton officers. Again this would be covered from existing staffing budgets.  The foundation will not involve any transfer of asset or liability, and therefore no long term commitments to Southampton City Council.  Setting up a charitable foundation will provide an opportunity to raise funding which would not otherwise be available to the Council.
<b><u>Property/Other</u></b>	
16	A new governance model is likely to have implications on the way this land is managed, the charitable foundation model proposed does not, however,

	remove the Common from the Council ownership or affect its status as an important public open space and registered common in the heart of Southampton.
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
17	S.1 Localism Act 2011 permits the Council to work with residents and interested parties to prepare management and engagement plans relating to the use of public space and land within the City.
18	The Public Health Acts 1865 – 1944, together with the Local Government (Miscellaneous Provisions) Act 1976, The Hampshire Act 1983 and the Local Governments Act 1972 and 2000 confer a variety of land management powers and duties on the Council that have been considered in the formulation of the proposed plan.
<b><u>Other Legal Implications:</u></b>	
19	The Southampton Common Plan is fully in line with Council policy and current legislation and should not therefore have any significant legal implications
20	The model of governance proposed will have legal implications to ensure that any charitable foundation is correctly set up and complies with the Charities Act 2011. There will need to be Legal input into the process and further public consultation on the proposal. The proposals will also be considered in the context of the Crime & Disorder Act 1998, the Equalities Act 2010 and the Human Rights Act together with relevant land holding powers, procurement legislation and other material considerations.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
21	The risk of adopting this high level plan is that it is not delivered due to unforeseen circumstances. This could have implications for the Council's organisational reputation with stakeholder's expectations not being met.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
22	The Southampton Common Plan has been written following the Council's policy framework and golden thread. The proposals are supported by and not contrary to the Council's approved Policy Framework.

<b>KEY DECISION?</b>	<b>No</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	The whole city and in particular Shirley and Portswood wards
<b><u>SUPPORTING DOCUMENTATION</u></b>	
<b>Appendices</b>	
1.	The Southampton Common Plan Engagement Results
2.	The Southampton Common Plan
3.	Options Appraisal Governance Southampton Common

**Documents In Members' Rooms**

1.	None.	
<b>Equality Impact Assessment</b>		
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.		Yes
<b>Data Protection Impact Assessment</b>		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.		No
<b>Other Background Documents</b>		
Other Background documents available for inspection at:		
	<b>Title of Background Paper(s)</b>	<b>Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)</b>
1.		
2.		

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# Common plan engagement survey 2018 Results

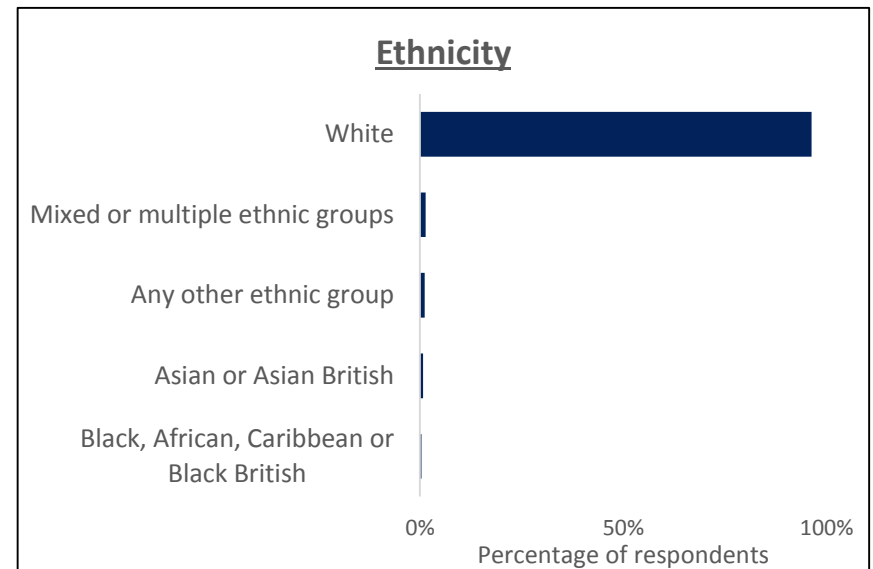
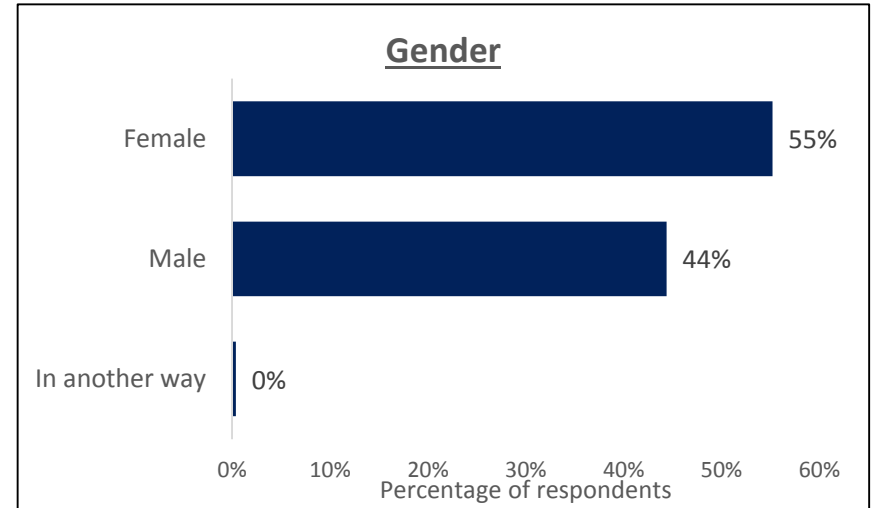
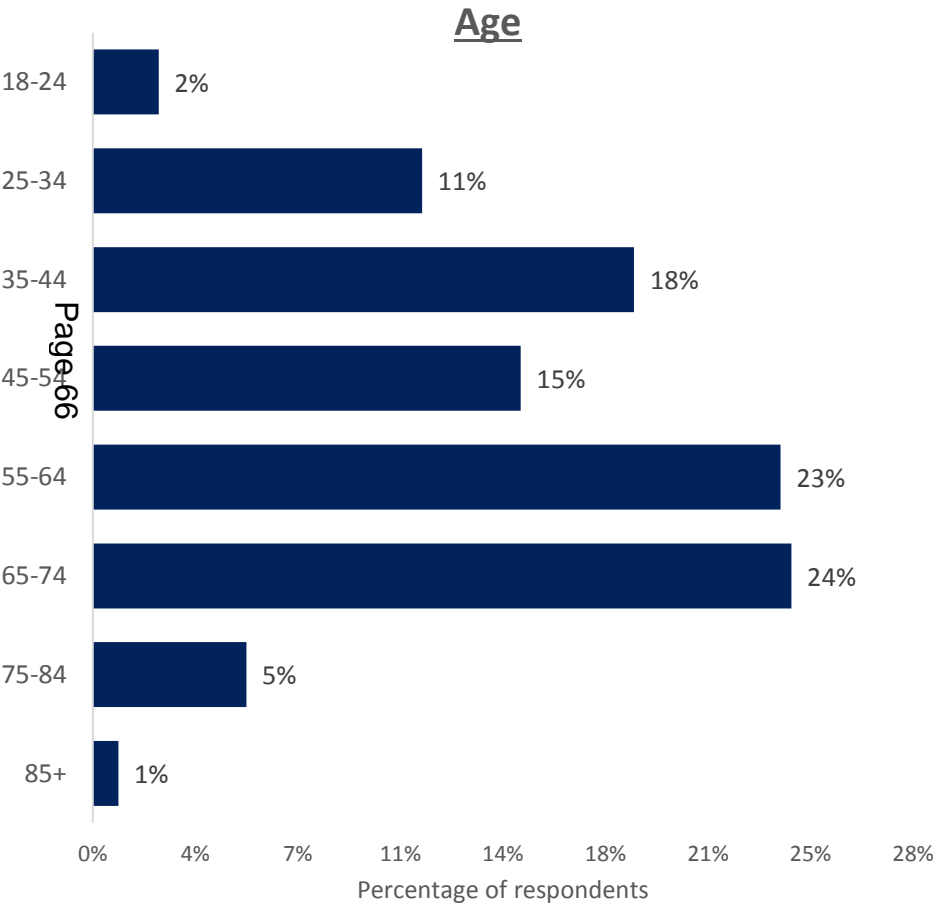
Page 65

Agenda Item 11  
Appendix 1



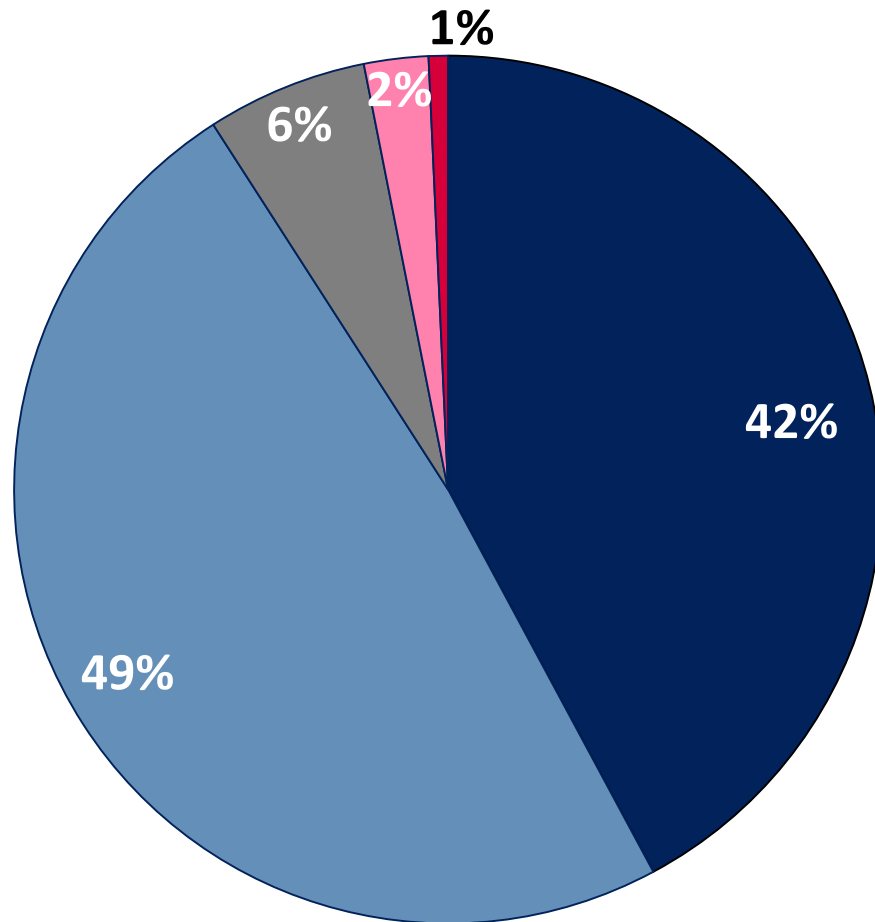
# Who were the respondents?

842 total respondents





# To what extent people agree or disagree with the vision for the common.

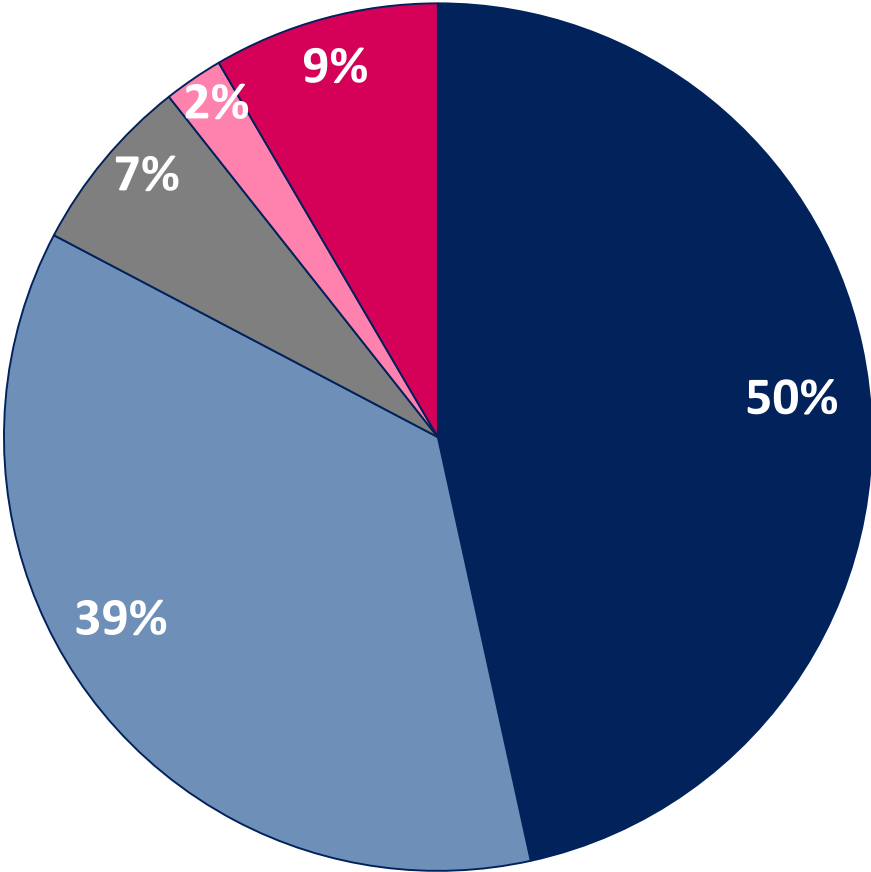


**Overall 91%** strongly agree or agree with the the vision for the common

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■ Strongly agree ■ Agree ■ Neither ■ Disagree ■ Strongly disagree

# To what extent people agree or disagree to increase people's enjoyment of the Common.

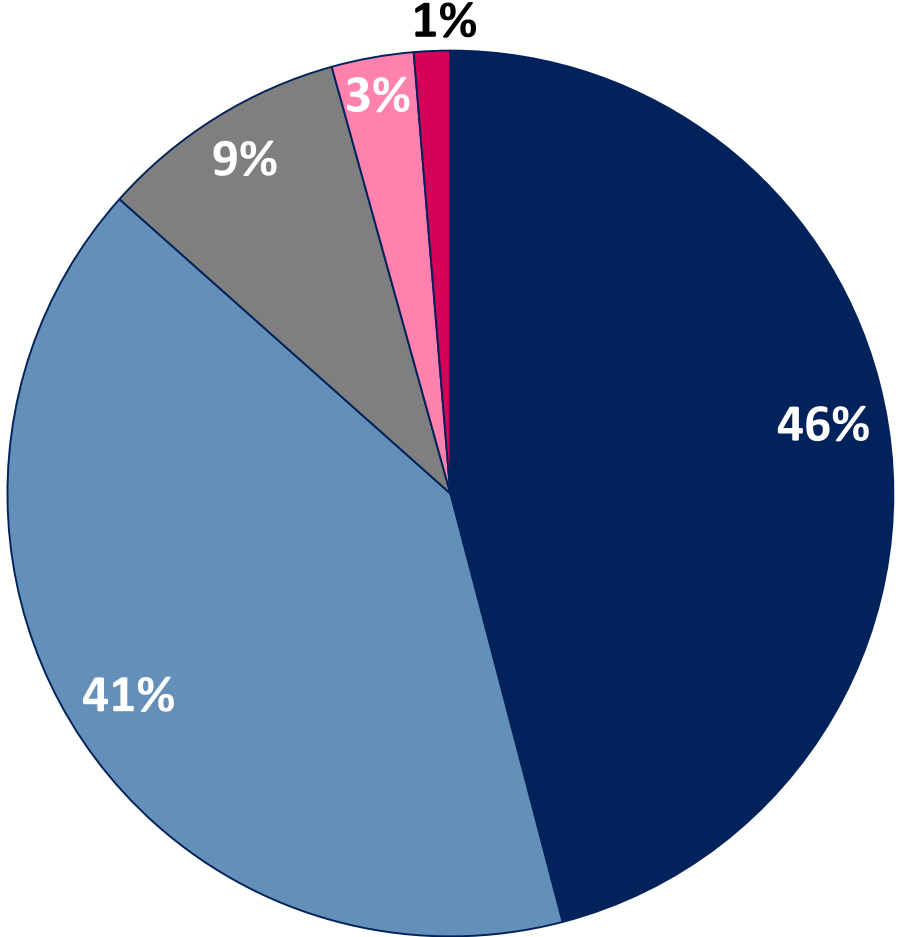


**Overall 89%** strongly agree or agree with the goal of increasing people's enjoyment of the common.

■ Strongly agree ■ Agree ■ Neither ■ Disagree ■ Strongly disagree

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# To what extent people agree or disagree with improving the facilities for recreation & education.



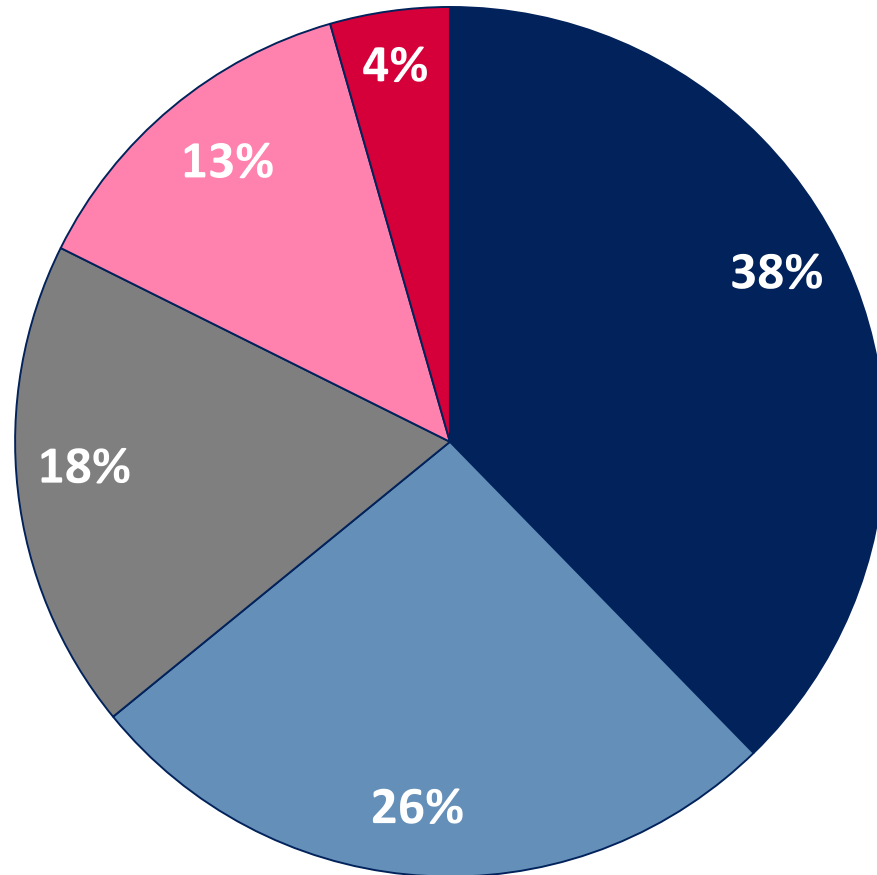
**Overall 87%** strongly agree or agree with the goal of improving the facilities for recreation & education

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Strongly agree   Agree   Neither   Disagree   Strongly disagree

# To what extent people agree or disagree to increase the proportion of open and accessible space.

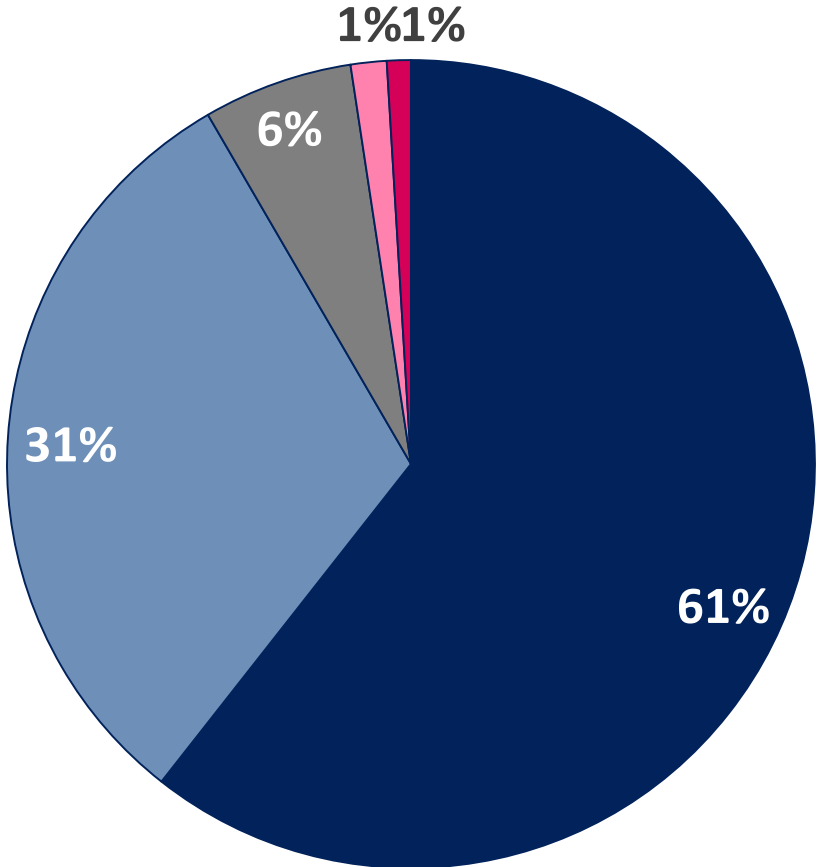
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**Overall 64%** strongly agree or agree with the goal of increasing the proportion of open and accessible space

■ Strongly agree ■ Agree ■ Neither ■ Disagree ■ Strongly disagree

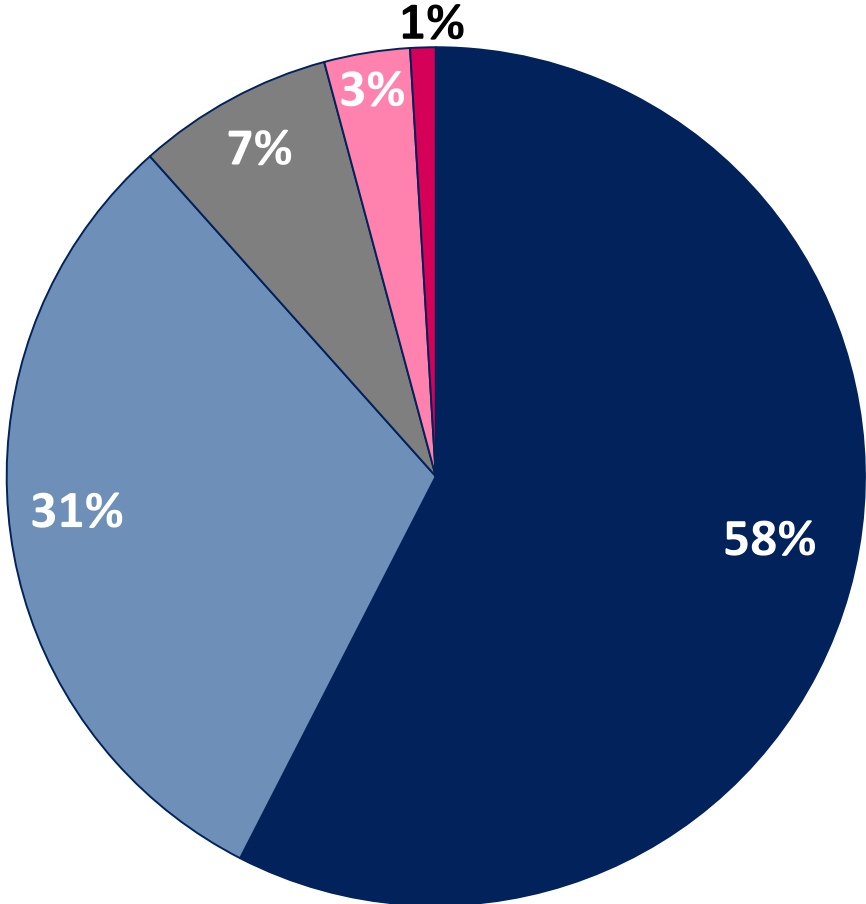
# To what extent people agree or disagree to increase biodiversity whilst safeguarding species deemed nationally to be in need of special protection.



**Overall 92%** strongly agree or agree with the goal of safeguarding species

Strongly agree   Agree   Neither   Disagree   Strongly disagree

# To what extent people agree or disagree to increase paths, access and safety.



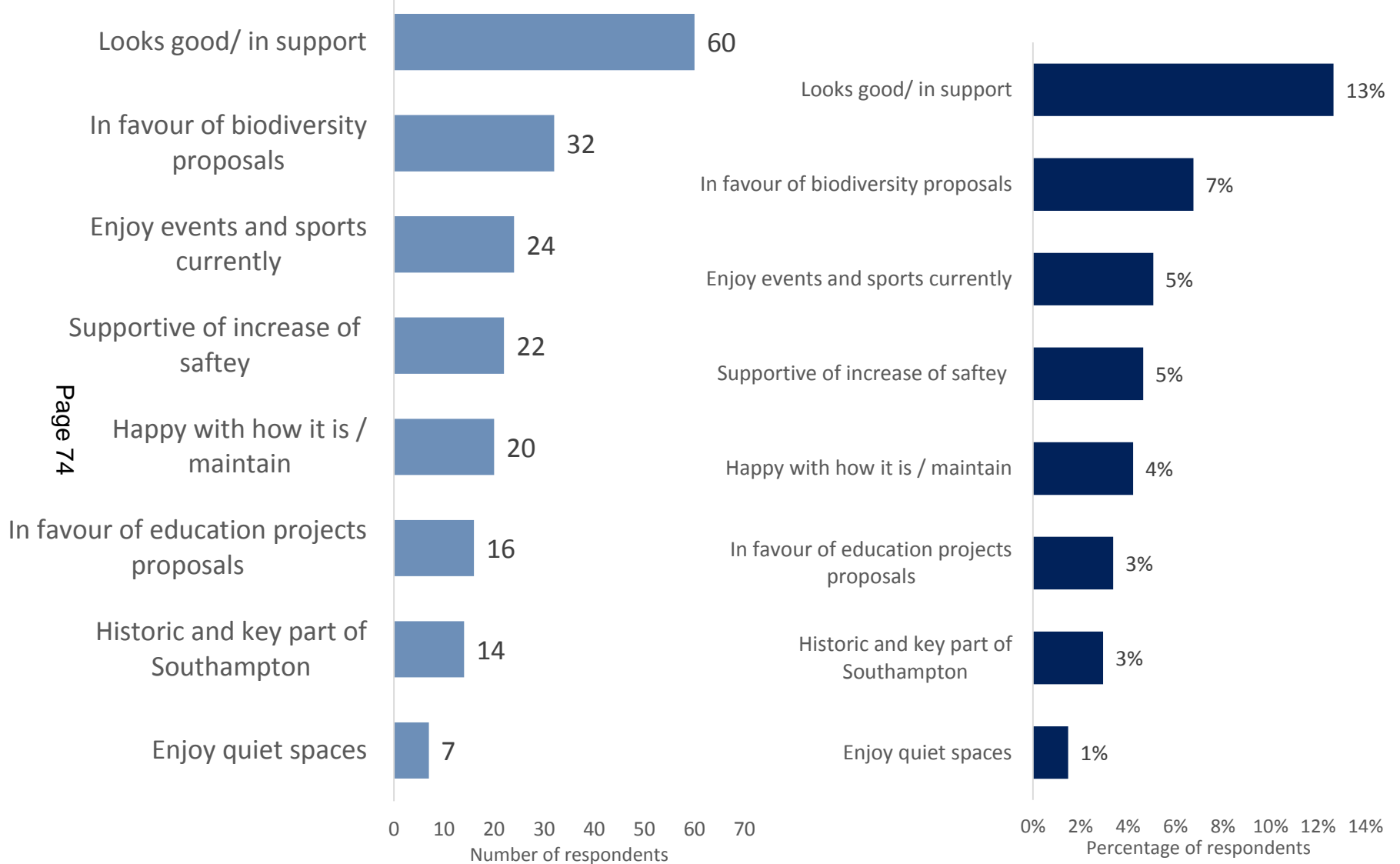
**Overall 89%** strongly agree or agree with the goal to increase path, access and safety

■ Strongly agree ■ Agree ■ Neither ■ Disagree ■ Strongly disagree

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# **Do you have any comments on the proposed Southampton Common Plan 2019-2030?**

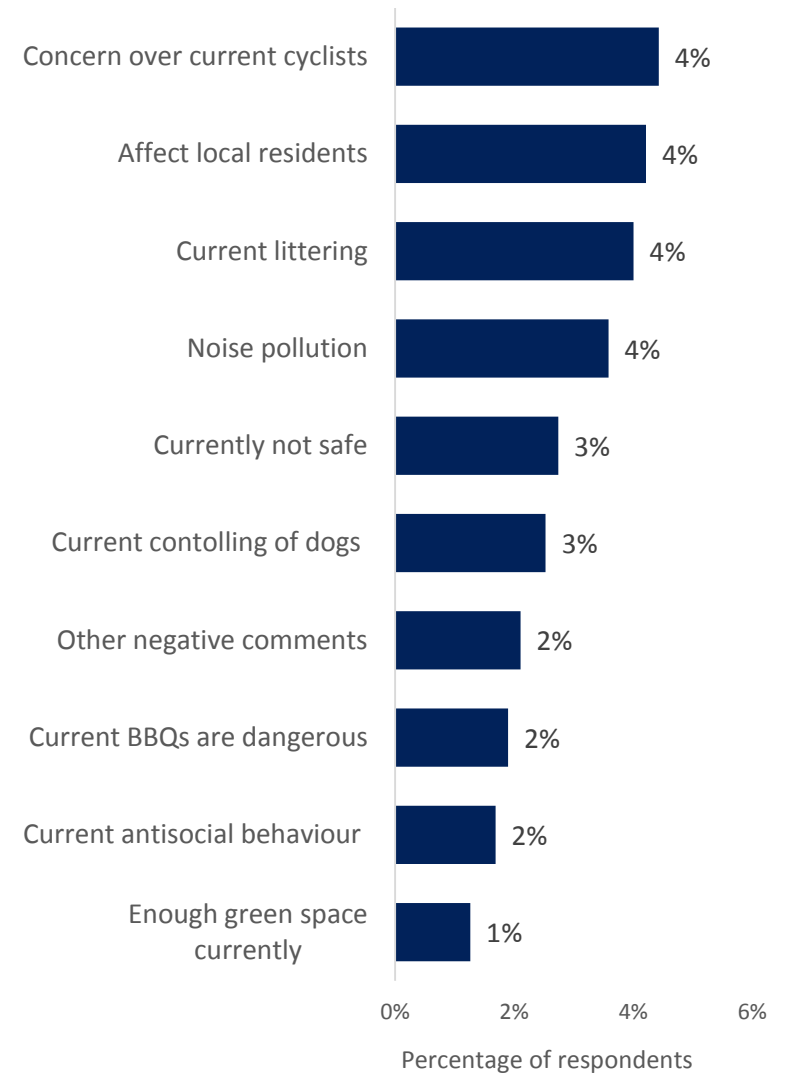
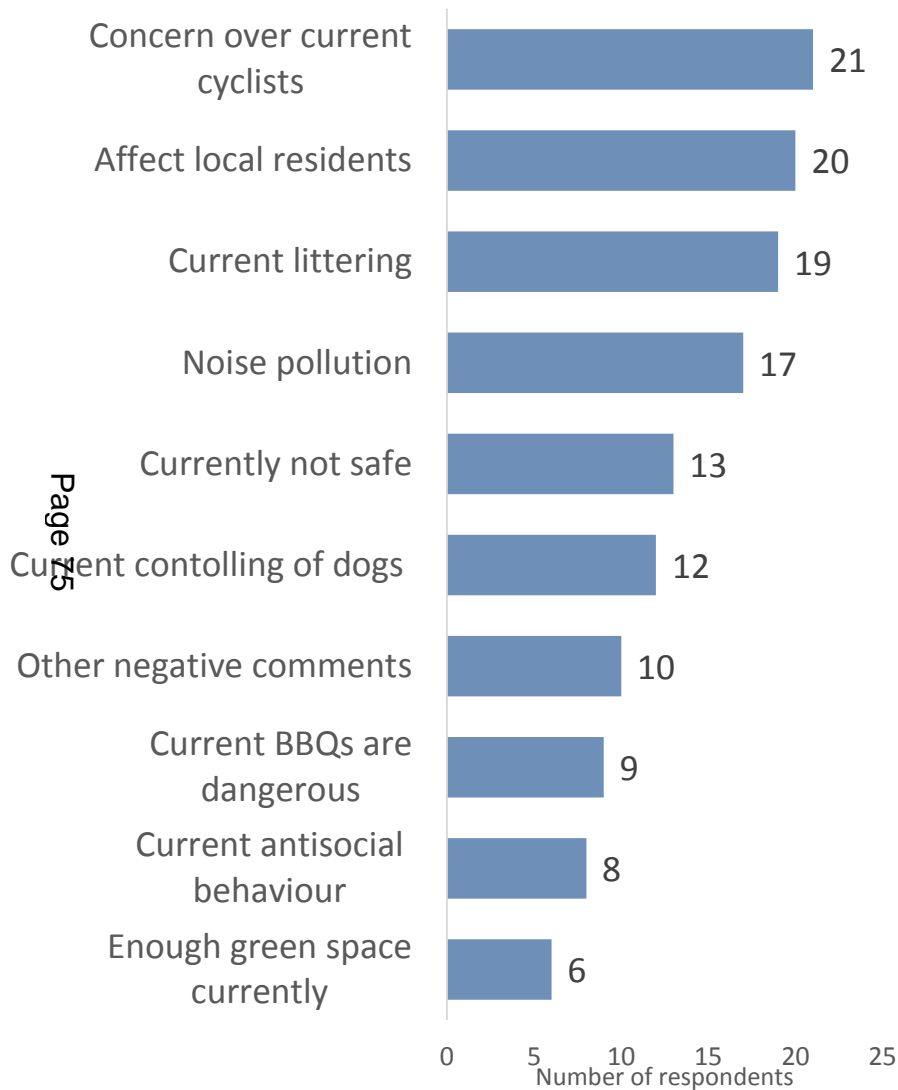
# Positive Comments



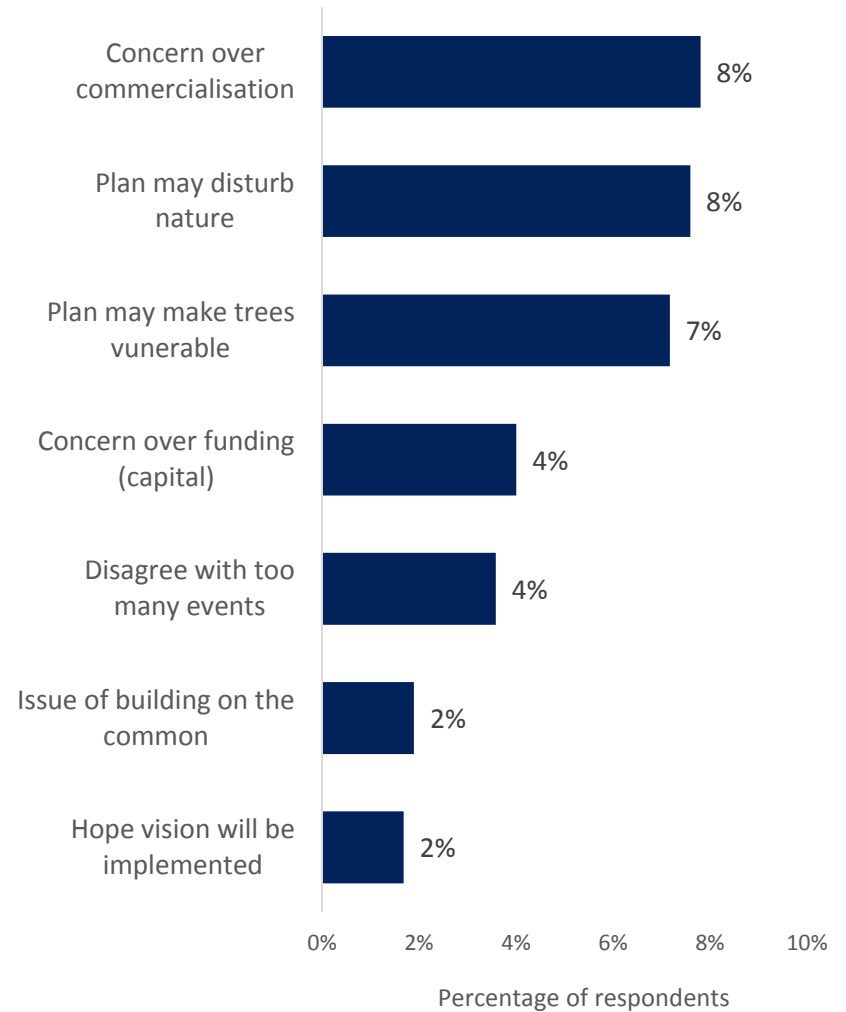
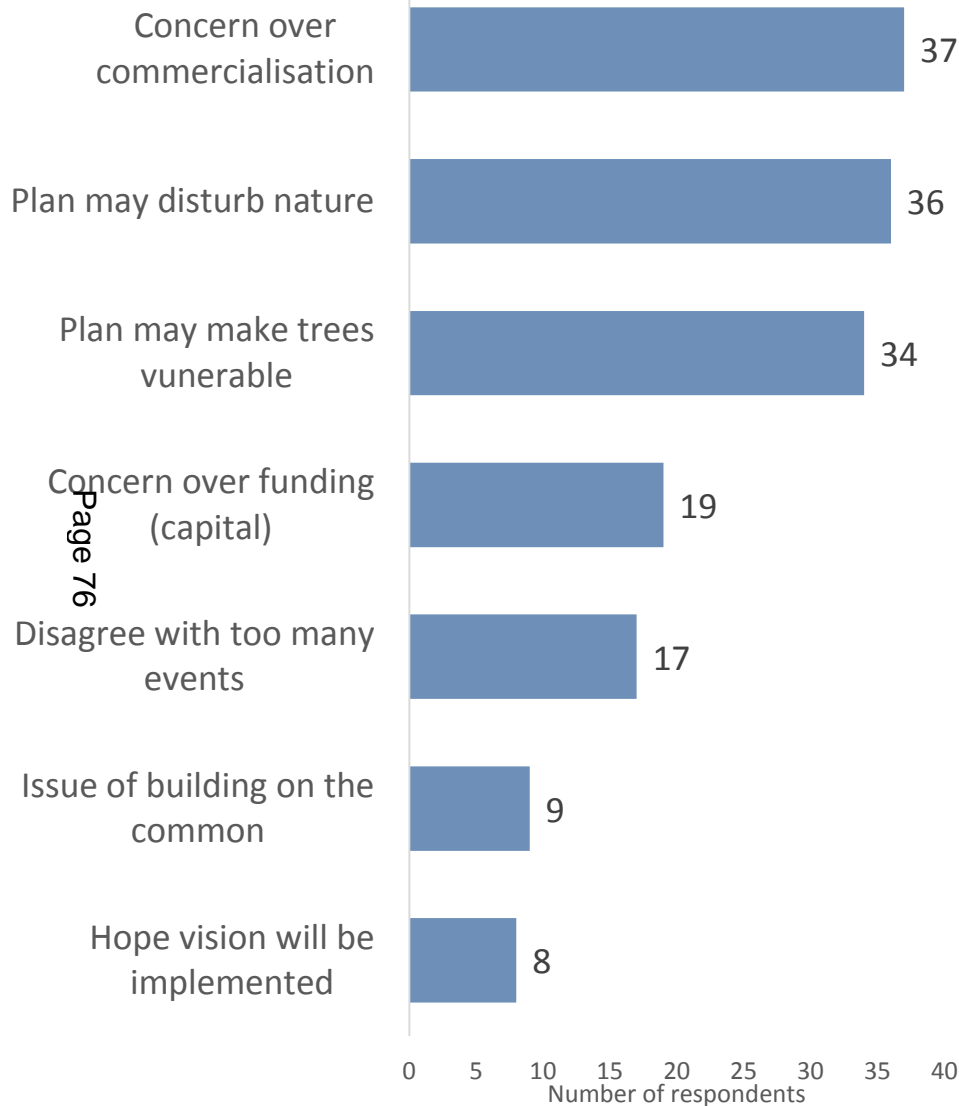
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# Negative Comments

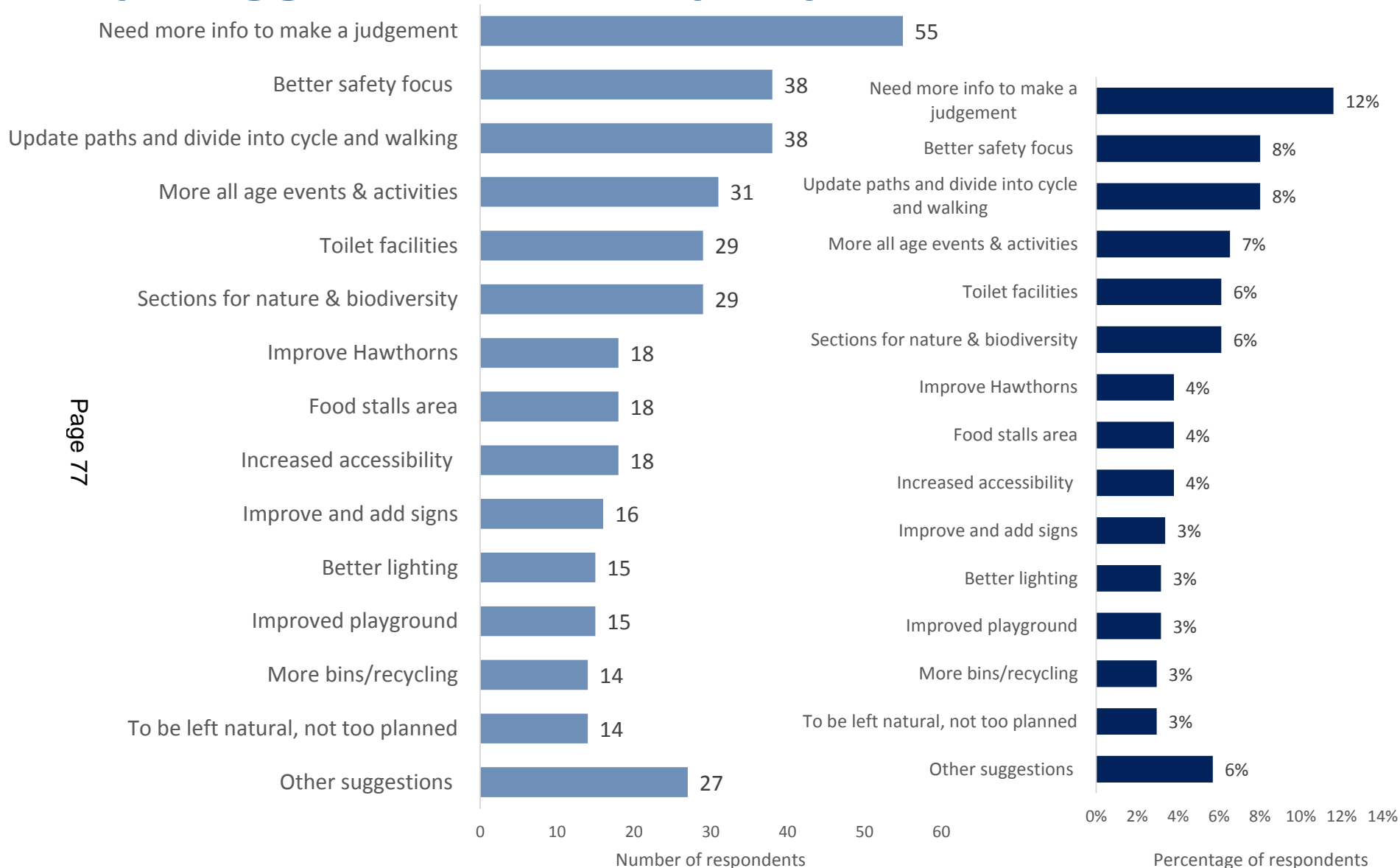


# Impacts of the plan

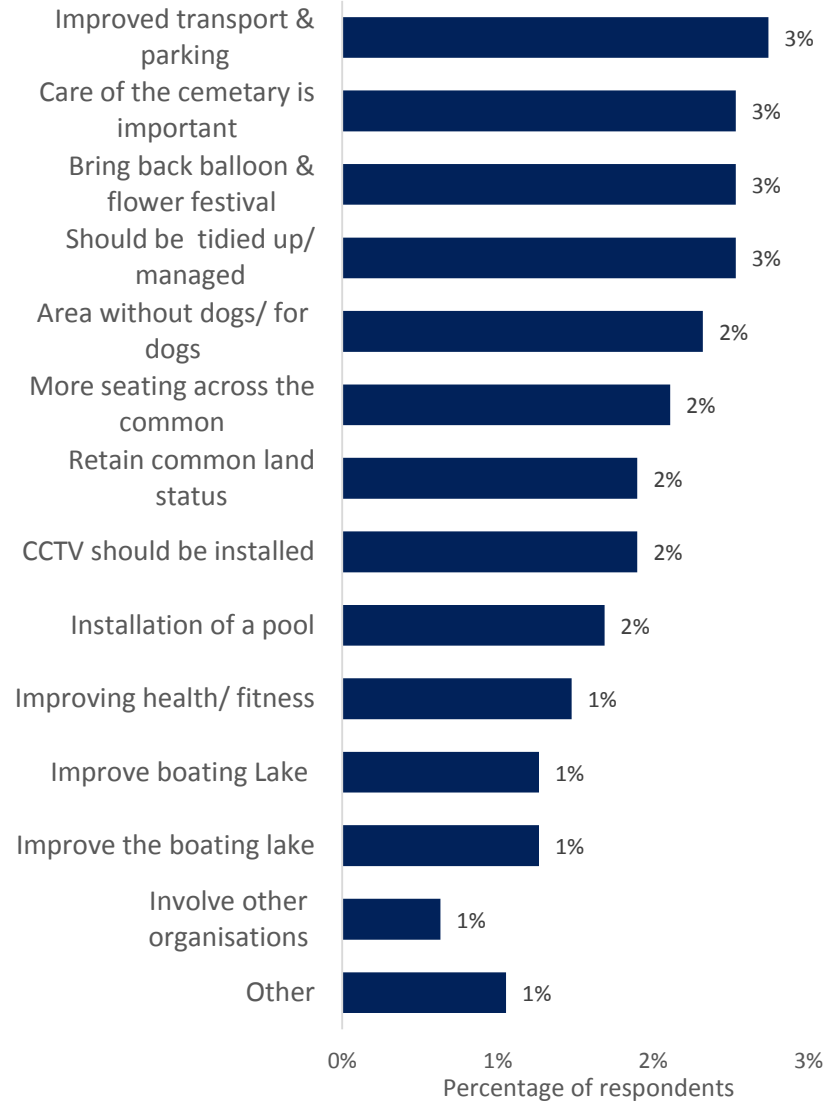
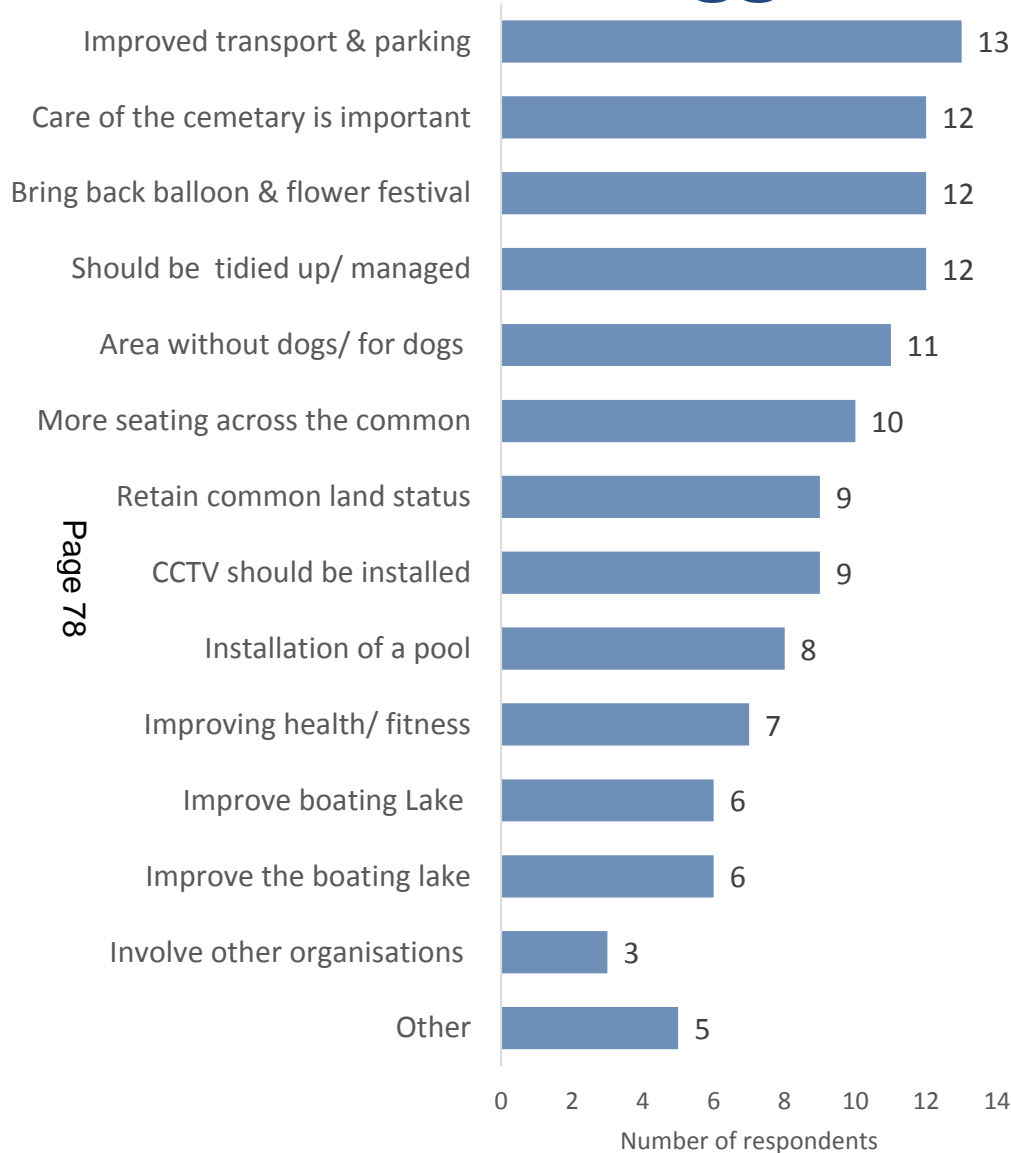


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# Top Suggestions from people's comments



# Other smaller suggestions



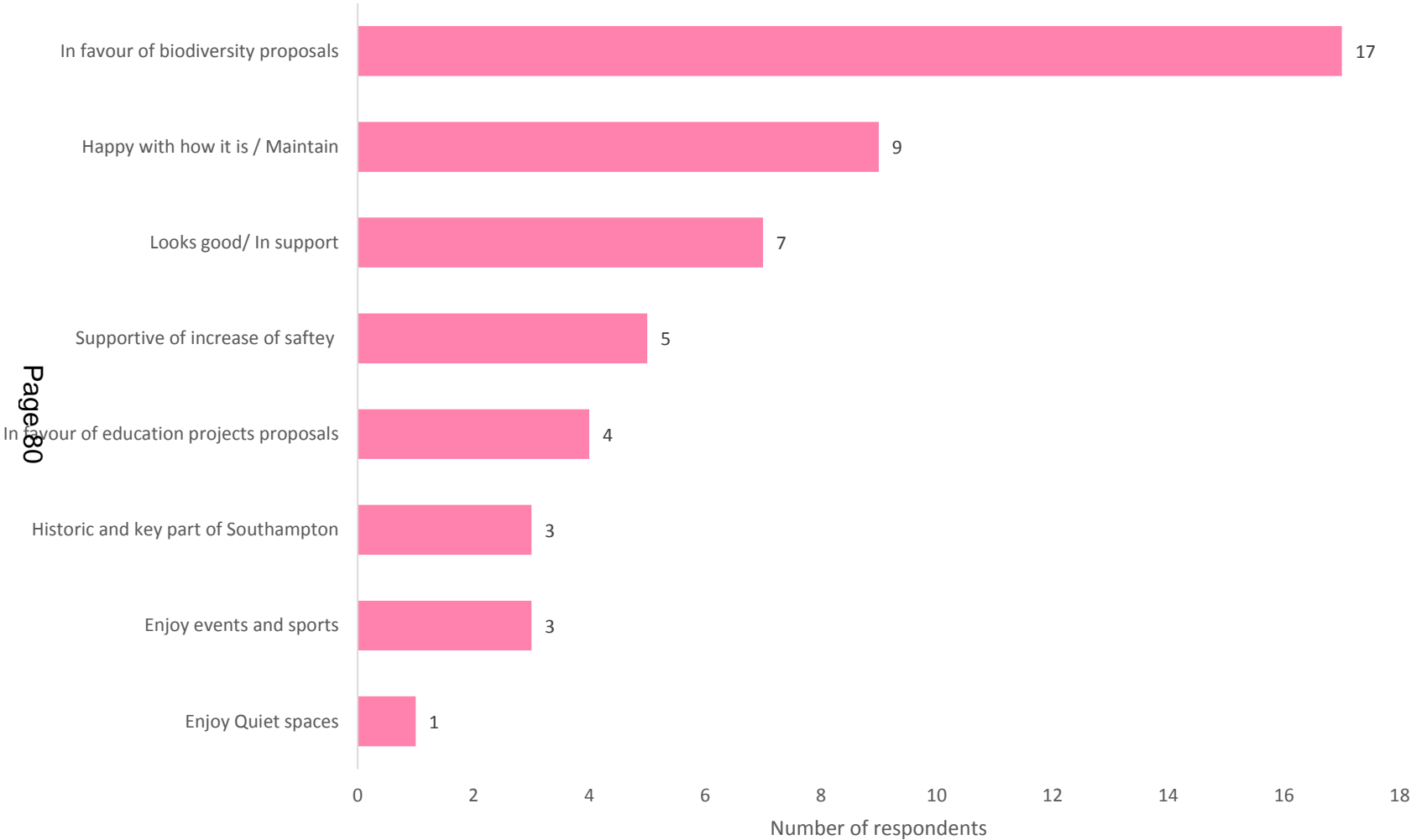
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# Additional analysis

**The following graphs are of comments of the 18% of respondents who either disagreed or strongly disagreed with the proposed outcome to increase the proportion of open and accessible space.**

**A total of 95 of these respondents left a comment.**

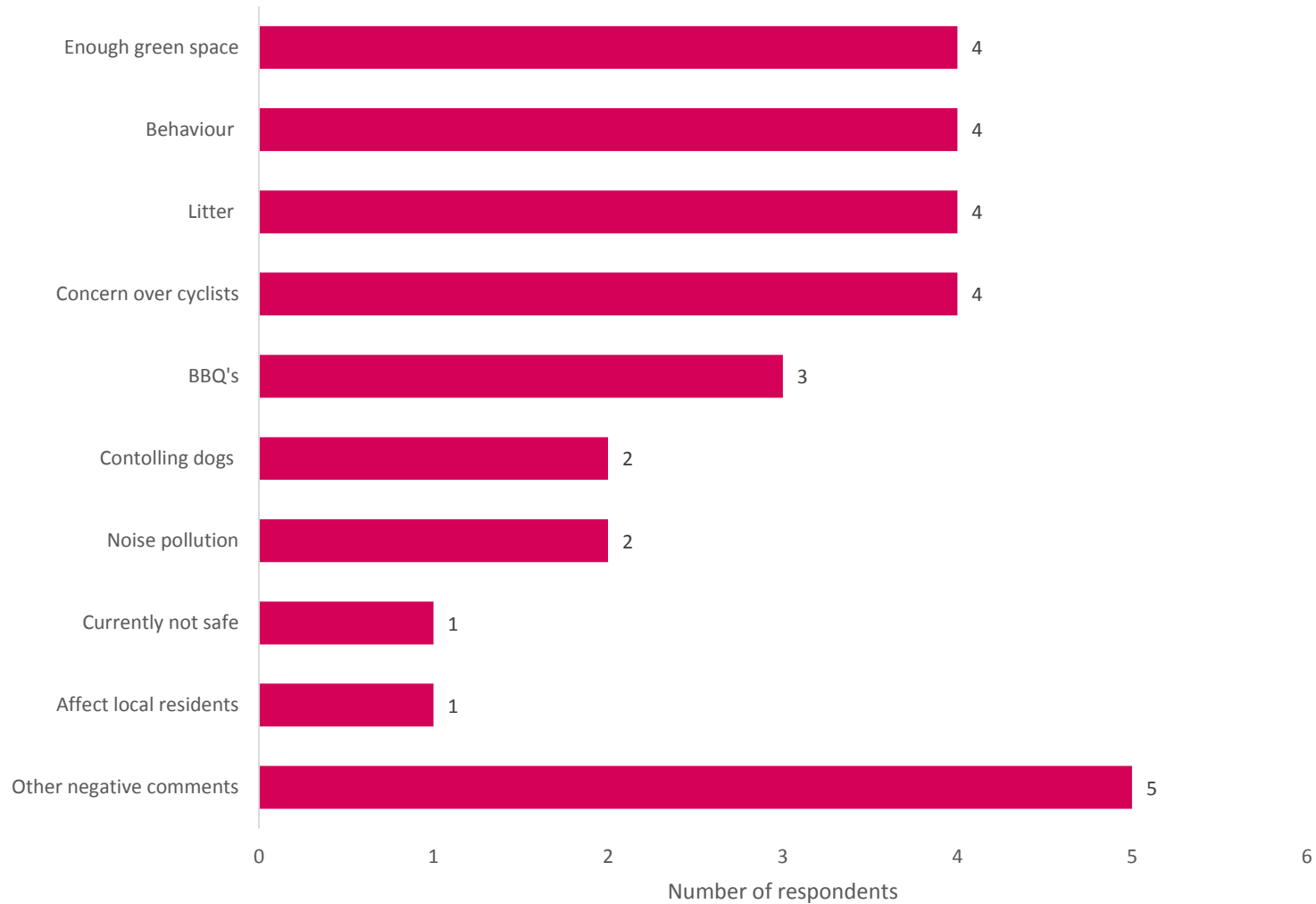
## Positive Comments



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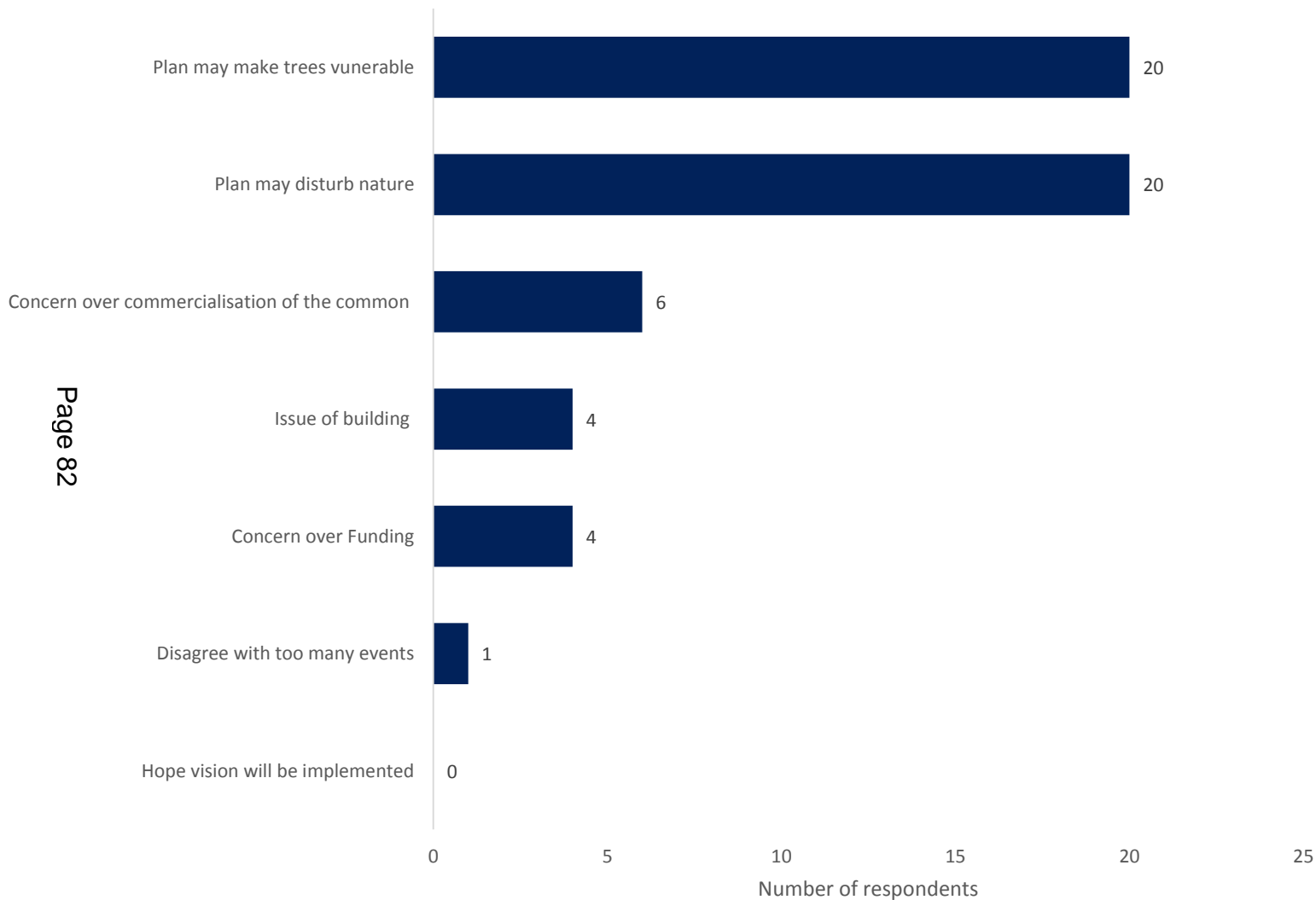
# Negative Comments

## Additional analysis



# Impacts of the plan

## Additional analysis



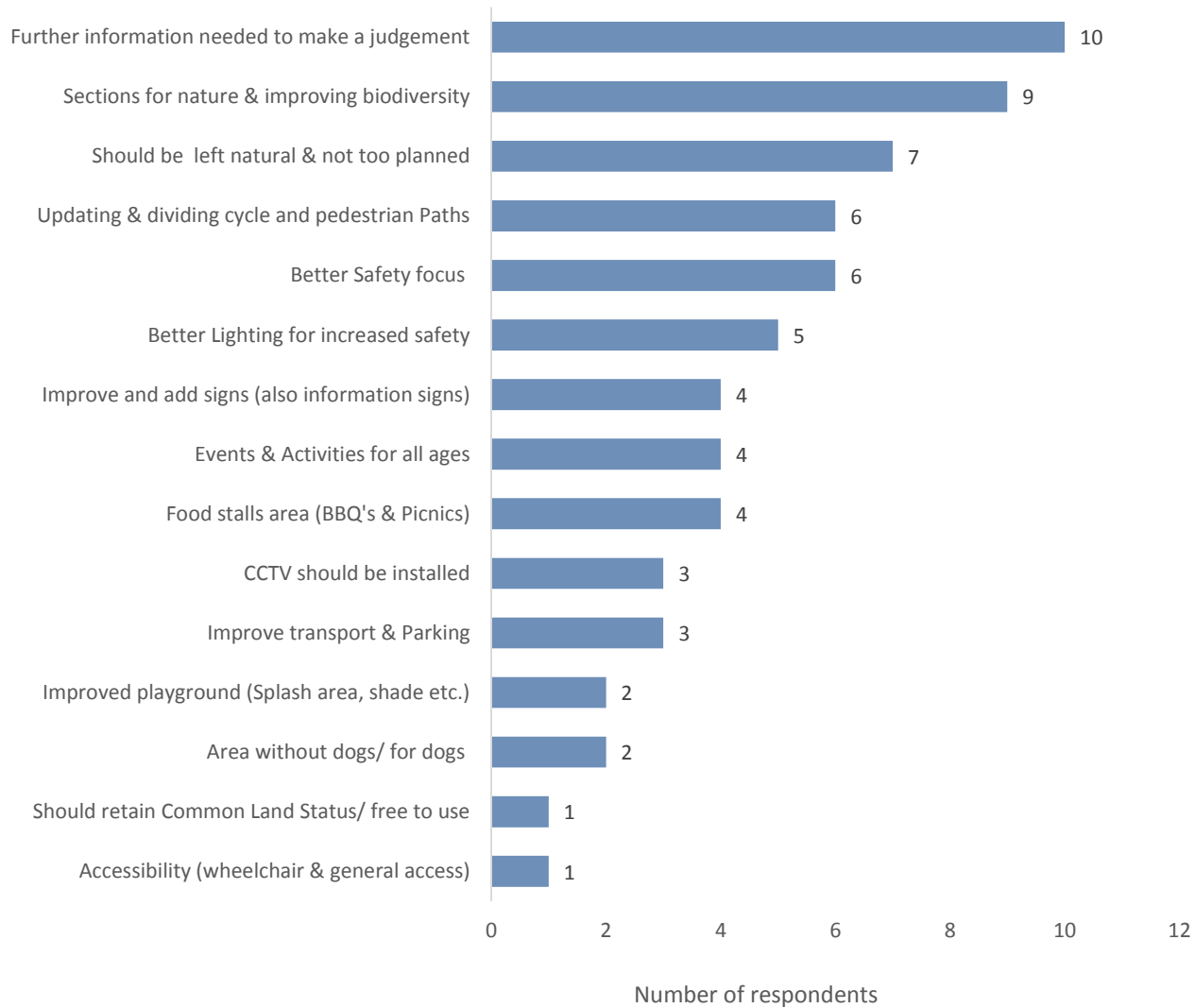
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# Additional analysis

## Top Suggestions from people's comments

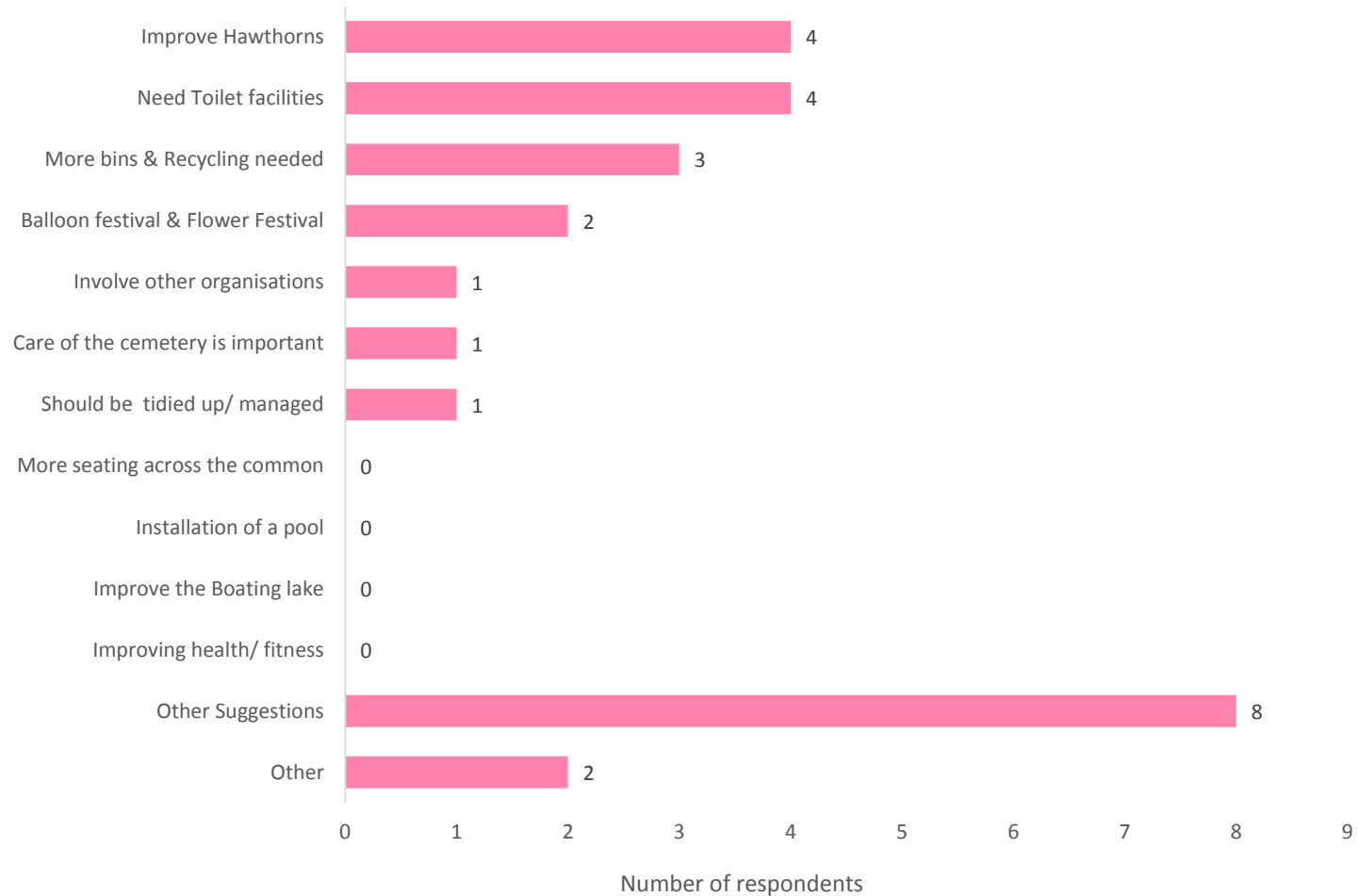
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# Other smaller suggestions

# Additional analysis

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# Southampton Common Plan 2019-30



## OUR VISION: A PEOPLE'S COMMON FOR THE 21ST CENTURY

The Common will be an inspirational example of an attractive, green urban space dedicated to the benefit of Southampton's people of all ages, backgrounds and interests.

A place where residents and visitors come together for recreation and education; enjoy its natural beauty, sustain and appreciate its plants, wildlife and cultural heritage.

Communities, public and private organisations will be united in their care of it for present and future generations.

## WHAT OUTCOMES DO WE WANT TO ACHIEVE?

Outcome	Why is this important?
Increase people's usage and enjoyment of The Common	This will improve the benefits of The Common as a shared amenity space for all the citizens of Southampton and their visitors.
Improve the facilities for recreation and education	This is in keeping with the primary purpose of The Common as recreation for the citizens of Southampton enshrined in the 1865 Southampton Marsh & Markets Act.
Increase the proportion of usable and accessible space	This will expand the space available for recreation, improve visibility and create a wider range of habitats.
Increase biodiversity whilst safeguarding species deemed nationally to be in need of special protection	This will safeguard the flora and fauna of The Common, enhancing the SSSI and protecting its natural character.
Improve paths, access and safety	This will make The Common more accessible for all of Southampton's people.

## KEY FACTS AND FIGURES

**Largest user group of The Common is families with children**

**The Common supports greener travel**

2nd most popular activity after walking for pleasure is commuting on foot or by bike

**At 365 acres**

Southampton Common is larger than Hyde Park

**The Common has existed for over a millennium**

**61%**

of The Common was designated a Site of Special Scientific Interest in 1987 in recognition of its national nature conservation importance

**1,000+**

people run on The Common each Saturday. The second largest parkrun in the UK

**121**

species of birds have been observed on The Common in the last 30 years

Attracts 10,000's of people each year to enjoy a range of events including pop concerts, fairs and races that together generate significant revenue for the City

## WHAT DO OUR RESIDENTS SAY ABOUT THE COMMON?



They appreciate The Common as a natural green space in the heart of the City, which they use for a wide variety of activities important to their physical and mental well-being.

### They want better:

- Children's play facilities
- Provision of public toilets
- Litter and waste management
- Lighting and personal safety
- Quality of the footpaths
- Maintenance and resources
- Condition of the lakes and Hawthorns Urban Wildlife Centre
- Management of biodiversity
- Management of organised events
- Eating and drinking facilities



They want measures to reduce conflicts between pedestrians, cyclists and dog walkers.

## WHAT ARE WE GOING TO DO?

Outcome	Priorities	How will we measure success?
 <p><b>Increase peoples' usage and enjoyment of The Common</b> Delivered by a Community Engagement Plan</p>	<ul style="list-style-type: none"> <li>• Increase the number and diversity of users of The Common compatible with sustaining its natural character.</li> <li>• Increase the variety of activities enjoyed by users, including family and community events.</li> <li>• Ensure visitors enjoy a quality experience.</li> <li>• Increase the awareness of the benefits and amenities of The Common.</li> <li>• Increase the involvement of Southampton citizens in the governance of The Common.</li> <li>• Increase voluntary non-financial contributions by Southampton citizens, community groups, organisations and businesses.</li> </ul>	<ul style="list-style-type: none"> <li>• Periodic surveys of Southampton citizens about their use and experience of The Common.</li> <li>• Periodic visitor surveys.</li> <li>• Estimates of number and home location of users.</li> <li>• Number and nature of voluntary contributions (e.g. total hours) per annum, including the number of volunteer days.</li> </ul>
 <p><b>Improve the facilities for recreation and education</b> Delivered by a Recreation and Education Plan</p>	<ul style="list-style-type: none"> <li>• Improve the play facilities for children and their families.</li> <li>• Establish The Hawthorns as an attractive modern hub for education and information about The Common and the natural environment.</li> <li>• Increase the opportunities across The Common for learning about its historical features and the natural environment.</li> <li>• Improve the facilities for eating and drinking.</li> <li>• Improve the facilities for exercise, well-being and quiet contemplation.</li> <li>• Improve the benefits and reduce the detriments of organised events.</li> </ul>	<ul style="list-style-type: none"> <li>• Periodic surveys of Southampton citizens about their use and experience of The Common.</li> <li>• Periodic assessment of the nature and quality of facilities.</li> <li>• Periodic survey of number of students (of all ages) using The Common for recreation and/or education.</li> </ul>
 <p><b>Increase the proportion of usable and accessible space</b> Delivered by a Landscape and Heritage Plan</p>	<ul style="list-style-type: none"> <li>• Increase the amount of accessible space to expand the proportion available for recreation, and create vistas across and beyond The Common.</li> <li>• Create a greater range of natural spaces including woodland glades and wildflower meadows.</li> <li>• Conserve woodland through protecting high quality trees, managing the understorey and controlling the encroachment of saplings and scrub on open space and paths.</li> <li>• Enhance the landscape contribution of the main bodies of water and the natural streams and ditch system.</li> <li>• Identify and secure the health and longevity of specimen trees and plants that have the potential to make a significant landscape contribution.</li> <li>• Ensure the effective recording and conservation of heritage artefacts, including the medieval boundaries, Victorian features and wartime relics.</li> </ul>	<ul style="list-style-type: none"> <li>• Periodic assessments of trees and plants.</li> <li>• Periodic assessments of heritage and cultural artefacts.</li> <li>• Periodic surveys of Southampton citizens about their use and experience of The Common.</li> <li>• Proportion of The Common that is high quality woodland.</li> <li>• Proportion of The Common that is accessible for recreation.</li> </ul>
 <p><b>Increase biodiversity whilst safeguarding species deemed nationally to be in need of special protection</b> Delivered by a Biodiversity Plan</p>	<ul style="list-style-type: none"> <li>• Enhancing the benefits of The Common's SSSI status for both the flora and fauna and users.</li> <li>• Increase the diversity of habitats and species on The Common.</li> <li>• Work with partners who have an interest and expertise in biodiversity on The Common, e.g., Natural England.</li> <li>• Increase awareness and engagement in the importance of biodiversity to The Common.</li> </ul>	<ul style="list-style-type: none"> <li>• Periodic habitats and species surveys</li> <li>• Natural England SSSI condition assessments</li> </ul>
 <p><b>Improve paths, access and safety</b> Delivered by an Amenity Plan</p>	<ul style="list-style-type: none"> <li>• Improve the safety of users of The Common, especially after dark, through increasing both the natural light and lighting along the main paths.</li> <li>• Make the entrances more welcoming, open and accessible and improve and secure The Common's boundaries against encroachment.</li> <li>• Improve accessibility across The Common for disadvantaged users.</li> <li>• Improve transport links to make it more accessible to people from across the City.</li> <li>• Improve signage and information, including a Code of Conduct for users to improve the amenity of The Common for everyone.</li> <li>• Improve the facilities for green travel and reduce conflicts between pedestrians, cyclists and dog walkers.</li> <li>• Improve waste management on The Common.</li> <li>• Increase the toilet facilities on The Common.</li> </ul>	<ul style="list-style-type: none"> <li>• Periodic surveys of Southampton citizens about their use and experience of The Common.</li> <li>• Estimate of users involved in green travel.</li> <li>• Periodic statements of the nature and quality of facilities.</li> </ul>

### **Future Governance Models for Southampton Common – Options Appraisal**

**Authors - Adam Wheeler (SCF), Roger Brown (SCF) and Nick Yeats (SCC)**

**Date – 15/10/2018**

#### **1. Executive Summary**

1.1. This paper considers how the governance of the Common could be made more effective to improve it for all the City's residents in accordance with the plan. It considers three high level models and concludes that the future of the Common, through the implementation of the plan, could be best served by the establishment of a new charitable foundation to work alongside the City Council, who would retain ownership and responsibility for the management and maintenance of the Common. The Foundation would assist the Council, raise additional funds and resources, promote the benefits of the Common and provide an authoritative and independent view to the Council of the progress in implementing the plan.

#### **2. Introduction**

2.1. Work to date between the Council and Southampton Common Forum (SCF) on the new Southampton Common Plan (The Plan) indicates general agreement that the governance and management of the Common needs to change. The Council has limited resources and these are spread across over fifty parks across the city. There is no dedicated manager assigned to the Common and therefore management has become more generic, following broader service aims rather than following the more specific (but out of date) management plan. By changing the governance of how the management of the Common is delivered, the Council and SCF will be able to secure the future of this important asset in an accountable and transparent manner. There is also a clear advantage in having a locally-based organisation that is focused on improving the Common, as the City's largest and most valuable open space, and how it can serve the city, as its single purpose. This paper sets out for initial discussion, as alternatives to the current delivery method, three high level models for achieving this. It recommends that the Council and SCF should together set up a Southampton Common Charitable Foundation, very much on the lines of models in Bournemouth and Seattle, to raise funds for major improvement projects, organise volunteering and promote the Common both within the City and externally.

2.2. It should be noted that the paper has been informed by the helpful National Trust report 'Future Parks' <http://www.futureparks.org/home-page>, as well as by informal contacts with the National Trust, Newcastle City Council and the Bournemouth Parks Foundation by the SCF.

### 3. The Current Situation

- 3.1. Southampton Common is owned and managed by The Council. This is broadly done under the Hampshire Act 1983 which repealed the previous local acts under which the Common was held. In practice this comes down to responsibilities within two roles in the City Services department. Firstly, the Service Manager – Commercial and Service Development is responsible for policy and developing management/delivery plans, and the Natural Environment Team delivering site habitat management. Secondly, the Operations Manager – Central District is responsible for delivering onsite maintenance. Both these roles are responsible for a much wider remit than just Southampton Common. The Service Manager Role is responsible for a range of city wide and beyond services with a view to ensuring increased income to the Council. The Operations Manager role is responsible for delivering all Parks and Street Cleansing Service between Hill Lane and the River Itchen.
- 3.2. Historically the Council has carried out engagement and consultation on anything that may have a significant impact on Southampton Common. Public consultation was undertaken on the 20 year Management Plan, the building of the Hawthorns and more recently engagement was undertaken for the Southampton Common Plan. In addition to this there used to be residents liaison meetings, safety meetings and Hawthorns/ecology meetings. Much of this stopped, however, following reductions to Local Authority funding.<sup>1</sup>
- 3.3. There is a history of local concern about some aspects of the Council's stewardship and management of the Common. It has become apparent that with the reduction of posts directly responsible for the management of the common there is no longer the resource to enable Council officers, in particular, to liaise and coordinate with the local community in the way it used to. SCF has started to plug this gap but has no formal status other than being recognised by the Council as a constituted "Friends" group. The Council places quite a lot of weight on views and proposals put forward by Friends groups and works closely with them, across the city, to improve their local parks.

### 4. Possible Governance Models

- 4.1. The three possible models are:
- **Model A:** A new advisory and consultative body for the Common succeeding SCF.
  - **Model B:** A new charitable Common Foundation, working in parallel with and complementing the work of the Council.
  - **Model C:** A new independent trust, taking over the Council's responsibilities for the Common and possibly for all of the City's parks, commons and open spaces.

---

<sup>1</sup> NB no consultation was undertaken for the most recent City Services restructure as this is an internal Council process, not subject to public consultation. SCF were informed of it happening and kept up to date with its progress.

## 4.2. Model A – A New Advisory Body

4.2.1. A successor body to SCF is created and given a formal consultative role, building on the work of SCF. The Council and SCF would set up a memorandum of understanding (MoU) to ensure the new body would have the right to be consulted on all major decisions and issues affecting the Common and its views reported to Cabinet. It could make an annual report on the state of the Common. It would need some resourcing. There would be close and continuing liaison with Council officers and others in the management of the Common in between formal meetings. This Model assumes that SCC remains not only the legal owner but also the sole funder and operator of the Common

## 4.3. Model B – A New Charitable Common Foundation

4.3.1. The Council retains ownership and continues to be responsible for the core management and maintenance of the Common but the Council and SCF together establish a new charitable trust/foundation. The Foundation's charitable goals would be the management, maintenance and ongoing improvement of Southampton Common. With charity status, the Foundation would be able to raise funds, organise or promote activities like volunteering, and secure greater community engagement. Liaison with the Council would be formalised over delivery of the charitable goals set by the foundation and these may include, day to day issues, volunteer tasks, maintenance levels. It would also provide an authoritative and independent view to the Council on the progress in implementing the plan. The Bournemouth Parks and Gardens Foundation – itself based on successful experience in Seattle and Portland, USA - offers a possible model. See <https://www.portlandpf.org> and <http://www.bournemouthparksfoundation.org.uk/>. In Bolton a separate voluntary body organises volunteering: the Green Umbrella: <https://www.boltongreenumbrella.org>.

## 4.4. Model C – A New Common Trust

4.4.1. An independent community development trust is established to take over the responsibility for funding and operating the Common (and, possibly, the City's other parks, commons and open spaces). The Council could grant a lease at a peppercorn rent with an initial grant which could include provision for an endowment. The income from the endowment could be used to bridge the gap between revenues and costs until the Trust was financially sustainable. The Trust would take over the associated assets and the staff would be transferred to the employment of the Trust. SCF would help to facilitate the process and the SCF Management Committee (or members of it) could be the shadow Board. This mirrors what is being done in Newcastle where the City Council is working with the National Trust and other partners to set up a trust to run its parks, commons and allotments. The Council has a Community Asset Transfer Policy under which Council assets can be passed to suitable groups to discharge agreed functions on behalf of the local community.

4.5. Whichever model was adopted, certain principles would need to be followed:

- There would be no change to the legal framework within which the Common is operated. For example, the existing restrictions on the holding of formal recreational events would remain.
- The Common would remain in public ownership and would continue to be open and free for public use. There would be no question of any contracting out of the overall operation and management of the Common to a commercial entity although certain functions could be contracted out (as is already the case with the catering at The Hawthorns).
- The Council would continue to be the owner (as trustee for the people of Southampton) and principal funder (in the case of Model C, at least initially), and for democratic accountability there would need to be engagement of local Ward Councillors.
- There would be full involvement of users, local community groups, business and other stakeholders such as the two universities in decision making, both initially and subsequently.
- There would need to be fall-back arrangements in case any model got into difficulties: presumably the leases would revert to the Council in the case of Model C.
- There would need to be full public consultation on any option.



## 5. Appraisal of Options

5.1. The rest of the paper discusses the pros and cons of each model. All three models could be seen as an improvement on the current situation in that they provide a more formal route to consultation, giving SCF more ownership of the decisions made regarding Southampton Common. All the models would also promote more accountability and transparency on the part of both parties.

Whichever model is chosen, it will be essential to establish:

- the existing gap between the costs and revenues associated with the Common and the activities that take place on it;
- the future gap between likely revenues and those needed to deliver the objectives of the new ten-year plan;
- any potential for income generation whilst adhering to the principles set out in the Southampton Common plan.

5.2. All three models would require a continuing close relationship between the new governance body and the City Council

### 5.3. Model A – A New Advisory Body

5.3.1. This is closest to the present position and therefore in principle easiest to implement quickly, either as a permanent arrangement or as a transitional step to B or C. Establishing it initially would not necessarily entail any commitment to move to another model. There would be greater community and user engagement than now. The main disadvantage is that the revenue and maintenance costs for the Common would, most likely, remain wholly with the Council. SCF would have the ability, as with all Friends groups, to bid for grant funding from such organisations as the land fill companies and the Heritage Lottery Fund, however, these are predominantly for capital projects and do not provide revenue/maintenance funding at a time when the resources devoted to the Common are already sub-optimal; when those resources may to shrink further and when there are many other claims on Council funds, bearing in mind the fact that maintaining the Common and other parks is not a statutory function.

### 5.4. Model B – A New Charitable Common Foundation

5.4.1. Through its charitable goals:

- the foundation would provide opportunities for greater resourcing through donations from private business and individuals, as well as greater scope and incentives for community involvement.
- It would have charitable status: experience in Bournemouth and elsewhere suggests that people and organisations are readier to donate to such a body than to a public authority.
- It would also provide an authoritative and independent view to the Council in the progress in implementing the plan.

5.4.2. Accountability would be less clear-cut than in the case of the other two models (in A, the entire responsibility for the Common continues to rest with the City Council, in C it would lie with the Trust, in B it is effectively divided between the Council and the Foundation). However this could be overcome through the production of a MoU with SCF as well as through Trusteeships.

## Model C – A New Common Trust

5.4.3. A community development trust would enable the Common to access the widest range of funding sources. Accountability would be clearest. There would be a higher level of community and user engagement and control. It might be easier to involve key external stakeholders. But it would take longer to establish and there would need to be a credible business plan showing how revenues balanced costs (including debt servicing) over an appropriate period (possibly, 10 years). There might be some loss of democratic accountability although the Council could be a member of the company operating the Trust and Councillors could be Directors or Trustees. There would be an option to expand this model to encompass the entire parks and opens spaces element of City Services. It is likely that there would be a requirement to ensure that any initial revenue grant to the Trust would be sufficient to meet the Trust's costs in operating the Common. Currently the Common is managed and maintained by Officers and teams undertaking work across the city which means that economies of scale help us to keep costs down. If the Common were to be released as a single entity it is unlikely that the revenue funding that would go with it would cover its management and maintenance costs.

## 6. Conclusion and Recommendations

- 6.1. All three models would increase the engagement, accountability and transparency of the management of the Common. This would lead to greater amounts of energy, creativity and flair that can be brought to the management and improvement of the Common. All the models would enable greater local knowledge and networks to be explored and fed into the process of managing the Common. All would create a greater sense of community ownership, and all would create more opportunities for public engagement, volunteering and community participation.
- 6.2. In choosing between these models, or any others, two considerations would appear to be of overriding importance:
  - a) Having arrangements for governing, funding and managing the Common that will secure the major improvements in the new plan and the ambitious vision underlying it;
  - b) Retaining democratic accountability for the Common as a means of linking the achievement of the plan to the Council's main strategic objectives for the City (e.g, health and well-being, clean air, green infrastructure etc).
- 6.3. Consideration (a) above would appear to rule out Model A, whilst (b) would appear to rule out Model C.
- 6.4. It is therefore recommended that the Model B approach is adopted with Model A being put in place as an interim. This could be delivered through a joint committee or working group, chaired by the relevant Cabinet member or Service Director, to take matters forward and oversee the establishment of the new body.

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