

# Public Document Pack

## Cabinet

Tuesday, 16th April, 2024  
at 4.30 pm

**PLEASE NOTE TIME OF MEETING**

**Council Chamber, Civic Centre**

### Members

Leader – Councillor Fielker

Deputy Leader and Cabinet Member for Finance and  
Change – Councillor Letts

Cabinet Member for Economic Development – Councillor  
Bogle

Cabinet Member for Environment and Transport -  
Councillor Keogh

Cabinet Member for Children and Learning – Councillor  
Winning

Cabinet Member for Communities and Leisure–  
Councillor Kataria

Cabinet Member for Safer City – Councillor Renyard

Cabinet Member for Housing – Councillor A Frampton

Cabinet Member for Adults and Health – Councillor Finn

(QUORUM – 3)

### Contacts

Cabinet Administrator

Judy Cordell

Tel. 023 8083 2766

Email: [judy.cordell@southampton.gov.uk](mailto:judy.cordell@southampton.gov.uk)

Director of Legal and Governance

Richard Ivory

Tel: 023 8083 2794

Email: [richard.ivory@southampton.gov.uk](mailto:richard.ivory@southampton.gov.uk)

## **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 or other IT 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.

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

<b>2023</b>	<b>2024</b>
13 June	16 January
18 July	6 February
15 August	20 Feb (budget)
19 September	19 March
17 October	16 April
14 November	
19 December	

### **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.

Southampton: Corporate Plan 2022-2030 sets out the four key outcomes:

- Communities, culture & homes - Celebrating the diversity of cultures within Southampton; enhancing our cultural and historical offer and using these to help transform our communities.
- Green City - Providing a sustainable, clean, healthy and safe environment for everyone. Nurturing green spaces and embracing our waterfront.
- Place shaping - Delivering a city for future generations. Using data, insight and vision to meet the current and future needs of the city.
- Wellbeing - Start well, live well, age well, die well; working with other partners and other services to make sure that customers get the right help at the right time

## **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.

### **BUSINESS TO BE DISCUSSED**

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

### **QUORUM**

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

## **Other Interests**

A Member must regard himself or herself as having 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.

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 19<sup>th</sup> March 2024, 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 **BUDGET MATTERS - GRANT APPLICATIONS** □ (Pages 5 - 8)

To consider the report of the Cabinet Member for Finance and Change detailing any financial decisions required of a capital or revenue nature.

### 9 **PASSENGER TRANSPORT DYNAMIC PURCHASING SYSTEM** (Pages 9 - 20)

To consider the report of the Cabinet Member for Children and Learning in relation to the procurement of a new Passenger Transport Dynamic Purchasing System.

**10 HOUSEHOLD SUPPORT FUND □**

(Pages 21 - 30)

To consider the report of Cabinet Member for Communities and Leisure seeking approval to accept and authorise expenditure in relation to the next phase of Household Support Fund funding for 1 April 2024 to 30 September 2024 inclusive.

**NOTE:** This report is submitted for consideration as a general exception under paragraph 15 of the Access to Information procedure Rules in Part 4 of the Council's Constitution, notice having been given to the Chair of Overview and Scrutiny Management Committee and the public.

The matter requires a decision under this regulation due to its urgency (that it is impracticable to defer the decision until 28 clear days' notice has been given on the Forward Plan). This is due to the timescales given between the Government announcement of funding being made available on 6 March 2024 and the period within which the scheme must be delivered (1 April 2024 – 30 September 2024).

**11 WASTE DISPOSAL CONTRACT 2030+ □**

(Pages 31 - 48)

To consider the report of the Cabinet Member for Environment and Transport seeking approval for the proposed programme of work required to complete an options appraisal to determine the optimal approach for delivering our statutory duties for waste disposal beyond the expiry of the current shared arrangements with Hampshire County Council and Portsmouth City Council post December 2030.

**12 ANPR CAMERA ENFORCEMENT CONTRACT □**

(Pages 49 - 56)

To consider the report of the Cabinet Member for Environment and Transport seeking approval for an ANPR Camera Enforcement Contract.

**13 EXTRA CARE REPROCUREMENT □**

(Pages 57 - 68)

To consider the report of the Cabinet Member for Adults and Health, seeking financial approval for Extra Care Reprourement.

**14 SCHOOL TRAVEL SERVICE AND POST TRAVEL SERVICE POLICY 2024-2025 □**

(Pages 69 - 148)

To consider the report of the Cabinet Member for Children and Learning seeking approval for the new School Travel Service and Post-16 Travel Service Policy.

**15 EXCLUSION OF THE PRESS AND PUBLIC - EXEMPT PAPERS INCLUDED IN THE FOLLOWING ITEM**

To move that in accordance with the Council's Constitution, specifically the Access to Information Procedure Rules contained within the Constitution, the press and public be excluded from the meeting in respect of any consideration of the exempt appendix 1 to the following item.

Appendix 1 of this report contains information deemed to be exempt from general publication based on Category 3 of Paragraph 10.4 of the Council's Access to Information Procedure Rules. This includes details of commercial terms which have not yet been agreed between parties and which if disclosed, could put the Council or other parties at a commercial disadvantage.

**16 TOYS R US DEVELOPMENT AGREEMENT □**  
(Pages 149 - 160)

To consider the report of the Cabinet Member for Economic Development seeking approval for changes to the commercial terms of the Toys R Us Development Agreement.

Monday, 8 April 2024

Director of Legal and Governance

This page is intentionally left blank

SOUTHAMPTON CITY COUNCIL  
EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 19 MARCH 2024

Present:

Councillor Letts	- Deputy Leader and Cabinet Member for Finance and Change
Councillor Bogle	- Cabinet Member for Economic Development
Councillor Kataria	- Cabinet Member for Communities and Leisure
Councillor Keogh	- Cabinet Member for Environment and Transport
Councillor Finn	- Cabinet Member for Adults and Health
Councillor Renyard	- Cabinet Member for Safer City
Councillor Winning	- Cabinet Member for Children and Learning

Apologies: Councillor Fielker and A Frampton

50. CORPORATE PLAN 2024

DECISION MADE: (CAB 23/24 44844)

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

- (i) To recommend to Council the adoption of the Corporate Plan (2024 update), appended to the report.
- (ii) To recommend to Council to delegate authority to the Chief Executive to make minor amendments to the corporate plan after consultation with the Leader of the Council.

51. FINANCIAL POSITION UPDATE

DECISION MADE: (CAB 23/24 44981)

On consideration of the report of the Cabinet Member for Finance and Change, Cabinet noted the latest forecast financial position as set out in Appendix 1 of the report.

52. SOLENT LOCAL ENTERPRISE PARTNERSHIP INTEGRATION INTO THE SOLENT UNITARY AUTHORITIES

- (i) To delegate authority to the Chief Executive, following consultation with the Leader and Executive Director for Corporate Services (and S151 officer), to agree the final details of the transfer of LEP functions to the UTLAs, including future governance arrangements.
- (ii) To approve in principle the proposed draft governance structures attached as Appendix One that demonstrate how SCC plans to work with our sub-

- regional partners to achieve our economic growth ambitions which will need to be outlined in an updated Solent 2050 Strategy.
- (iii) Subject to the agreement of PCC and IOWC, to agree that PCC is confirmed as the Accountable Body for the new a new joint UTLA Board, with the Leader of SCC acting as the first board chair.
  - (iv) SCC agrees that the existing LEP funding, should be disaggregated to the three Solent UTLAs and be pooled (subject to the agreement of Isle of Wight Council and Portsmouth City Council), for the benefit of economic growth of the sub-region, defined as the combined geographies of the three Solent UTLAs.
  - (v) Agree that, subject to the three Solent UTLA area being recognised by the Government as an area for LEP Integration, with appropriate legal due diligence, to delegate authority to the Chief Executive, following consultation with the Leader to determine whether SCC will become a Member of Solent Partners (SP). This agreement to be conditional on all three UTLAs agreeing to become Members of Solent Partners in conjunction.
  - (vi) To agree that SCC should not appoint a Director to the Board of Solent Partners to ensure that there is no conflict of interest with the wider governance needed for the new LEP integration arrangements. The three UTLAs will seek appropriate requirements, within the articles of Solent Partners, to ensure representatives of the three Solent ULTAs are entitled to observe board meetings.
  - (vii) To delegate authority to the Chief Executive, following consultation with the Leader to work with all sub-regional partners to develop an agreement on how to deliver economic growth for the functional economic area and take ownership of the Solent 2050 strategy.
  - (viii) To support the creation of a Solent Economic Partnership, inviting adjacent Districts and Boroughs, Hampshire County Council (HCC), and other key public sector stakeholders to participate, to enable Local Authorities leaders and the private sector to have an opportunity to discuss and support economic growth in the Solent sub-region.
  - (ix) To approve the proportional disaggregation of existing assets held by the SLEP to the Accountable Body (PCC) on behalf of the Upper Tier Local Authorities, including HCC (subject to the agreement of the three Solent unitary UTLAs).

### 53. ASSET DEVELOPMENT AND DISPOSAL PROGRAMME (ADDP)

DECISION MADE: (CAB 23/24 44995)

On consideration of the report of the Cabinet Member for Economic Development, having also received representation from Sue Atkins, Trade Unionist and Socialist Coalition, Cabinet approved the following:

- (i) To consider the principles of Aecom's report (Appendix 1) when determining recommendations ii to iv below on the retention, development and disposal of council-owned assets across the council's corporate and operational portfolio.
- (ii) To approve the Asset Development and Disposal Programme and progression of the corporate and operational properties recommended for disposal/ development as detailed in Appendix 2 of this report).

- (iii) To approve the Asset Development and Disposal Programme and progression of investment properties for disposal and regeneration (as outlined in Appendix 3 of this report).
- (iv) To delegate authority to the Executive Director Growth and Prosperity, following consultation with the Cabinet Member for Economic Development, the Cabinet Member for Finance and Change, the Executive Director Corporate Services, and the Director of Legal and Governance, to progress and implement asset disposal and asset development and regeneration opportunities within the scope of the ADD Programme (as outlined in Appendix 2 and Table 1 & 2 of Appendix 3).

This page is intentionally left blank



# Agenda Item 8

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	BUDGET MATTERS – GRANT APPLICATIONS
<b>DATE OF DECISION:</b>	16 April 2024
<b>REPORT OF:</b>	<b>COUNCILLOR LETTS</b> <b>CABINET MEMBER FOR FINANCE AND CHANGE</b>

<b><u>CONTACT DETAILS</u></b>			
<b>Executive Director</b>	<b>Title</b>	Executive Director Corporate Services & s151 Officer	
	<b>Name:</b>	Mel Creighton	Tel: 023 8083 3528
	<b>E-mail</b>	<a href="mailto:Mel.creighton@southampton.gov.uk">Mel.creighton@southampton.gov.uk</a>	
<b>Author:</b>	<b>Title</b>	Capital & Treasury Manager	
	<b>Name:</b>	Maddy Modha	Tel: 023 8083 3574
	<b>E-mail</b>	Maddy.modha@southampton.gov.uk	

<b>STATEMENT OF CONFIDENTIALITY</b>	
NOT APPLICABLE	
<b>BRIEF SUMMARY</b>	
The purpose of this report is to update on two successful capital grant applications from the Department for Transport (DFT), to support electric vehicle infrastructure and traffic signals. This additional funding will be added to the capital programme to deliver over the next two years.	
<b>RECOMMENDATIONS:</b>	
(i)	To accept and apply the grant funding from DFT, for Local Electric Vehicle Infrastructure (LEVI) grant of £1.63M and Traffic Signal Obsolescence Grant (TSOG) of £0.58M.
(ii)	To approve addition and spend of £2.21M which has been added to the Growth and Prosperity capital programme.
<b>REASONS FOR REPORT RECOMMENDATIONS</b>	
1.	In accordance with the financial procedure rules (FPRs), all grant funding amounts between £0.50M and £2.00M must be approved by Cabinet.
2.	In accordance with the FPRs, all capital additions between £0.50M and £5.00M must be approved by Cabinet.
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
3.	Not to accept the grant funding. This would result in a significant shortfall in electric vehicle infrastructure across the city, as there is currently insufficient capacity within existing budgets to deliver this infrastructure.
<b>DETAIL (Including consultation carried out)</b>	
4.	The Department for Transport (DFT) has recently awarded 2 additional grants to the Council, which require formal acceptance and additions to the Growth & Prosperity capital programme. They are the Local Electric Vehicle

	Infrastructure (LEVI) grant of £1.63M and the Traffic Signal Obsolescence Grant (TSOG) of £0.58M.
5.	<p><u>Local Electric Vehicle Infrastructure (LEVI)</u></p> <p>In 2023, the DFT and Office for Zero Emission Vehicles (OZEV) introduced its Local Electric Vehicle Infrastructure (LEVI) scheme. The aim of LEVI is to provide support to local authorities to deliver a step-change in the deployment of additional local 3kw- 22kw public EV charging infrastructure, with the primary focus being on-street charging solutions.</p> <p>On the 15<sup>th</sup> of March 2024, SCC received notification from DfT that full grant application of £1.63M has been successful. One of the requirements of LEVI is we enter a partnership with a Charge Point Operator (CPO) in a concession arrangement; it is expected that the CPO will additionally invest in SCC's new on-street charging network. Ninety percent of this funding is provided initially, with the final 10% being supplied once a contract with the CPO has been approved and signed.</p> <p>The recently concluded EV Strategy consultation will assist in informing where the LEVI funding should be invested with the programme to be delivered over the 2024/25 and 2025/26 financial years.</p> <p>Therefore, approval is sought for the addition and spend of £0.80M in 2024/25 and £0.83M in 2025/26, to the Growth &amp; Prosperity capital programme.</p>
6.	<p><u>Traffic Signal Obsolescence Grant (TSOG)</u></p> <p>In October 2023, the Department for Transport announced funding for traffic management systems maintenance and upgrading by local authorities. This included the £30M fund for Traffic Signal Obsolescence Grant (TSOG), to upgrade traffic signal systems replacing unreliable and obsolete equipment to improve reliability. £10M of TSGO will be distributed automatically to all English LTAs using the Integrated Transport Block formula and SCC will receive £0.08M. The remaining £20M of TSOG was to be awarded via a competitive process with award of funding up of £0.50M. SCC applied to the TSOG and in March 2024 it was announced that SCC had been successful in its application for the full £0.50M amount.</p> <p>The TSOG funding is proposed to be spent on upgrading our oldest traffic signal assets (controllers, traffic signal bulbs and heads, detection etc) where the parts and technology is no longer supported with the latest technology and parts. Junctions that could be upgraded include Civic Centre Place (Havelock Road/Western Esplanade/Portland Terrace) or other locations where signals are older, but the programme will be developed further with the Council's strategic highways partner. The programme is proposed to be delivered over 2024/25 financial year and any additional costs would need to be met from the Council's Local Transport Plan ITB annual allocation of £2.14M.</p> <p>Therefore, approval is sought for the addition and spend of £0.38M in 2024/25 and £0.20M in 2025/26, to the Growth &amp; Prosperity capital programme.</p>
<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
7.	As detailed above, the capital addition will be fully funded by external grant. Should any addition costs arise to support the upgrade of obsolete traffic signals, external grants already within the budget will be used.

8.	This report does not have any immediate impact on the revenue budget. It is anticipated that any electric charging points would be self-financing.
<b><u>Property/Other</u></b>	
9.	None other than the that detailed in the report.
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
10.	Budget reports are consistent with the Section 151 Officer's role to align budget with the aims of the Council and the duty to ensure good financial administration.
<b><u>Other Legal Implications:</u></b>	
11.	The proposals within this report have been put forward having regard to the council's duties under the Equalities Act 2010 and the Human Rights Act 1998, together with other pervasive legislation. Where required, individual projects, proposals and programmes will be subject to completion of EISAs as part of the governance and decision making foundations.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
12.	There is a risk that the cost of the projects could be greater than the funding. This risk is mitigated by having a scope that can be flexed to stay within budget, therefore reducing any possible resource burden on the council.
13.	The main risk to the LEVI funding will be securing a CPO, which the funding is dependent on. Given the focus globally on carbon reduction and a mode shift to electric vehicles there is confidence that there will be a competitive market to secure a reliable, successful CPO.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
14.	The proposals contained in the report are in accordance with the council's Policy Framework Plan.

<b>KEY DECISION?</b>	<b>Yes</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	All
<b><u>SUPPORTING DOCUMENTATION</u></b>	
<b>Appendices</b>	
1.	None
2.	
<b>Documents In Members' Rooms</b>	
1.	None
2.	
<b>Equality Impact Assessment</b>	
<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>	<b>No</b>

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

# Agenda Item 9

<b>DECISION-MAKER</b>	Cabinet
<b>SUBJECT</b>	Procurement of a Passenger Transport Dynamic Purchasing System
<b>DATE OF DECISION</b>	16th April 2024
<b>REPORT OF</b>	<b>COUNCILLOR WINNING CABINET MEMBER FOR CHILDREN AND LEARNING</b>

<b><u>CONTACT DETAILS</u></b>			
<b>Executive Director</b>	<b>Title</b>	Executive Director – Wellbeing (Children & Learning)	
	<b>Name</b>	Rob Henderson	Tel: 023 8254 4899
	<b>E-mail</b>	Rob.Henderson@southampton.gov.uk	
<b>Author</b>	<b>Title</b>	<b>Service Manager – Service Delivery, Performance and Compliance</b>	
	<b>Name</b>	Annamarie Hooper	Tel: 023 8083 2181
	<b>E-mail</b>	Annamarie.hooper@southampton.gov.uk	

<b>STATEMENT OF CONFIDENTIALITY</b>	
NOT APPLICABLE	
<b>BRIEF SUMMARY</b>	
<p>This report seeks approval to procure and enter into agreement with suitably qualified transport operators through the establishment of a Passenger Transport Dynamic Purchasing System (“DPS”) to cover transport requirements within the Directorates of Growth and Prosperity, Wellbeing (Childrens &amp; Learning) and Community Wellbeing. This will replace the Council’s existing Home to School DPS with the aim of allowing the Council to maximise potential budget savings against the hire of passenger transport vehicles via more streamlined and competitive procurement processes. A Dynamic Purchasing System is a fully electronic procurement tool which establishes an arrangement with suitably qualified suppliers to provide goods/services/works via competitive tendering to a restricted pre-qualified market. A DPS is always open for suppliers to apply to join to maximise our market engagement.</p>	
<b>RECOMMENDATIONS:</b>	
(i)	To approve the procurement of a Passenger Transport Dynamic Purchasing System (DPS) for a ten-year period through which the Council can seek competitive quotations for any passenger related transport.
(ii)	To delegate authority to the Executive Director – Growth and Prosperity following consultation with Executive Director Corporate Services (S151) to enter into all call off contracts through the DPS.
<b>REASONS FOR REPORT RECOMMENDATIONS</b>	
1.	The existing Home to School DPS is restricted to only delivering Home to School service provision and does not address the wider transport needs of the Council. A new DPS will enable wider transport requirements to make use

	of the DPS for travel arrangements if other services wish to join the DPS in the future through the specification of additional lots that are not specific to home to school travel.
2.	The replacement DPS will include a more competitive tender process to maximise competition within the market, which should support a reduction in the cost of transport through more visible competition, via reverse e-auctioning, to offset the cost impact of rising demand.
3.	New contracting arrangements will be based on a robust contract management framework and more comprehensive supplier performance monitoring to support the ongoing service improvement. It will enable more robust performance management of transport operators against service requirements to ensure that issues can be addressed, plans put in place to manage poor performance and contracts can be served notice for poor performance. This is not incorporated into the current DPS and associated arrangements.
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
4.	<p>Continue with existing DPS. Current contractual terms would require significant review and variation to accommodate proposed changes to maximise benefit. The opportunities in this regard are restricted by the current agreement only covering Home to School Transport and not addressing the wider transport requirement.</p> <p>Third party arrangements were considered, however, were limited by opportunity and flexibility. This included engagement with Hampshire County Council to request access to their transport DPS established in 2023, however this was not viable as the agreement only covers Hampshire's own requirements and would not provide available capacity to meet the Council's needs.</p>
<b>DETAIL (Including consultation carried out)</b>	
5.	The commissioning of a new DPS is part of a wider 2-year transformation programme for the School Travel Service to mitigate against rising demand and costs for home to school travel, create service efficiencies and deliver service improvement.
6.	The DPS is required for the Council's statutory duty to provide school travel support and will provide the option for other services to use it (unlike the existing DPS). Other service areas will be able to specify their requirement if they wish to create 'lots' in the future to add to the DPS to support with travel arrangements and cost management as well as taking advantage of the enhanced terms and conditions offered by a new DPS.
7.	Market engagement events were carried out with transport operators on 1 <sup>st</sup> June 2023, 8 <sup>th</sup> June 2023 and 12 <sup>th</sup> December 2023 where a review of the council's existing approach was discussed and feedback from transport operators was received. Existing contracted transport operators highlighted to officers that the existing terms were very inflexible and that a review about how to improve service provision would be welcome.
8.	Through the School Travel Service Transformation Programme there has been engagement with relevant stakeholders such as the Parent Carer Forum about the impact, risk and projected benefits that a new DPS may bring. In

	particular, the ability to incorporate quality and enhanced performance monitoring would support a better service provision.
9.	Consultation has been undertaken with associated Council staff (including legal, procurement and senior managers) as well as the Cabinet Portfolio holder for Children & Learning and Environment & Transport. A new DPS would enable the addition of 'lots' tailored to service requirements, e.g. for Children Looked After, a shorter council notice period to terminate contracts would ensure use of the DPS is favourable and enable contracts to be covered by standard terms and conditions.
10.	It is recommended that the new DPS be put in place for a period of ten years to maximise the benefits of the new contracting arrangements and provide stability to users and the transport operators.
11.	The anticipated value of contracts to be awarded under the DPS is circa £100M over the ten-year duration.
<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
12.	A new DPS is a mechanism to enable transport operators to sign up to a set of terms and conditions that enables them to bid on transport provision tenders and be awarded transport contracts; it does not give authorisation to spend. Each contract awarded using the Dynamic Purchasing System will need to be approved in line with the Council's Constitution and delegations.
13.	All transport provision will need to be funded by existing revenue budgets. For the School Travel Service, budgets for school travel provided by taxis and minibuses have been profiled (including budget pressure from 2025/26 onwards) based on the predicted service growth, in conjunction with the Finance Business Partner.
14.	Procurement and contract management resource to support the procurement of the new DPS and ongoing associated contract management activities shall be met from existing resource within the Supplier Management Service.
<b><u>Property/Other</u></b>	
15.	N/A
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report</u></b>	
16.	The Councils power to procure services to deliver its primary statutory functions is provided by s.1 Localism Act 2011 (power of general competence) and s.111 Local Government Act 1972 (matter ancillary to the delivery of core functions).
<b><u>Other Legal Implications</u></b>	
17.	S.149 Equalities Act 2010 requires all public bodies to carry out their functions in accordance with an assessment of the Equality impacts of their proposals and having regard to the need to proactive construct the delivery of their services to eliminate harassment, victimisation and discrimination against those with Protected Characteristics. As the recipients of school travel

	services include a high proportion of those with Protected Characteristics an EISA has been completed and attached.
--	---

18.	Regulation 34 of the Public Contract Regulations 2015
-----	---

**RISK MANAGEMENT IMPLICATIONS**

19.	Risk Title	Probability	Impact	Mitigation
	Limited transport operator applications.	Low	Reduced competition during tender activity possibly resulting in less competitive pricing being obtained.	Comprehensive market engagement to be undertaken via telephone, e-mail and Supplier Market Engagement days to maximise uptake.
	Issues with existing transport operators being required to apply to participate in the new DPS.	Medium	Delay in applications to join the new DPS.	Additional officer resource is being deployed to provide guidance documents and support to applicants via multiple channels (supplier web page, DPS call for participation pack, market engagement days).
	Delay to publication of call for participation	Medium	Delay to the commencement of the new DPS impacting on the circa 180 contracts that have to be tendered in July 2024 to ensure the Council can continue to provide its statutory provision.	Decision makers will be briefed fully before a decision is required. Publication of call for participation has been drafted and materials to support existing suppliers and target new suppliers are in place.  Procurement and contract management resource on standby to



				support condensed timescales.
	Decision not to proceed with new DPS	Low	Would need to continue using the existing Home to School Transport DPS (value exceeded, will not offer supplier contracts with enhanced terms and conditions, or enable potential savings as a result of the reverse e-auctioning function	Continue to use the existing DPS.

**POLICY FRAMEWORK IMPLICATIONS**

20.	This report and its recommendations are consistent with, and not contrary to, the Council's existing policy framework.

<b>KEY DECISION?</b>	<b>No</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	ALL
<u>SUPPORTING DOCUMENTATION</u>	
<u>None</u>	
<b>Appendices</b>	
1	ESIA

**Documents In Members' Rooms**

	M/A
--	-----

**Equality Impact Assessment**

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

**Data Protection Impact Assessment**

<b>Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.</b>	Yes
--	-----

**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 /</b>
-------------------------------------	--

		Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.		
2.		



### 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.

<b>Name or Brief Description of Proposal</b>	Passenger Transport Dynamic Purchasing System
Brief Service Profile (including number of customers)	
<p>Under the 1996 Education Act, Southampton City Council has a statutory duty to provide free of charge travel arrangements to facilitate the attendance at school of eligible children within the Council’s administrative boundary. The Education Act 1996 requires that travel support is provided to children of compulsory school age who attend their nearest suitable school and:</p> <ul style="list-style-type: none"> <li>• live more than the statutory walking distance from that school, or</li> <li>• could not reasonably be expected to walk to that school because of their special educational needs, disability or mobility problem, even if they were accompanied by their parent, or</li> <li>• would not be able to walk to that school in reasonable safety, even if they were accompanied by their parent, or</li> <li>• meet the ‘extended rights’ criteria for children from low-income households.</li> </ul> <p>The Council’s School Travel Policy also includes a statement specifying the arrangements for the provision of travel support or other support to facilitate the attendance of all persons of sixth form age and adult learners (over the age of 19 and under the age of 25) receiving education or training (including those with and Education, Health and Care plan). There is no legal requirement to provide travel assistance to Early Years children, post-16 students or adult learners. However, local authorities must adhere to the statutory guidance on post-16 transport and the Equalities Act 2010 when developing school travel policy and publishing school travel policy statements for Early Years children, post-16 students and adult learners.</p>	

There are currently approximately 500 mainstream children and 1,100 SEND children for whom the Council provides travel support and approximately 1,080 children that receive school travel support by taxi or minibus provided by external transport operators.

The transport operators are procured via a Dynamic Purchasing System (DPS) which is a mechanism to enable transport operators to sign up to a set of terms and conditions that enables them to bid on transport provision tenders and be awarded school transport (taxi / minibus) contracts.

### **Summary of Impact and Issues**

The existing Passenger Transport DPS has exceeded the aggregated contracts' financial limit and:

- is restricted to home to school transport provision and does not address the wider needs of the Council to provide transport service to residents, e.g. adult services;
- does not support short-term contracts that often need to be stopped at short notice for Children Looked After due to the 30 days' notice period to end contractual arrangements;
- the existing terms are very inflexible;
- is limited in quality criteria and performance monitoring capability.

Alternative options considered include:

- Continue with existing DPS, however, the current system is limited to home to school transport and contractual terms would require significant review and variation to accommodate proposed changes to maximise benefit.
- Third party arrangements, however, were limited by opportunity and flexibility.

Potential negative impact of commissioning a new DPS for service users and suppliers includes:

- Enhanced terms and conditions may exclude some transport operators from joining the new DPS who cannot meet the enhanced requirements. This may impact the service delivery to service users if not enough transport operators join the DPS to deliver transport provision for children and young people.
  - A robust supplier market engagement plan will be produced that includes system advertisement, market engagement events and follow-up telephone calls / emails about the new DPS, and will set out the support provision to transport operators (existing and new) to help them to join.
  - A database of over 250 potential suppliers has been created (~150 more suppliers than the number on the existing DPS).

<b>Potential Positive Impacts</b>	
<p>A new DPS could impact service users and suppliers positively in the following ways:</p> <ul style="list-style-type: none"> <li>• Offers the opportunity to extend use to other Council service areas that may provide a new or improved travel arrangements offering to children, young people and adults.</li> <li>• Enables the ability to incorporate quality criteria and enhanced performance monitoring through a more robust contract management framework that will support better service provision, thus potentially reducing the number of service complaints.</li> <li>• Enables the addition of 'Lots' tailored to service requirements which better supports travel arrangements for children and young people, e.g. Children Looked After routes that often need to be cancelled at short notice could be set up under a 7-day notice period enabling their travel arrangements to be protected by the enhanced terms and conditions of the new DPS.</li> <li>• A new ten-year DPS can enable the School Travel Service to maximise the benefits of the new contracting arrangements through longer supplier contracts providing stability to users and the transport operators. This may also provide transport operators with opportunities to invest in new vehicles if they know their routes may be in place for the duration of any financing arrangements.</li> <li>• Allows a more competitive tendering, reducing service costs to support a more sustainable service for the future of the service to its service users.</li> </ul>	
<b>Responsible Service Manager</b>	Annamarie Hooper, Service Manager – Service Delivery and Compliance
<b>Date</b>	20/03/2024
<b>Approved by Senior Manager</b>	Pete Boustred, Head of Transport & Planning
<b>Date</b>	21/03/24

### Potential Impact

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Age</b>	The School Travel Service transport provision impacts eligible children of compulsory school age, post-16 students and adult learners (up to age 25 where they are continuing on a	N/A – no change to provision.

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	course started before their 19th birthday).	
<b>Disability</b>	There are approximately 1,100 children with Special Educational Needs and Disability (SEND) for whom the School Travel Service provides travel support and of those, approximately 1,080 who are transported with taxis or minibus by transport operators contracted via a Dynamic Purchasing System.	N/A – no change to provision.
<b>Gender Reassignment</b>	No identified impact.	N/A
<b>Care experienced</b>	No identified impact.	N/A
<b>Marriage and Civil Partnership</b>	No identified impact.	N/A
<b>Pregnancy and Maternity</b>	Where pregnancy or maternity impacts a parent/carer's ability to support their child's travel to and from school, they may be eligible for travel support under the Exceptional Circumstances criteria which may include taxi or minibus as their travel support.	N/A – no change to policy or provision.
<b>Race</b>	No identified impact.	N/A
<b>Religion or Belief</b>	Children will be eligible for free school travel under 'extended rights' where the pupil is entitled to free school meals, the school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11-16).	N/A – no change to provision.
<b>Sex</b>	No identified impact.	N/A
<b>Sexual Orientation</b>	No identified impact.	N/A
<b>Community Safety</b>	No identified impact.	N/A
<b>Poverty</b>	According to the Department for Work and Pensions, in 2021/22,	N/A – no change to policy provision.

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	<p>25% of children aged under 16 were living in relative low-income families in Southampton. This is significantly higher than the national average.</p> <p>In the UK, children from lower income families are 50% less likely to do as well at school as their classmates.</p> <p>Children may be entitled to free travel support if they have a low family income, and they are entitled to free school meals or get the maximum Working Tax Credit and one of the following applies:</p> <ul style="list-style-type: none"> <li>• they are aged 8 to 11, go to their nearest suitable school and it is at least 2 miles away from their home address.</li> <li>• they are aged 11 to 16 and go to a school 2 to 6 miles away - if it is one of their 3 nearest suitable schools from their home address.</li> <li>• they are aged 11 to 16 and go to a school between 2 to 15 miles from their home address and is the nearest school preferred on the grounds of religion or belief.</li> </ul>	
<b>Health &amp; Wellbeing</b>	No identified impact.	N/A
<b>Other Significant Impacts</b>	No identified impacts.	N/A

This page is intentionally left blank



<b>DECISION-MAKER:</b>	Cabinet Council
<b>SUBJECT:</b>	Household Support Fund 5: April 2024 – September 2024
<b>DATE OF DECISION:</b>	<b>16 April 2024</b> <b>15 May 2024</b>
<b>REPORT OF:</b>	<b>COUNCILLOR KATARIA</b> <b>CABINET MEMBER FOR COMMUNITIES AND LEISURE</b>

<u><b>CONTACT DETAILS</b></u>			
<b>Executive Director</b>	<b>Title</b>	<b>Executive Director Wellbeing &amp; Housing</b>	
	<b>Name:</b>	<b>Claire Edgar</b>	<b>Tel:</b> 023 8083 3045
	<b>E-mail:</b>	<b>Claire.edgar@southampton.gov.uk</b>	
<b>Author:</b>	<b>Title</b>	<b>Improvement Manager</b>	
	<b>Name:</b>	<b>Sara Crawford</b>	<b>Tel:</b> 023 8083 2673
	<b>E-mail:</b>	<a href="mailto:Sara.crawford@southampton.gov.uk">Sara.crawford@southampton.gov.uk</a>	

<b>STATEMENT OF CONFIDENTIALITY</b>		
Not applicable.		
<b>BRIEF SUMMARY</b>		
The Government announced in its Budget Statement on 06/03/2024, its intention to extend Household Support Fund for an additional six months. The funding is provided to County Councils and Unitary Authorities in England to support those most in need to help with the cost of living. Southampton City Council has been allocated £2.2 Million for the period from 1 April 2024 to 30 September 2024.		
<b>RECOMMENDATIONS:</b> Having complied with paragraph 15 of the Council's Access to Information Procedure Rules:		
<b>Cabinet</b>	(i)	To approve in principle for Southampton City Council to participate in the delivery of the next phase of Household Support Fund from 1 April 2024 to 30 September 2024.
	(ii)	To delegate authority to the Executive Director Wellbeing & Housing to finalise the details of the local Household Support Fund scheme following consultation with the Executive Director Corporate Services and S151 Officer and the Cabinet Member for Communities and Leisure and to administer funding in accordance with that scheme.
<b>Council</b>	(i)	To approve and accept Household Support Fund for the period 1 April 2024 to 30 September 2024.

<b>REASONS FOR REPORT RECOMMENDATIONS</b>	
1.	This report is submitted for consideration as a General Exception under paragraph 15 of the Access to Information Procedure Rules in Part 4 of the City Council's Constitution, notice having been given to the Chair of the relevant Scrutiny Panel and the Public. The matter requires a decision under this regulation due to its urgency (that it is impracticable to defer the decision until 28 clear days' notice has been given on the Forward Plan). This is due to the timescales given between the Government announcement of funding being made available on 06/03/2024 and the period within which the scheme must be delivered (01/04/2024 – 30/09/2024).
2	This pledge of funding for Household Support Fund is to be provided to County Councils and Unitary Authorities and forms part of the Government's wider package of support for those most in need, to help with the cost of living. This funding can be used to support some of our most vulnerable households.
3.	Local Authorities received the final guidance and confirmation of actual amount of funding allocated on 26/03/2024. The total allocation for Southampton City Council is £2,222,676.23.
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
4.	The Council may consider not accepting this funding. This is not recommended as the fund is designed to assist Local Authorities to help residents experiencing financial hardship and to be complementary to the Government's wider package of 'Help for Households' - cost of living support.
<b>DETAIL (Including consultation carried out)</b>	
5.	Since December 2020, the Government has provided funding to Local Authorities to provide hardship support for residents who have been affected by the pandemic and its recovery and the 'Cost of Living' crisis. This support was previously directed to Local Authorities through the Department for Work and Pensions (DWP) Winter fund, and the Covid Local Support Grant. This finished on the 30th of September 2021 and was superseded by the Household Support Fund (HSF).
6.	Household Support Fund has been provided to County Councils and Unitary Authorities since October 2021 and forms part of the Government's wider package of support for those most in need, to help with the cost of living. Locally, this funding has been used to support some of our most vulnerable households. The total allocation for Southampton City Council is £2,222,676.23.
7.	In previous phases, Household Support Fund could be used to support households with the cost of food and water bills, essential costs related to energy, food and water, and with wider essential costs. Local Authorities have had some discretion on exactly how the funding has been used - but this has to be within the scope set out in the grant determination and guidance.

8.	<p>Previous announcements of Household Support Fund have been made at quite short notice and requirements of scheme have changed significantly between phases. These requirements can have a significant impact on how and what local authorities are able to deliver.</p> <p>For example:</p> <ul style="list-style-type: none"> <li>• 30th September 2021- 31st March 2022 allowed Local Authorities to spend up to 80% of their allocated funding on households with children and the remaining 20% on those without.</li> <li>• 1st April 2022- 30th September 2022 required Local Authorities to ensure that at least one third of the available funds was made available to pensioners.</li> <li>• 1st October 2022 – 31st March 2023 required Local Authorities to operate at least part of their scheme on an application basis i.e. residents should have the opportunity to come forward to ask for support.</li> <li>• 1st April 2023- 31 March 2024 continued to require Local Authorities to operate at least part of their scheme on an application basis i.e. residents should have the opportunity to come forward (self-referral) to ask for support and was also extended to being able to use the funding for advice service provision - where advice was linked to HSF practical support.</li> </ul>
9.	<p>For the most recent phase (1st April 2023 – 31st March 2024), we received £4.4. million and have delivered a mixed model of support to residents including:</p> <ul style="list-style-type: none"> <li>• Vouchers for Free School Meal eligible pupils in school holidays.</li> <li>• ‘Mini -HAF’ (Holiday Activities &amp; Food) style programme during half-terms.</li> <li>• Self-Referral Online scheme for supermarket vouchers</li> <li>• Agency Referral Scheme for supermarket vouchers, white goods and prepayment utility top-ups.</li> <li>• Increased capacity in local projects offering practical support to tackle fuel &amp; food poverty and welfare advice provision.</li> <li>• Help with housing costs via increased funding for Discretionary Housing Payments and rent deposits.</li> </ul>
10.	<p>Guidance from Central Government for Household Support Fund (01/04 - 30/09 2024) has now been received and we will design and deliver our scheme in line with the requirements and in consultation with key stakeholders, and in consultation with the Cabinet Member for Communities and Leisure. A delivery plan will be submitted to the DWP by 10th May 2024. The delivery plan will be signed off by the Authority’s Section 151 Officer.</p>
<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	

11.	Our local Household Support Fund scheme will be designed to keep within the funding provided by Central Government and will be robustly monitored via regular reports to the Household Support Fund Steering Group to ensure no overspend occurs and that appropriate returns to Government to draw down funding are accurate.
<b><u>Property/Other</u></b>	
12.	None.
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
13.	Localism Act 2011 ('General Power of Competence').
<b><u>Other Legal Implications:</u></b>	
14.	The Council must act in accordance with the Public Contracts Regulations 2015 ("PCRs") when procuring services from third parties to enable delivery of scheme objectives.
15.	The Scheme must be designed having regard to the provisions of the Equalities Act 2010, and in particular, the Public Sector Equality Duty ('PSED') as set out in s.149 of the Act (the need to exercise functions having regard to the need to eliminate harassment, victimisation and discrimination on the grounds of protected characteristics). An Equalities Impact Assessment will be undertaken when designing the Scheme to ensure compliance with the PSED.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
16.	Southampton City Council has experience of administering previous Household Support Fund resources to residents. The timescales between receiving confirmation of the funding allocation and the new guidance and the delivery period of the scheme brings some practical challenges and may lead to a delay to full implementation, but officers will review the guidance and requirements and seek to implement a full scheme, following consultation with the Cabinet Member, as soon as is practical after the 1 April 2024.
17.	Although this fund is designed to assist local authorities to help residents experiencing financial hardship linked to rises in the cost of living, there will be restrictions in the type of support that can be provided to residents. It may also be difficult to predict levels of need and demand, and residents' expectations of support available. The funding is finite and therefore must be viewed as being part of the Government's wider package of 'Cost of Living' support and efforts to support residents through this period.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
18.	The recommendations of this report are entirely consistent with and not contrary to the Council's policy framework.

<b>KEY DECISION?</b>	<b>Yes</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	<b>ALL</b>

<u>SUPPORTING DOCUMENTATION</u>	
<b>Appendices</b>	
1.	ESIA
<b>Documents In Members' Rooms</b>	
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>

This page is intentionally left blank



### 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.

<b>Name or Brief Description of Proposal</b>	Acceptance of government funds for Household Support Fund (HSF)
<b>Brief Service Profile (including number of customers)</b>	
The HSF is funded by central government to provide support to families and individuals in particular hardship at a time of rising costs. SCC has been advised that funding will be made available to Local Authorities for the period 1/04/2024 to 30/09/2024.	
<b>Summary of Impact and Issues</b>	
There may be groups who are particularly vulnerable to rising prices even for example large families or single income families. In previous phases of Household Support Fund, it was intended to cover a wide range of low-income households in need including families with children of all ages, pensioners, unpaid carers, care leavers, and people with disabilities. Household Support Fund allows local authorities to provide additional support at a time when some households are struggling with the current cost of living crisis.	
<b>Potential Positive Impacts</b>	
<ul style="list-style-type: none"> <li>• Additional support for families and individuals in need at a time of rising prices.</li> <li>• Enable families to access other support including advice and guidance on benefits and other support they may be eligible for.</li> </ul>	
<b>Responsible Service Manager</b>	Sara Crawford/Maria Byrne
<b>Date</b>	07/03/2024
<b>Approved by Senior Manager</b>	Claire Edgar
<b>Date</b>	tbc

## Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
<b>Age</b>	Failure to accept and distribute this fund will impact significantly on poorer pensioner households who may be able to access this support.	Accept the funding.
<b>Disability</b>	Failure to accept and distribute this fund will impact significantly on households with a disabled person who may be able to access this support.	Accept the funding.
<b>Gender Reassignment</b>	None identified.	
<b>Marriage and Civil Partnership</b>	None identified.	
<b>Pregnancy and Maternity</b>	Failure to accept and distribute this fund will impact significantly on pregnant women or those unable to work households who may be able to access this support.	Accept the funding.
<b>Race</b>	Failure to accept and distribute this fund will impact significantly on individuals and families from all ethnicities who may be able to access this support.	Accept the funding.
<b>Religion or Belief</b>	None identified.	
<b>Sex</b>	None identified.	
<b>Sexual Orientation</b>	None identified.	
<b>Community Safety</b>	None identified.	
<b>Poverty</b>	Failure to accept and distribute this fund will impact significantly on individuals and families from all parts of the City who are struggling financially and who may be able to access this support.	Accept the funding.
<b>Health &amp; Wellbeing</b>	Failure to accept and distribute this fund will further impact on the health and wellbeing of families and individuals already negatively impacted by the cost of living crisis.	Accept the funding.



<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Other Significant Impacts</b>	None identified.	

DRAFT

This page is intentionally left blank

<b>DECISION-MAKER:</b>	<b>CABINET</b>
<b>SUBJECT:</b>	<b>WASTE DISPOSAL CONTRACT 2030+</b>
<b>DATE OF DECISION:</b>	<b>16 APRIL 2024</b>
<b>REPORT OF:</b>	<b>COUNCILLOR KEOGH - CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT</b>

<b><u>CONTACT DETAILS</u></b>			
<b>Executive Director</b>	<b>Title</b>	Interim Executive Director Place	
	<b>Name:</b>	Nawaz Khan	Tel: 023 8091 7648
	<b>E-mail</b>	Nawaz.khan@southampton.gov.uk	
<b>Author:</b>	<b>Title</b>	Director Environment	
	<b>Name:</b>	Ian Collins	Tel: 023 8083 2089
	<b>E-mail</b>	ian.collins@southampton.gov.uk	

<b>STATEMENT OF CONFIDENTIALITY - NOT APPLICABLE</b>

<b>BRIEF SUMMARY</b>
----------------------

This report sets out the proposed programme of work required to complete an options appraisal to determine the optimal approach for delivering the council's statutory duties for waste disposal beyond the expiry of the current shared arrangements with Hampshire County Council and Portsmouth City Council (referred to as the Tripartite) post December 2030.

As one of the most significant statutory areas of delivery and spend, as well as an area that carries both significant risk and opportunity, it is critically important that this process commences early to allow sufficient time to assess and develop the options available.

Appendix1\_WasteDisposalContract 2030+Options Appraisal sets out the work programme, the resources, and the funding necessary to complete this project as well as the rationale.

The Appendix1\_WasteDisposalContract 2030+Options Appraisal report is being considered separately by each of the authorities comprising the Tripartite via their appropriate decision-making process to ensure full support for the proposed programme.

<b>RECOMMENDATIONS:</b>
-------------------------

	(i)	To approve the proposed programme and governance arrangements to jointly undertake the initial project appraisal to inform and direct the arrangements for managing waste disposal beyond expiry of the current contract after December 2030.
--	-----	---

	(ii)	To delegate authority to the Director - Environment, through their role on the Strategic Tripartite Board, following consultation with the Cabinet Member for Environment and Transport within the approvals set out below to progress the options appraisal work set out in the Appendix1_WasteDisposalContract 2030+Options Appraisal.
	(iii)	To approve and commit to supporting the resource requirements to deliver the programme set out in the Appendix1_WasteDisposalContract 2030+Options Appraisal.
	(iv)	To approve in principle the proposed programme budget set out in the Appendix1_WasteDisposalContract 2030+Options Appraisal.
	(v)	To approve the procurement of external expertise and resources to provide the necessary technical input to the options appraisal.
	(vi)	To delegate authority to Director - Environment to approve any minor amendments that may be required to the Tripartite Agreement to support the programme set out in the Appendix1_WasteDisposalContract 2030+Options Appraisal.

### **REASONS FOR REPORT RECOMMENDATIONS**

1.	This programme of work is a critical one due to the financial and reputational risks to the council associated with delivering the waste disposal service for Southampton.
2.	There has been significant change in the waste sector affecting local authorities over the recent years and this programme provides the council with the opportunity to best position ourselves to ensure our waste services deliver the optimal operational and environmental outcomes beyond 2030 whilst also ensuring value for money.
3.	<p>The future waste disposal arrangement post 2030 will form part of the council's Strategic Procurement Programme (SPP). SPP projects will result in the council setting a long-term strategic direction regarding services, contracts and arrangements and once this direction is set it will be challenging, time-consuming and expensive to reverse or significantly alter. To address this, the council has adopted a "delivery model assessment" (DMA) approach to improve the pre-procurement planning stage, which, where the agreed delivery model is to outsource, should result in more fit for purpose arrangements, resulting in less time and cost spent managing issues and disputes, contract changes, unacceptable service levels and re-procurements.</p> <p>A DMA will inform a recommendation on how services should be delivered moving forward - i.e. whether the council should deliver a service(s) – or part of service(s) itself, procure from the market, through a combination of in-</p>

	<p>house and outsourced delivery or alternative commercial vehicles such as frameworks, joint ventures or shared service or partnership models.</p> <p>The options appraisal recommended in this paper aligns with the SPP approach to assessing delivery models and bring the benefit of efficiencies resulting from a collaborative assessment undertaken by the Tripartite.</p>
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
4.	The option to delay commencement of this options appraisal activity has been considered and rejected as it would leave the council unprepared for the future and/or with insufficient time to plan service delivery for post 2030.
5.	The option to not undertake the options analysis has been considered and rejected. Due to both the significant cost and risks associated with the waste disposal service it is critical that a robust options appraisal is undertaken to determine the optimal and most efficient way forward for delivering these services for residents post 2030.
6.	Further detailed consideration of the alternative options under consideration are set out in Appendix 1.
<b>DETAIL (Including consultation carried out)</b>	
7.	Southampton City Council is a signatory to the joint Waste Disposal Service Contract (WDSC) with Portsmouth City Council and Hampshire County Council. The contract commenced on 1 January 1997 and covers the disposal of all household waste collected across the geographical area of Hampshire.
8.	The WDSC is a long-term contract which is due to expire on 31 December 2030. Given the complexity and value of the contract (current annual spend around £8.7 million per annum for Southampton City Council), and its strategic importance in respect of the council's statutory obligations, it is prudent to begin planning for the next iteration of the contract beyond 2030.
9.	Following initial discussions between the council and its Tripartite partners, a proposal has been developed to conduct a major project appraisal during 2024 to determine and evaluate the viable options available to the three authorities and to help inform the next stage of the procurement to ensure a suitable and cost-effective contract is in place beyond 2030.
10.	The WDSC is one of the major service contracts that the council holds, both in terms of cost and its relevance to its statutory waste obligations. The total annual cost is around £75 million to the Tripartite, of which the council is responsible for 11.52% under the Tripartite Agreement.

11.	This is a joint programme of work with Portsmouth City Council and Hampshire County Council and therefore the council will consult with them on this work. The outputs of the options appraisal will be subject to a future formal decision with the associated consultation where required.																																		
12.	<p>The project appraisal proposal is outlined in detail in the appended report (Appendix1_WasteDisposalContract 2030+Options Appraisal), which is written jointly on behalf of all three authorities of the Tripartite.</p> <p>The table below sets out the timeline.</p> <table border="1" data-bbox="331 573 1366 1503"> <thead> <tr> <th data-bbox="331 573 767 613">Dates</th> <th data-bbox="767 573 1366 613">Activity</th> </tr> </thead> <tbody> <tr> <td data-bbox="331 613 767 654"></td> <td data-bbox="767 613 1366 654"></td> </tr> <tr> <td data-bbox="331 654 767 694">March 2024</td> <td data-bbox="767 654 1366 694">Programme Inception</td> </tr> <tr> <td data-bbox="331 694 767 734">April 2024 – December 2024</td> <td data-bbox="767 694 1366 734">Options Appraisal</td> </tr> <tr> <td data-bbox="331 734 767 775">April 2024 – December 2024</td> <td data-bbox="767 734 1366 775">Infrastructure Assessment</td> </tr> <tr> <td data-bbox="331 775 767 815">January 2025</td> <td data-bbox="767 775 1366 815">Options Shortlist Decision</td> </tr> <tr> <td data-bbox="331 815 767 909">January 2025 – January 2026</td> <td data-bbox="767 815 1366 909">Detailed Options Analysis</td> </tr> <tr> <td data-bbox="331 909 767 949">January 2026</td> <td data-bbox="767 909 1366 949">Final Options Decision</td> </tr> <tr> <td data-bbox="331 949 767 1043">February 2026 – September 2026</td> <td data-bbox="767 949 1366 1043">Market Engagement</td> </tr> <tr> <td data-bbox="331 1043 767 1084">October 2026 – April 2027</td> <td data-bbox="767 1043 1366 1084">Procurement Strategy</td> </tr> <tr> <td data-bbox="331 1084 767 1124">May 2027</td> <td data-bbox="767 1084 1366 1124">Procurement Approval</td> </tr> <tr> <td data-bbox="331 1124 767 1218">June 2027 – September 2027</td> <td data-bbox="767 1124 1366 1218">Procurement Preparation</td> </tr> <tr> <td data-bbox="331 1218 767 1312">October 2027 – October 2029</td> <td data-bbox="767 1218 1366 1312">Procurement Process</td> </tr> <tr> <td data-bbox="331 1312 767 1352">November / December 2029</td> <td data-bbox="767 1312 1366 1352">Contract Award Decision</td> </tr> <tr> <td data-bbox="331 1352 767 1393">January 2030</td> <td data-bbox="767 1352 1366 1393">Contract Award</td> </tr> <tr> <td data-bbox="331 1393 767 1433">March 2030</td> <td data-bbox="767 1393 1366 1433">Contract Mobilisation</td> </tr> <tr> <td data-bbox="331 1433 767 1503">January 2031</td> <td data-bbox="767 1433 1366 1503">Contract Start</td> </tr> </tbody> </table>	Dates	Activity			March 2024	Programme Inception	April 2024 – December 2024	Options Appraisal	April 2024 – December 2024	Infrastructure Assessment	January 2025	Options Shortlist Decision	January 2025 – January 2026	Detailed Options Analysis	January 2026	Final Options Decision	February 2026 – September 2026	Market Engagement	October 2026 – April 2027	Procurement Strategy	May 2027	Procurement Approval	June 2027 – September 2027	Procurement Preparation	October 2027 – October 2029	Procurement Process	November / December 2029	Contract Award Decision	January 2030	Contract Award	March 2030	Contract Mobilisation	January 2031	Contract Start
Dates	Activity																																		
March 2024	Programme Inception																																		
April 2024 – December 2024	Options Appraisal																																		
April 2024 – December 2024	Infrastructure Assessment																																		
January 2025	Options Shortlist Decision																																		
January 2025 – January 2026	Detailed Options Analysis																																		
January 2026	Final Options Decision																																		
February 2026 – September 2026	Market Engagement																																		
October 2026 – April 2027	Procurement Strategy																																		
May 2027	Procurement Approval																																		
June 2027 – September 2027	Procurement Preparation																																		
October 2027 – October 2029	Procurement Process																																		
November / December 2029	Contract Award Decision																																		
January 2030	Contract Award																																		
March 2030	Contract Mobilisation																																		
January 2031	Contract Start																																		
<b>RESOURCE IMPLICATIONS</b>																																			
<b><u>Revenue</u></b>																																			
13.	The estimated cost of the programme to the council is £185,000 over seven years from 2024/25 to 2030/31.																																		
14.	The 2024/25 costs of around £50,000 will be met from existing resources in the waste disposal budget. Costs from 2025/26 onwards will be incorporated into the Medium-Term Financial Strategy, as part of future budget updates.																																		
15.	The detailed estimated annual programme budget and estimated costs to the authority are set out in the Finances section of the Appendix1_WasteDisposalContract 2030+Options Appraisal.																																		
16.	The proposed programme will enable the council to work with the partner authorities to fully analyse the options available post 2030. This will include an assessment of the future financial implications for waste disposal. Achieving																																		

	best value for the council will be a key assessment consideration for those options.
<b><u>Property/Other</u></b>	
17.	None at present, but property belonging to the council will feature in the options which need to be appraised.
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
18.	The Environmental Protection Act 1990. Local authorities are obliged by law to provide a domestic waste collection service to households, while county councils must handle its disposal, and unitary authorities must undertake both. Southampton is a unitary authority.
<b><u>Other Legal Implications:</u></b>	
19.	In exercising its duties, regard will be paid to the council's obligations pursuant to the Equality Act 2010, in particular, the Public Sector Equality Duty set out in section 149 of the Act.
20.	It is considered that this decision will not have an impact on any of the groups with protected characteristics as this decision relates to undertaking an options appraisal. The outcome of this work will be subject to a separate formal decision process with due consideration given to the impact any arrangement may have from an equalities perspective when it comes to service delivery.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
21.	Due to the financial and reputational risks associated with delivering the waste disposal service for Southampton, failure to undertake an options review for post 2030 waste disposal will leave the council at risk.
22.	Undertaking this work will ensure that the Council is best placed to continue to deliver its statutory duties when the current arrangements come to an end in 2030.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
23.	The recommendations of this report are consistent with and not contrary to the council's policy framework. The council will consider and act fully and wholly in accordance with all relevant Policy Framework Plans, in particular the Local Development Framework and Local Area Action Plans and the Sustainable Community Strategy.

<b>KEY DECISION?</b>	<b>Yes</b> Page 35
----------------------	--------------------

<b>WARDS AFFECTED:</b>	ALL
<u>SUPPORTING DOCUMENTATION</u>	
<b>Appendices</b>	
1.	Appendix1_WasteDisposalContract 2030+Options Appraisal
2	Appendix2_ ESIA Waste Disposal Contract 2030
<b>Documents In Members' Rooms</b>	
1.	N/A
<b>Equality Impact Assessment</b>	
<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>	<b>Yes</b>
<p>It is considered that this decision will not have an impact on any of the groups with protected characteristics as this decision relates to undertaking an options appraisal. The outcome of this work will be subject to a separate formal decision process with due consideration given to the impact any arrangement may have from an equalities perspective when it comes to service delivery.</p> <p>See Appendix2 ESIA Waste Disposal Contract 2030</p>	
<b>Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.</b>	<b>No</b>
<b>Other Background Documents</b>	
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>



### Appendix 1 Waste Disposal Contract 2030+ Options Appraisal

#### Executive summary

This report has been written jointly by the Tripartite Authorities of Hampshire County Council, Portsmouth City Council and Southampton City Council (from this point forward, known as the 'Parties').

This report sets out the proposed programme of work required to complete an options appraisal to determine the optimal approach for delivering the Parties' statutory duties for waste disposal beyond the expiry of the current shared arrangements post December 2030.

As one of the most significant statutory areas of delivery and spend for the Parties, and also an area that carries both significant risk and opportunity, it is critically important that this process commences early to allow sufficient time to assess and develop the options available.

The report sets out the work programme, the resources, and the funding necessary to complete this work as well as the rationale for it.

This report is being considered separately by each of the Parties via their appropriate decision-making process to ensure full support for the proposed programme.

#### Decisions required

For all Parties (Hampshire County Council, Portsmouth City Council and Southampton City Council) to each:

- Approve the proposed programme and governance arrangements to jointly undertake the initial project appraisal to inform and direct the arrangements for managing waste disposal beyond expiry of the current contract after December 2030.
- Give authority to the Strategic Tripartite Board to deliver the options appraisal work set out in this report, within the scope of the below approvals, including procurement of external contractors and expenditure.
- Approve and commit to supporting the resource requirements to deliver the programme.
- Approve in principle the proposed programme budget.
- Approve the procurement of external expertise and resources to provide the necessary technical input to the options appraisal.
- Approve any minor amendments that may be required to the Tripartite Agreement to support this programme.

## Context

The current Waste Disposal Service Contract (WDSC) was signed in the mid-1990s and commenced on 1 January 1997. The WDSC specified that all household waste collected across Hampshire (including Portsmouth and Southampton) would be in scope for handling and processing, and as such a suite of infrastructure was planned and developed to support this process. This included provision of two Materials Recovery Facilities (MRFs), three Energy Recovery Facilities (ERFs), three open air windrow composting facilities<sup>1</sup>, supported by 11 waste transfer stations to facilitate bulking and haulage.

A significant high tonnage of waste is handled annually requiring recycling or safe disposal in line with environmental legislation. Disposal costs incurred are shared proportionally with Hampshire County Council responsible for 77% and Portsmouth and Southampton responsible for 11.52% and 11.48% respectively. In 2022/23 this amounted to a total cost burden of around £75m.

One of the key benefits of the original WDSC was the regional approach, and economies of scale from all three disposal authorities working in partnership. This enabled more efficient location of infrastructure that complemented the main conurbations in the county, achieving better value for haulage and opportunities for processing outlets through incorporating household waste from across the three areas. This also ensured greater resilience and stability than many other authorities have experienced by having a suite of facilities available to manage periods of outage or maintenance, as opposed to each Party having to rely on a single facility each. This is particularly important with such a high tonnage of material managed across the entire geographical county area and increasing complexity arising from legislative changes over time.

A separate contract is in place for managing the 26 Household Waste Recycling Centres (HWRCs) provided by Hampshire, Portsmouth and Southampton respectively. This contract is also due to expire on 31 December 2030 and has clear synergies with the WDSC. Opportunities for integration of the WDSC and HWRC contracts will be a line of enquiry for the proposed appraisal.

## Programme proposal

The programme of work set out in this paper is to develop and assess a series of options for what arrangements will be most beneficial to the Parties in terms of the waste disposal arrangements from December 2030 when the current WDSC comes to an end.

Whilst the contract still has almost seven years to run it is important that sufficient time is set aside to both prepare for and undertake any procurement activity that is required. As set out above this is one of the most significant areas of spend for the authorities and is also an area that carries both significant risk and opportunity hence the importance of this programme of work.

## Options

The Parties met to discuss and agree a list of strategic options which are set out below:

- Contract Extension – potential to extend the existing Waste Disposal Service Contract with Veolia for a further period of time. This option is being assessed separately to this options analysis with a view to a separate formal decision in due course but is included here to demonstrate that all options are being considered. A delay on progressing with the options appraisal whilst this work is completed would risk the options analysis having to be rushed and therefore not be as robust should the contract extension option not be taken further.
- In House Delivery – this option would involve the Parties directly taking on service delivery and taking full control of all of the infrastructure and involve the TUPE of staff from the

current contract. The Parties would then have to put in place the necessary structures to be able to manage the service, while this option would likely still see discrete elements of the service delivery being contracted out to third parties due to its specialist nature.

- Contracted Service – fully integrated – this option would involve entering into one single fully integrated contract for all elements of the domestic waste disposal service. This would be broadly the same as the current arrangements although potentially the HWRC service could also be included so that the entire waste service comes under one contractual arrangement.
- Contracted Service – lotted contracts – this option would involve separating the service into different elements or alternatively by set geographic regions or a combination of these. It would result in there be a number of smaller contracts in place to manage service delivery and require the interface between those contracts to be managed closely to ensure the service delivery was effective and efficient.
- Alternative Delivery Model – this option will consider a range of different potential vehicles for delivering waste services. A reasonably well known and operating version of this would be a Local Authority Trading Company (LATCo) that would allow the Parties to maximise commercial opportunities and seek to generate a profit. Another option under this option would be a Joint Venture with one or more partners (e.g. authorities and external organisations) sharing resources and expertise to deliver services. A range of different models will be considered under this option.
- Extended Partnership – all of the options discussed above could be progressed in the form of an extended partnership with other bordering local authorities to further maximise economies of scale and benefit from a great array of waste infrastructure over a wider region. This option would require alignment of contract timelines and agreements on service provision over an extended area. The extended arrangement could also include other elements of waste services and domestic waste services within the existing administrative areas of the Parties.

It is important to recognise the scale and complexity of the existing arrangements when considering options for the future. While the Parties have clearly benefitted in the current contract from shared infrastructure and economies of scale, the challenge for a Party to then operate individually would be significant in terms of cost and resource required. It is therefore crucial that each Party considers the implications of this scenario on their organisation in the course of the programme appraisal.

## **Options Assessment**

Due to the ongoing financial pressures that all local authorities are facing it is clear that seeking to achieve a positive financial outcome must be the primary aim of this work, however it is not the only factor and therefore the options above will need to be assessed and evaluated against range of different factors.

Other key assessment factors will include:

- Zero Waste to Landfill – significant progress has been made through the current contractual arrangement to reduce the amount of waste going to landfill but the Parties remain reliant on this route for c.20,000 tonnes bulky residual waste each year. Through the new arrangements the Parties would seek to move quickly to end reliance on landfill for disposal of as much waste possible as soon as practicable.

- Waste Prevention – ensure that preventing waste, as both the most cost-effective solution and the top of the waste hierarchy, is a central plank of the future arrangements and that the approach selected must enable delivery of this as a core consideration for all future delivery. It is only through waste prevention that the Parties will achieve the necessary targets for carbon reduction and recycling and reduce our overall cost exposure.
- Carbon Reduction – ensuring that the arrangements enable the Parties to develop and implement projects that reduce, on an ongoing basis, the carbon impact of the waste disposal service. This will include consideration of the whole system for domestic waste management.
- Best value– this should be considered both from a pure cost perspective as well as considering the potential for income generation both directly from the household waste aspect of the service as well as the maximising of the assets under the control of the authorities. This will include ensuring that the Parties have transparency with regards to the financial flows.
- Resilience and reliability – as discussed above, one of the great benefits of the existing contract is the resilience and reliability that it affords to the Parties in terms of guaranteed infrastructure capacity and availability, and the economies of scale achieved through marketing all the household waste across the three authority areas. The chosen/recommended option(s) for future delivery need to consider this, particularly in the context of an increasingly volatile global economy.

The Parties will undertake an initial review of all the options based on an agreed detailed assessment methodology based on the above factors to produce a shortlist of preferred options for more detailed analysis before determining the optimal solution to be taken forward.

Where necessary and appropriate, external expert support will be sought where the knowledge/expertise does not exist within the Parties and these will be procured transparently on an as needed basis.

It is additionally anticipated that specialist external legal support will be required throughout the process to advise on the different options and their implications to ensure that they are deliverable.

## **Infrastructure Review**

A critical element of this programme is gaining a clear understanding of both the condition and value of the current suite of waste disposal infrastructure that will be handed back to the Parties at the end of the current contract term in December 2030.

This infrastructure comprises:

- 3 Energy Recovery Facilities (ERFs) - managing residual waste.
- 2 Material Recovery Facilities (MRFs) - managing dry mixed recyclables.
- 2 open windrow composting sites - managing green garden waste.
- 11 waste transfer stations - managing bulking and onward haulage of multiple waste streams.

The infrastructure is both a significant economic and strategic asset for the Parties but also carries a significant amount of risk both from a financial as well as a service delivery perspective.

Understanding this infrastructure is key to determining what future options are available to the Parties and therefore a key element of this programme is to commission condition surveys of all of the infrastructure as well as obtain clear valuations of each element.

This work will require engagement of external experts with the necessary expertise to undertake the assessments and produce independent reports to support the decision making on the preferred options.

### **Outline Procurement Strategy**

Another element of this programme of work is for the Tripartite Parties to agree the aims and objectives for what follows the current contract after 2030.

This will include key areas such as:

- Environmental performance – waste reduction and recycling.
- Risk appetite
- Contract duration
- Key partnerships
- Communications
- New Technologies including use of AI
- Social Value

This will ensure that the outputs from the options appraisal work will align with the strategy ahead of any procurement activity taking place. To ensure that a comprehensive appraisal is progressed, it is anticipated that procurement techniques such as soft market testing, supported by extensive modelling exercises and desktop research, are used to inform the direction of travel.

### **Programme**

It is recognised that this project will be considerably lengthy to take it through to mobilisation of new arrangements from 1 January 2031. Any contract tender design and award period will need particular attention given the potential scale and scope of what will likely be required. It is for this reason that it is strongly recommended that this programme commences early in 2024 to allow sufficient time for all aspects to be properly considered.

There are clear benefits to be gained from establishing a preferred position from an early stage. As such, the evaluation work proposed for 2024 within this report will be critical to establish a baseline position through identifying which strategic options should be explored in greater detail from 2025 onwards while justifying which options should be discounted.

Through the governance arrangements to be set up as per the next paragraph, regular updates will be provided to the Steering Board on progress and findings, and further interim decision reports will be submitted periodically to all Parties as required to support the development of the decision-making process and inform next steps.

The headline programme is set out in Table 1 below however please note this is an indicative timeline at this stage, and a detailed programme will be developed as part of this work.

**Table 1 – Programme Timeline**

Dates	Activity
March 2024	Programme Inception
April 2024 – December 2024	Options Appraisal
April 2024 – December 2024	Infrastructure Assessment
January 2025	Options Shortlist Decision
January 2025 – January 2026	Detailed Options Analysis
January 2026	Final Options Decision
February 2026 – September 2026	Market Engagement
October 2026 – April 2027	Procurement Strategy
May 2027	Procurement Approval
June 2027 – September 2027	Procurement Preparation
October 2027 – October 2029	Procurement Process
November / December 2029	Contract Award Decision
January 2030	Contract Award
March 2030	Contract Mobilisation
January 2031	Contract Start

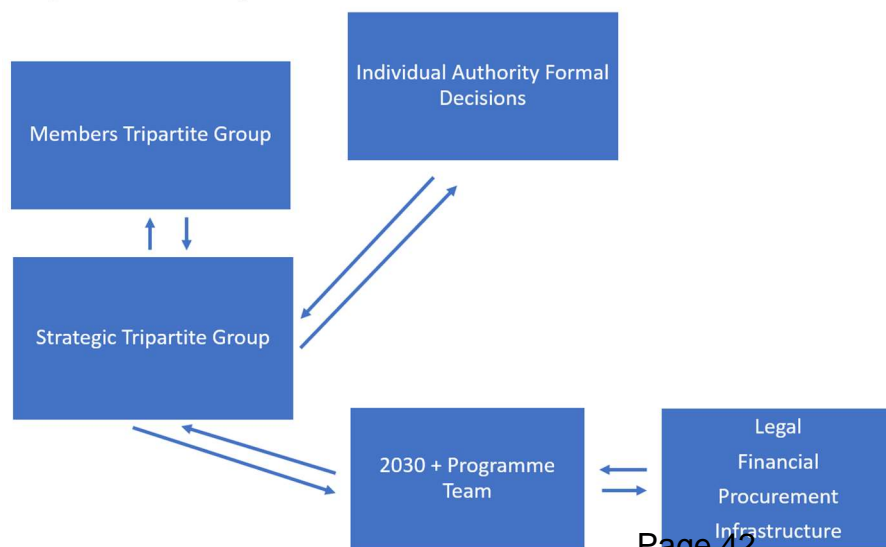
**Resources**

To ensure that the programme of work is delivered effectively the Parties are seeking to utilise existing governance structures, in-house skills and resources to ensure that the programme is as efficient as possible.

The Parties currently have both a strategic officer group that has representation at Assistant Director / Director level and a Member Group which is attended by the relevant portfolio holder for each Authority. These groups meet regularly and will be utilised to manage this programme of work alongside a new programme level group established with a programme lead appointed and representation from each of the authorities.

Under these arrangements a full programme plan will be developed which, once approved by the Strategic Tripartite Group, will then be managed by the programme team with regular reports to the Strategic and Members Group as part of the existing meeting schedule. The outline governance structure is set out in Diagram 1 below.

**Diagram 1 – Proposed Governance Structure**



The programme team will, as part of the approved programme plan, appoint consultants with joint instructions being given so that all work is commissioned on behalf of the Parties. It will be agreed by the programme team which Party will enter into any contractual arrangements depending on who is best placed to do so.

Where the necessary skills exist within the Parties these will be used to support the programme of work to maximise value for money. Where a certain element is delivered this will be considered as a contribution to the programme and the associated costs will be shared by each Party in accordance with the finance principles set out below.

### Communications

It is recognised that regular and targeted communication will be required within and between all Parties to maintain a consistent approach. As discussed above, the WDSC is both an important strategic contract to help each Party fulfil its statutory duty, and is also a significant budget pressure, so needs due consideration.

All Parties will ensure that appropriate resources are available to support the project. An internal communications site will be made available to collate and share information and manage change effectively.

### Finances

Table 2 below sets out the outline budget for this programme of work broken down by key work area for each year.

Table 3 sets out the total costs of the programme broken down by each Party, the split is done using the existing the waste disposal service contract percentages.

Please note that these costs are just estimates at this stage, particularly with regard to the later years of the process as the option(s) selected may impact on the procurement activity and therefore its associated costs. It is proposed that a total estimated programme budget of up to £1.6 million is noted at this stage and that updates will be provided at each decision point. The outcome of the options analysis will inform the complexity of the work going forward and therefore the cost below will vary from 2026 onwards.

**Table 2 – Estimated Annual Programme Budget**

<b>Work Area</b>	<b>2024/25</b>	<b>2025/26</b>	<b>2026/27</b>	<b>2027/28</b>	<b>2028/29</b>	<b>2029/30</b>	<b>2030/31</b>
Programme Management	£10,000	£10,000	£21,000	£32,000	£42,000	£42,000	£32,000
Legal Costs	£50,000	£50,000	£50,000	£50,000	£150,000	£150,000	£50,000
Financial Support	£35,000	£35,000	£35,000	£50,000	£75,000	£50,000	£25,000
Infrastructure Assessment	£300,000	£20,000	£0	£0	£0	£0	£0
Technical Advice	£35,000	£75,000	£50,000	£20,000	£20,000	£20,000	£20,000
<b>Total</b>	<b>£430,000</b>	<b>£190,000</b>	<b>£156,000</b>	<b>£152,000</b>	<b>£287,000</b>	<b>£262,000</b>	<b>£127,000</b>

**Table 3 – Estimated Individual Total Authority Costs**

<b>Year</b>	<b>Hampshire</b>	<b>Portsmouth</b>	<b>Southampton</b>	<b>Total</b>
<b>2024/25</b>	£331,100	£49,536	£49,364	<b>£430,000</b>
<b>2025/26</b>	£146,300	£21,888	£21,812	<b>£190,000</b>
<b>2026/27</b>	£120,120	£17,971	£17,909	<b>£156,000</b>
<b>2027/28</b>	£117,040	£17,510	£17,450	<b>£152,000</b>
<b>2028/29</b>	£220,990	£33,062	£32,948	<b>£287,000</b>
<b>2029/30</b>	£201,740	£30,182	£30,078	<b>£262,000</b>
<b>2030/31</b>	£97,790	£14,630	£14,580	<b>£127,000</b>
<b>Total</b>	<b>£1,235,080</b>	<b>£184,781</b>	<b>£184,139</b>	<b>£1,604,000</b>

### **Conclusion**

This programme of work is a critical one for the Parties due to the financial and reputational risks associated with delivering the waste disposal service for a geographic and administrative area the size of Hampshire, Portsmouth and Southampton.

There has been significant change in the waste sector affecting local authorities over the recent years and this programme provides the Parties with the opportunity to best position themselves to ensure their waste services deliver the optimal environmental outcomes beyond 2030 whilst also ensuring value for money.



## 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.

<b>Name or Brief Description of Proposal</b>	To undertake a Waste Disposal Contract 2030+ Options Appraisal.
<b>Brief Service Profile (including number of customers)</b>	
<p>The council wishes to undertake an options analysis programme of work, with Tripartite partners, Portsmouth City Council and Hampshire County Council to look at future options for how household waste is disposed of post December 2030, when the current joint Waste Disposal Service Contract (WDSC) expires.</p> <p>Undertaking the programme of work provides Southampton with the opportunity to best position the council to ensure our waste services deliver the optimal environmental outcomes beyond 2030, whilst also ensuring value for money.</p> <p>This report for approval is for an options appraisal to be undertaken, therefore at this stage a detailed ESIA cannot be completed because no initiatives or changes are yet being considered.</p> <p>A detailed ESIA will be completed, as required, to assess the full impact of any new initiatives or changes to the service following the outcome of the options appraisal.</p> <p>When the options are being reviewed throughout the programme of work, due consideration will be given to the impact any arrangements may have from an equalities perspective when it comes to service delivery.</p>	
<b>Summary of Impact and Issues</b>	
<p>The options analysis is about determining the optimal solution for delivery of our duties as waste disposal authorities with regards to municipal waste across Hampshire, Portsmouth and Southampton.</p>	

The future service needs to be accessible to all residents including those within all the protected groups to ensure that the council achieves the optimal level of performance in terms of waste prevention, recycling, recovery and landfill diversion.

All options from the appraisal will be assessed to determine whether there are likely to be any impacts on groups with protected characteristics.

All options from the appraisal will be assessed to ensure that they meet all legal duties and that all activity is done in a lawful manner.

### Potential Positive Impacts

It is expected there will be a variety of impacts arising from any future changes to waste collection and disposal services.

The options appraisal programme of work will identify any positive and negative impacts of any service changes to commence post 2030 to ensure the impact on any protected characteristics is clear, and set out plans how, if necessary, any impacts will be mitigated.

<b>Responsible Service Manager</b>	David Tyrrie - Head of City Services
<b>Date</b>	16 April 2024
<b>Approved by Senior Manager</b>	Ian Collins - Director- Environment
<b>Date</b>	16 April 2024

### Potential Impact

<b>Impact Assessment</b>	<b>Details of Impact</b>	<b>Possible Solutions &amp; Mitigating Actions</b>
<b>Age</b>	It is expected there will be impacts arising to age for any future changes to waste disposal services.	A detailed ESIA will be completed, as required, to assess the full impact of any new initiatives or changes to the service from the outcome of the options appraisal.
<b>Disability</b>	It is expected there will be impacts arising to disability for any future changes to waste disposal services.	A detailed ESIA will be completed, as required, to assess the full impact of any new initiatives or changes to the service from the outcome of the options appraisal.
<b>Gender Reassignment</b>	It is not expected there will be any impacts arising to gender reassignment for any future changes to waste disposal services.	
<b>Care Experienced</b>	It is not expected there will be any impacts arising to care experienced for any	

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	future changes to waste disposal services.	
<b>Marriage and Civil Partnership</b>	It is not expected there will be any impacts arising for any future changes to waste disposal services.	
<b>Pregnancy and Maternity</b>	It is expected there will be impacts arising for any future changes to waste disposal services for families with babies that create waste created by using disposable nappies, if the product is still available post 2030.	A detailed ESIA will be completed, as required, to assess the full impact of any new initiatives or changes to the service from the outcome of the options appraisal.
<b>Race</b>	It is not expected there will be any impacts arising for any future changes to waste disposal services.	
<b>Religion or Belief</b>	It is not expected there will be any impacts arising for any future changes to waste disposal services.	
<b>Sex</b>	It is not expected there will be any impacts arising for any future changes to waste disposal services.	
<b>Sexual Orientation</b>	It is not expected there will be any impacts arising for any future changes to waste disposal services.	
<b>Community Safety</b>	It is expected there will be impacts arising for any future changes to waste disposal services.	A detailed ESIA will be completed, as required, to assess the full impact of any new initiatives or changes to the service from the outcome of the options appraisal.
<b>Poverty</b>	It is expected there will be impacts arising for any future changes to waste disposal services.	A detailed ESIA will be completed, as required, to assess the full impact of any new initiatives or changes to the service from the outcome of the options appraisal.
<b>Health &amp; Wellbeing</b>	It is expected there will be impacts arising for any future changes to waste disposal services.	A detailed ESIA will be completed, as required, to assess the full impact of any new initiatives or changes to the service from the outcome of the options appraisal.

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
<b>Other Significant Impacts</b>	Language, there is a risk that some people, for whom English is not a first language, may not be able to understand any service changes.	Once initiatives or changes to any future services post 2030 have been identified by the options appraisal, a programme of how they will be communicated to the city's residents will be addressed, this will include understanding the demographics of the city expected to be resident in 2030. It is expected that the council will be utilising data from Mosaic ( or comparable future software package) to understand the demographics at the time of any service changes.

<b>DECISION-MAKER:</b>	Cabinet
<b>SUBJECT:</b>	ANPR Camera Enforcement Contract
<b>DATE OF DECISION:</b>	16 April 2024
<b>REPORT OF:</b>	<b>COUNCILLOR KEOGH</b> <b>CABINET MEMBER FOR ENVIRONMENT &amp; TRANSPORT</b>

<b><u>CONTACT DETAILS</u></b>			
<b>Executive Director</b>	<b>Title</b>	Interim Executive Director of Place	
	<b>Name:</b>	<b>Nawaz Khan</b>	Tel: 023 8091 7648
	<b>E-mail</b>	<b>Nawaz.khan@southampton.gov.uk</b>	
<b>Author:</b>	<b>Title</b>	<b>Service Manager – Highways and Infrastructure</b>	
	<b>Name:</b>	<b>Helen Taverner</b>	Tel: <b>023 8254 5622</b>
	<b>E-mail</b>	Helen.Taverner@southampton.gov.uk	

<b>STATEMENT OF CONFIDENTIALITY</b>
-------------------------------------

Not applicable
----------------

<b>BRIEF SUMMARY</b>
----------------------

<p>This paper details the current maintenance and repair provisions of Automatic Number Plate Recognition ('ANPR') camera enforcement for traffic contraventions and seeks authorisation to enter into direct contract with the supplier in order to create a more efficient arrangement for the Council.</p>
---

<b>RECOMMENDATIONS:</b>
-------------------------

- |      |   |
|------|---|
| (i)  | To authorise the direct award using Crown Commercial Service Framework agreement RM6099 of a contract to Marston Holdings ('Marston') for a 5-year period for ANPR installation, maintenance and repair starting from 01/04/2024. |
| (ii) | To authorise spend up to £570,000 in relation to the above from the Traffic Enforcement (AT9010) budget over a five year period.  |

<b>REASONS FOR REPORT RECOMMENDATIONS</b>
---

- |    |   |
|----|---|
| 1. | <ul style="list-style-type: none"> <li>i. The recommended provision enables the Council to continue to deliver accurate and reliable enforcement through an expert partner achieving financial best value without compromising the required service specification.</li> <li>ii. The recommended provision enables the Council to continue to deliver efficient operations by reducing resource requirements and equipment costs, maintaining effective compliance, and ensuring best value. This enables the council to procure directly ANPR camera enforcement operations 24/7, instead of procuring via an additional service (with add on fees) through the Highway Services Partnership ('HSP') contract.</li> <li>iii. The use of thee Crown Commercial Service Framework is free of charge and has previously been approved by the Council's Legal team and the Head of Supplier Management. It also enables the Council to shorten the procurement timelines by using a government approved supplier as certain new contract procurement exercises</li> </ul> |
|----|---|

- are already delivered, and the potential suppliers have demonstrated their fulfilment of service specifications.
- iv. To achieve an estimated cost reduction of £62,000 during a 5-year contract period when compared to the existing route to procurement for the use of enforcement cameras for moving contraventions.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. Implement no changes deliver all services required under existing arrangements – This would mean that the Council continues to procure ANPR camera enforcement services through HSP as Additional Services and would not achieve the estimated cost reduction detailed in paragraph 2, iv of this report.
3. Implement changes to associated administration activities as part of the same award to Marston.  
 There are additional significant estimated cost reductions in the region of £125k per year to be found within the administration activities associated with this area of work. However, there are ongoing Service Redesign activities currently taking place that will be implemented in 2024/25 as part of a wider programme of Traffic Management Transformation. It is expected that should the Council enter into contract with Marston for the delivery and maintenance there will be provision to use the Administration Support also offered through this contract in the future should that be the SCC preferred method following service redesign.

**DETAILS**

4. **TRAFFIC ENFORCEMENT CAMERAS**  
 The Government has given local authorities moving traffic enforcement powers under Part 6 of the Traffic Management Act 2004. In 2023, new powers were granted to Local Authorities to enforce laws against Moving Traffic Contraventions. These enforcement powers enable the Council to better manage locations where motorists perform dangerous and/or illegal moves, commonly referred to as moving traffic contraventions.
- The objectives of the ANPR camera enforcement are as follows:
- Only to be used when other options have not resulted in compliance such as engineering treatments, signage and communications;
  - To reduce congestion and idling traffic contributing to poor air quality;
  - To improve road safety;
  - To support more people to walk, cycle, and scoot throughout the city;
  - To keep traffic moving, making journey times more reliable; and
  - To reduce public transport service delays.

5. Currently there are ten ANPR live camera enforcement sites across the city, and a mobile enforcement vehicle;

Location	Enforcement
Shirley Rd	Bus Lane
Northam Rd	Bus Lane
New Rd	Bus Lane
Vincents Walk	Bus Gate
St Monica Primary School,	Zigzag

	Ludlow Infants & Junior School	Zigzag
	Foundry Lane Primary School	Zigzag
	Cantell - Violet Rd East	Zigzag
	Cantell - Violet Rd West	Zigzag
	Mobile Enforcement Vehicle (MEV)	Parking restriction
	Portland Terrace	Bus Gate
	Proposed - Above Bar South (2024)	Pedestrian Zone with time restriction

6. To date all ANPR camera enforcement assets have been procured via Balfour Beatty Living Places (BBLP) under the HSP contract. The recommended procurement method will not have any significant implications for the HSP contract, and will not result in any savings from the CityWatch contract as the current costs are 'absorbed'.

### RESOURCE IMPLICATIONS

7. The recommended ANPR camera enforcement contract will enable delivery of Moving Traffic Enforcement in a more efficient way. This is an enabling part of the Service Redesign across the Service Centre Penalty Charge Notice ('PCN') processing and representations team and alongside a programme of Traffic Management Transformation projects led by the Highways and Infrastructure service. The wider service redesign work will identify the efficiencies in terms of FTE resource with this contract being part of the enabling factors.

### Revenue

8. Traffic Enforcement income and expenditure is held in a non-General Fund account. The expenditure associated with managing the enforcement process, maintaining the equipment and other operational expenditure is funded by the PCN income generated. A contribution to the General Fund is ultimately made from any surpluses to part fund transport related services.

9. The intention is that all enforcement cameras will be self-funding, and when compliance at a specific site has been achieved the cameras will be relocated. The recommendation within this paper relating to the maintenance involves dealing directly with Marston as the maintenance company, thereby removing the uplift in costs of procuring ANPR enforcement through HSP as Additional Services. Over the 5-year period of the contract this will relate in an estimated reduction in costs to the council as detailed in the table below:

	2024/25	2025/26	2026/27	2027/28	2028/29	TOTAL
	£000	£000	£000	£000	£000	£000
<b>Current contracting arrangements</b>	114	120	126	132	139	<b>632</b>
<b>Proposed contract</b>	103	108	114	119	125	<b>570</b>
<b>Reduction</b>	<b>11</b>	<b>12</b>	<b>12</b>	<b>13</b>	<b>14</b>	<b>62</b>

10. The proposed contract spend will be funded by the PCN income generated each year. Over the duration of the contract this is forecast to be £0.55M in 2024/25 rising to £0.68M by 2028/29, assuming the number of enforcement locations stay the same. There is the possibility of increasing the number of locations which would potentially result in an increase in income as detailed in Appendix 1.

11.	The cost of managing the enforcement process is also required to be met from the income generated; it is expected to be at a level that enables all expenditure incurred in operating the service to be covered by the income. If this is not possible it would be possible to scale down the cost of the maintenance contract to enable it to be met from available resources.
12.	The spend within this report is to provide a discretionary service the Council is not legally obliged (does not have a 'duty' to provide) over and above essential levels and Cabinet are therefore asked to carefully consider such a commitment.
13.	Appendix 1 contains tables of financial information showing the breakdown of estimated maintenance cost under the current and proposed arrangements, along with income forecasts based on current sites and potential future increases in sites.
<b><u>Property/Other</u></b>	
13.	Not applicable
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
14.	The Government has given local authorities moving traffic enforcement powers under Part 6 of the Traffic Management Act 2004. In 2022, new powers were granted to Local Authorities to enforce laws against Moving Traffic Contraventions. The Council was awarded these powers in 2023 under a Designation Order.
<b><u>Other Legal Implications:</u></b>	
15.	In line with the Procurement Contracts Regulations 2015, the Local Authority can consider and implement a new contract using Crown Commercial Services Framework Agreements.
16.	The enforcement of moving traffic contraventions is subject to having appropriate appeal processes in place and undertaking action in accordance with the relevant statutory frameworks and enforcement codes and policies. These processes and policies are specifically designed to ensure the enforcement process complies with the requirements of the Human Rights Act 1998, s.17 Crime & Disorder Act 1998 and Equalities Act 2010.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
17.	<ul style="list-style-type: none"> <li>i. Risk - Long procurement timelines. Mitigation - The recommendation allows shortening long procurement timelines whilst fulfilling the expected "Cost vs Service Quality" balance.</li> <li>ii. Risk - Councils budget constraints. Mitigation - During the term of the recommended contract, there will be a revenue stream as a result of issuing Penalty Notice Charge (PCN) for contraventions.</li> </ul>
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
18.	Moving Traffic Enforcement supports Policy C3 Investing in Road and Rail Connections of the Local Transport Plan and Ambition 2 of the Southampton Bus Service Improvement Plan (BSIP) to make bus services fast & reliable.



It is also clear within the government document 'Bus Back Better' that there is an expectation for Local Authorities to use moving traffic powers granted under Part 6 of the Traffic Management Act 2004 to support bus movements as an integral part of the BSIP.

<b>KEY DECISION?</b>	<b>Yes</b>	
<b>WARDS/COMMUNITIES AFFECTED:</b>	All wards	
<u>SUPPORTING DOCUMENTATION</u>		
<b>Appendices</b>		
1.	Appendix 1 – Supporting Financial Tables	
<b>Documents In Members' Rooms</b>		
1.	None.	
<b>Equality Impact Assessment</b>		
<b>Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.</b>		<b>No</b>
<b>Data Protection Impact Assessment</b>		
<b>Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.</b>		<b>No</b>
<b>Other Background Documents</b>		
<b>Other Background documents available for inspection at:</b>		
<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.		

This page is intentionally left blank

### Appendix 1 – Supporting Financial Tables

Table 1 – Projected costs under proposed contract arrangements

	24/25 £	25/26 £	26/27 £	27/28 £	28/29 £	TOTAL £
Location	Quote	Assuming 5% annual RPI uplift in costs				
All Sites plus Preventative Maintenance	96,075	100,879	105,923	111,219	116,780	530,875
300k DVLA lookups per annum	7,200	7,560	7,938	8,335	8,752	39,785
<b>TOTAL</b>	<b>103,275</b>	<b>108,439</b>	<b>113,861</b>	<b>119,554</b>	<b>125,531</b>	<b>570,660</b>

Table 2 – Projected costs under existing contracting arrangements

	24/25 £	25/26 £	26/27 £	27/28 £	28/29 £	TOTAL £
Location	Quote	Assuming 5% annual RPI uplift in costs				
All Sites plus Preventative Maintenance	107,220	112,581	118,210	124,120	130,326	592,457
300k DVLA lookups per annum	7,200	7,560	7,938	8,335	8,752	39,785
<b>TOTAL</b>	<b>114,420</b>	<b>120,141</b>	<b>126,148</b>	<b>132,455</b>	<b>139,078</b>	<b>632,241</b>

Table 3 – Projected income from Moving Traffic Enforcement via ANPR

	24/25 £	25/26 £	26/27 £	27/28 £	28/29 £	TOTAL £
Income based on current locations - Average YTD and assuming 5% RPI annual increase	555,758	583,546	612,723	643,359	675,527	<b>3,070,912</b>
Income adjusted for 3 proposed new sites based on YTD	802,761	842,899	885,044	929,296	975,761	<b>4,435,762</b>

This page is intentionally left blank

<b>DECISION-MAKER:</b>	Cabinet
<b>SUBJECT:</b>	Extra Care Procurement
<b>DATE OF DECISION:</b>	16 April 2024
<b>REPORT OF:</b>	<b>COUNCILLOR FINN CABINET MEMBER FOR ADULTS AND HEALTH</b>

<u>CONTACT DETAILS</u>			
<b>Executive Director</b>	<b>Title</b>	Executive Director of Community Wellbeing	
	<b>Name:</b>	Claire Edgar	Tel: 023 8083 2028
	<b>E-mail:</b>	<a href="mailto:claire.edgar@southampton.gov.uk">claire.edgar@southampton.gov.uk</a>	
<b>Author:</b>	<b>Title</b>	Director of Commissioning	
	<b>Name:</b>	Terry Clark	Tel: 023 8083 4699
	<b>E-mail:</b>	<a href="mailto:terry.clark@nhs.net">terry.clark@nhs.net</a>	

<b>STATEMENT OF CONFIDENTIALITY</b>
NOT APPLICABLE

<b>BRIEF SUMMARY</b>
Following the completion of a competitive tender, authority is requested to award contracts for the provision of care in the city's Extra Care schemes to the successful applicant.

<b>RECOMMENDATIONS:</b>
(i) To award three Extra Care Contracts to the successful Tenderer, Care Quality Services Ltd, with effect from 1 <sup>st</sup> July 2024 to 1 <sup>st</sup> July 2028 for an initial term of 4 years with a possible +1+1 extension, at an annual value of £452,368.80 and a total contract value of £2,714,212.80.

<b>REASONS FOR REPORT RECOMMENDATIONS</b>
1. The recommended contract awards are the result of an open, fair, and transparent procurement process, and the application submitted by Care Quality Services Ltd represents the most economically advantageous option for provision of the extra care services required by the Council.

<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>
2. Not awarding the contracts <b>is not recommended</b> . The extension of existing arrangements would not be compliant with the Council's duties under Public Contract Regulations 2015, and being out of contract would not give the Council sufficient assurance regarding the cost, sustainability, and quality of the care services required in these schemes going forward.

<b>DETAIL (Including consultation carried out)</b>
3. <b>BACKGROUND</b> 'Extra care' housing is a strengths-based model of accommodation-based care and support that enables individuals to self-care and maintain independent living. The city currently has 6 extra care housing schemes, 5 of which are owned directly by the

Council (Potters Court, Erskine Court, Graylings, and Manston Court), as well as Rozel Court, which is operated by Saxon Weald, and independent housing association.

### **SERVICE REDESIGN**

The current commissioning arrangement for the provision of care in the city's extra care schemes used the Council's previous Home Care Framework to automatically award the opportunity to provide care in the city's extra care schemes to the provider appointed as the 'lead provider' for the area of the city that the scheme is located in. A subsequent review of this arrangement found that it led to unwarranted variation in the models of care delivered across the 6 schemes, and that it provided insufficient ongoing assurance of best value over time.

Following the successful implementation of the new Platform Agreement for Home Based Services, the Platform has now been used to reprocure Home Care for the city's Extra Care schemes. The new contracts are for provision of a 'core' overnight support and alarm response service at each scheme, and the daytime personal care required for residents as per their individual care plans will be purchased separately from the provider on an 'as delivered' basis. The provider is required to combine the core and variable service elements in a manner that ensures 24-hour care and support is available as needed. The new approach maximises the value of the competitive tender by right-sizing the arrangements into 3 contracts with 2 schemes per contract to reflect similar financial envelopes and activity levels. The new design also standardises the service requirements and tightens the provider's contractual obligations of providers.

### **PROCUREMENT**

The Platform Agreement used for the contract call-off was procured under the Light Touch Regime (LTR) as set out in the Public Contract Regulations (PCR) 2015. Extra Care Contract tenders were sought for an initial period of four years with a possible extension of up to six years. The evaluation of tenders was carried out in two stages:

- Stage 1: Pass/Fail Evaluation – Tenderers were required to answer a set of questions specific to the delivery of Extra Care and were considered to have passed if the evaluation panel determined the minimum criteria for running an effective service in accordance with the service specification had been met.
- Stage 2: Tenderers were assessed on the award criteria of 70% price and 30% on the quality scores awarded to Tenderers' initial applications for the Extra Care 'Lot' of the Home Care Platform Agreement.

Assurance of quality in service delivery will be further ensured through contract management, routine onsite quality checks, and through 'PAMMS', a digital care quality assessment tool commissioned by the Council to verify and evidence the quality of Care Quality Commission (CQC) regulated care. PAMMS has been used by the Council since the Home Care Platform agreement went live 9 months ago and has already had a demonstrably positive influence on the quality of care delivered in the city.

The procurement process required Tenderers to submit a separate Pricing Schedule for all combinations of contracts they wished to bid for, with an expectation of service efficiencies in the form of a lower tender rate where a Tenderer is successful in their bid

for two or more contracts. Based on all tendered bids, all valid combination of Services proposed by Tenderers were assessed to find the combination of one or more suppliers that provides the most economically advantageous tender to the Council.

Of the five bidding Tenderers, four proceeded to Stage 2 of the evaluation process. The four who proceeded to Stage 2 all submitted tenders for all three contracts. By applying the evaluation methodology to assess the most economically advantageous tender, the highest scoring Tender for all three contracts is Care Quality Services Ltd. Care Quality Services Ltd (also known as Allied Care) is a well-regarded and long-standing provider of both Home Care and Extra Care in the city.

**IMPLEMENTATION PLAN**

Milestone	By when
Notification of intention to award, pending cabinet approval	09/04/2024
Standstill period	09/04/2024 (2 weeks)
Initial communication to residents	16/04/2024
Resident engagement events	w/c 29/04/2024
Contract award mobilisation meeting	22/04/2024
Mobilisation period	06/05/2024 – 01/07/2024
Go live date	01/07/2024

**RESOURCE IMPLICATIONS**

**Capital/Revenue**

4. Based on the proposed award of all three contracts to the winning Tenderer, the estimated financial implication is as follows:

Sub-Lot	Scheme	Total Annual Block Cost	Total Block Cost over Full Contract Term (4+1+1)
Sub-Lot 5a	Erskine Court	£151,569.60	£909,417.60
	Graylings		
Sub-Lot 5b	Potters Court	£151,413.60	£908,481.60
	Rozel Court		
Sub-Lot 5c	Manston Court	£149,385.60	£896,313.60
	Rosebrook Court		
		£452,368.80	£2,714,212.80

A cost pressure of 12.5% was expected from a like for like retender of services, given that the rates paid by the Council for extra care have resisted inflationary pressure for several years under the terms of the current contracts. This was predicted to cost an additional £275k for 24/25 with a full year effect of £365k p.a., which was forecast and accounted for in the 2024/25 adult social care budget.

	However, a review of the service operating model identified opportunities to mitigate this cost pressure by streamlining the model and rebalancing the core and variable elements. The benefit of the service redesign combined with the competitive procurement process undertaken using the Home Care Platform Agreement has instead achieved a net saving of £325k in year 2024/25, and a saving £434k from 2025/26. This saving is not yet in the Medium Term Financial Strategy.
--	---

**Property/Other**

5.	N/A
----	-----

**LEGAL IMPLICATIONS**

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

6.	The Procurement Process for the creation of this Platform was conducted through The Light Touch Regime (LTR) as set out in the Public Contract Regulations (PCR) 2015. The services to be provided under the contract fall within the Council’s duties under the Care Act 2014.
----	---

**Other Legal Implications:**

*Equality Act 2010* - An Equality and Safety Impact Assessment has been completed. The majority of the 279 residents will be in the over 55 category, and the majority of residents will meet the definition of having a disability under the Equality Act 2010. Users of the service all qualify for publicly funded care; therefore, it is likely that these residents will be experiencing income inequality. Possible impact to these residents will be mitigated through clear communications utilising best practice tools (such as Hemingway) to ensure readability. In addition, in-person surgeries will be held for residents to ask questions of Council Officers. Housing and Adult Social Care colleagues will be kept up to date and will be available to provide support if required or requested.

*Data Protection* – Under the Home Care Platform Agreement, there is an overarching Data Protection Impact Assessment; therefore, a separate assessment is not necessary for this specific element.

**RISK MANAGEMENT IMPLICATIONS**

7.	The procurement outcome will reduce the number of active extra care service providers in the city from three to one. The risk associated with the reduction is, however, mitigated in the design of the Home Care Platform Agreement, which contains a range of pre-qualified providers who could be mobilised at pace to deliver one or more of the contracts as needed. The successful Tenderer is also an experienced local Extra Care service provider with a long-standing track record of success in this area.
----	---

**POLICY FRAMEWORK IMPLICATIONS**

8.	The proposed contract awards are consistent with the Council’s ambitions to improve resident health and wellbeing, and to be a successful and sustainable organisation.
----	---

<b>KEY DECISION?</b>	<b>Yes</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	ALL
<b><u>SUPPORTING DOCUMENTATION</u></b>	



<b>Appendices</b>	
1.	ESIA
<b>Documents In Members' Rooms</b>	
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.	<b>Yes</b>
<b>Data Protection Impact Assessment</b>	
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	<b>No</b>
<b>Other Background Documents</b>	
<b>Other Background documents available for inspection at:</b>	
<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.	

This page is intentionally left blank

## 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.

<b>Name or Brief Description of Proposal</b>	Extra Care Re-procurement
<b>Brief Service Profile (including number of customers)</b>	
<p>The Council commissions care and support services for eligible residents in 279 Extra Care flats across 6 Extra Care Schemes. Five of the six are managed and owned by SCC and the other is operated by Saxon Weald, an independent housing association.</p> <p>‘Extra care’ housing is a strengths-based model of accommodation-based care and support that enables individuals to self-care and maintain independent living.</p> <p>Following the completion of a competitive tender, authority has been requested to award contracts for the provision of care in the city’s Extra Care schemes to the successful applicant.</p> <p>It is not anticipated that this decision will have any impact on Equality and Safety as the award is being made under an existing procurement vehicle. However there are some impacts, mainly positive, of bringing Extra Care under the umbrella of the Home Care Platform.</p>	
<b>Summary of Impact and Issues</b>	
<p>For residents in three of the six Extra Care schemes the care provider will change. The provider will work closely with the incumbent provider to ensure a smooth handover of services and no interruptions to care delivery. They will also engage with the existing providers staff offering TUPE opportunities which is expected to have high take up and therefore lessen the impact on continuity.</p>	

In conjunction with the Adult Social Care Charging Policy changes (being implemented on 8<sup>th</sup> April 2024) a small number of residents may see a rise in their client contribution at the go live date. This is because client contribution is the lower of either the maximum cost of care or the maximum assessed charge (As determined by a financial assessment), and the award of these services will increase the maximum cost of care.

**Potential Positive Impacts**

The increase in cost and therefore maximum cost of care is a result of increases in overheads for providers including national minimum wage, national insurance etc and it is highly likely that in the absence of a retender we would have had to provide an uplift to providers anyway. The competitive procurement/ re tender, has helped keep this increase low by exerting downward pressure on this rate.

Updated and revised documentation as part of this award strengthens the providers responsibility to engage with residents and landlords, to develop robust service delivery plans and service level agreements improving outcomes for residents in these schemes.

Care Quality Services Ltd (also known as Allied Health Care) is a well-regarded and long-standing provider of both Home Care and Extra Care in the city.

The introduction of ‘PAMMS’, a digital care quality assessment tool commissioned by the Council to verify and evidence the quality-of-Care Quality Commission (CQC) regulated care is also expected to drive up quality.

PAMMS has been used by the Council since the Home Care Platform agreement went live on 5<sup>th</sup> June 2023 and has already had a demonstrably positive influence on the quality of care and support delivered in the city.

<b>Responsible Service Manager</b>	Abigail Benham
<b>Date</b>	05/04/2024
<b>Approved by Senior Manager</b>	Chris Pelletier
<b>Date</b>	05/04/2024

**Potential Impact**

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
<b>Age</b>	The majority of the 279 residents will be in the over 55 category.	<p>Clear communications to be developed and agreed with the internal comms team. Best practice tools such as Hemmingway will be employed to ensure the readability of any information is at an acceptable level.</p> <p>In person surgeries will be held in each scheme giving residents the opportunity to speak directly with Council Officers and ask any questions that they may have.</p> <p>Clear communications to be developed and agreed with the internal communications team. Best practice tools such as Hemmingway will be employed to ensure the readability of any information is at an acceptable level.</p> <p>In person surgeries will be held in each scheme giving residents the opportunity to speak directly with Council Officers and ask any questions that they may have.</p> <p>Housing providers and incumbent providers will be briefed and supported by Officers throughout the transition process.</p>
<b>Disability</b>	The majority of the 279 residents will meet the definition of having a disability under the Equality Act 2010.	
<b>Care Experienced</b>	Residents may not understand the reason for changes and may be concerned regarding a lack of continuity.	

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
		<p>Mobilisation meetings will be held with the incoming provider on a regular basis to ensure they are proceeding as required and working with the outgoing provider to minimise any service disruption.</p> <p>Communications will also be sent to Adult Social Care staff to ensure that practitioner are able to support their clients should they be approached directly.</p>
<b>Gender Reassignment</b>		
<b>Marriage and Civil Partnership</b>	None	
<b>Pregnancy and Maternity</b>	None	
<b>Race</b>	None	
<b>Religion or Belief</b>	None	
<b>Sex</b>	None	
<b>Sexual Orientation</b>	None	
<b>Community Safety</b>	None	
<b>Poverty</b>	<p>As described above a small number of residents may see a rise in their client contribution.</p> <p>Users of the service all qualify for publicly funded care; therefore, it is likely that these residents will be experiencing income inequality.</p>	<p>A resident will only see a rise in their client contribution if they are already paying less than they have been financial assessed as able to afford (the maximum assessed charge).</p> <p>Residents will be issued with a FAQ sheet providing them with the contact information of the Customer Payment and Debt team should they</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
		<p>have any queries. The Customer Payment and Debt team have been briefed ahead of this so are prepared to answer any questions.</p> <p>If the resident requests a re-assessment of their finances, then they will be referred to the Finance Assessments and Benefits team.</p>
<b>Health &amp; Wellbeing</b>	<p>We expect a positive impact on the health and wellbeing of our residents by bringing in additional measures such as PAMMS to drive up the quality of services.</p> <p>The competitive procurement process ensures the Local Authority have carried out its duties under the Care Act 2010.</p>	-
<b>Other Significant Impacts</b>	None	

This page is intentionally left blank



<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	SCHOOL TRAVEL SERVICE AND POST-16 TRAVEL SERVICE POLICY
<b>DATE OF DECISION:</b>	16 APRIL 2024
<b>REPORT OF:</b>	COUNCILLOR WINNING, CABINET MEMBER FOR CHILDREN'S SERVICES AND LEARNING

<b><u>CONTACT DETAILS</u></b>			
<b>Executive Director:</b>	<b>Title:</b>	Executive Director – Wellbeing (Children and Learning)	
	<b>Name:</b>	Robert Henderson	Tel: 07468758995
	<b>E-mail:</b>	Robert.Henderson@southampton.gov.uk	
<b>Author:</b>	<b>Title</b>	Service Manager – Service Delivery, Performance and Compliance	
	<b>Name:</b>	Annamarie Hooper	Tel: 023 8083 2181
	<b>E-mail:</b>	Annamarie.Hooper@southampton.gov.uk	

<b>STATEMENT OF CONFIDENTIALITY</b>	
N/A	
<b>BRIEF SUMMARY</b>	
<p>The School Travel Service and Post-16 Travel Service Policy 2024-25 updates the previous Home to School Transport Policy 2023-24 and provides a clearer document that will enable service users to better understand Southampton City Council's ("Council") travel service offer and any support that users may be entitled to. The policy applies to children and young people whose permanent home address is within the administrative boundaries of the Council.</p> <p>The policy sets out the Council's:</p> <ul style="list-style-type: none"> <li>• approach to the operation of the School Travel Service in Southampton.</li> <li>• statutory requirements along with local policy, including the criteria for eligibility, the type of travel support the Council may provide and how to appeal a decision.</li> </ul>	
<b>RECOMMENDATIONS:</b>	
	(i) To approve the School Travel Service and Post-16 Travel Service Policy 2024-25.
	(ii) To delegate authority to the Executive Director – Wellbeing (Children and Learning), following consultation with the Cabinet Member for Children's Services and Learning to make minor changes to the policy during its period of effect.
<b>REASONS FOR REPORT RECOMMENDATIONS</b>	
1.	Local authorities must make free-of-charge travel arrangements to facilitate the attendance at school of eligible children of compulsory school age and resident

	in their area. Local authorities must publish their school travel policy for children of compulsory school age by 19 <sup>th</sup> September each year.
2.	Local authorities have a duty to prepare and publish an annual transport policy statement specifying the arrangements for the provision of travel support to facilitate the attendance of those of sixth form age in education or training. Local authorities must publish this policy statement by 31 <sup>st</sup> May each year.
3.	Local authorities have a duty to make arrangements for the provision of travel support as they consider necessary in respect of adults (aged 19 or over) for the purpose of facilitating their attendance in education and relevant young adults with an Education, Health and Care (EHC) plan for the purpose of facilitating their attendance at institutions where they are receiving education or training outside the further and higher education sectors.
<b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b>	
4.	Option one: to do nothing. This option was rejected upon the basis of a need to review the policy and to make the document clearer. Additionally, Southampton City Council is required to have an up-to-date school travel and post-16 travel policy by law.
5.	Option two: to only provide the statutory level of support and not any discretionary elements. This option was rejected due to the Council's approach in utilising its discretionary powers in providing travel support. In accordance with statutory guidance, local authorities have discretionary powers to provide travel support for children resident in their area who are not eligible children. Southampton City Council is committed to identifying sustainable modes of transport for travel support where appropriate and suitable for the needs of the individual child or young person. Therefore, in some areas Southampton City Council opts to use its discretionary powers.
<b>DETAIL (Including consultation carried out)</b>	
6.	<b><u>Changes to the policy</u></b>
7.	We are proposing to update the appeals process to bring it in line with government guidance. The appeals process is for disputing a decision made by Southampton City Council against the provision of travel support. In line with government guidance, we propose to introduce a two-stage process for appeals. The first stage would be a review by senior officers within 20 working days of receiving an appeal. Then, if the appellant wishes to escalate the appeal, the second stage would be a review by an independent officer panel within 40 working days of the appeal being escalated. We have added a separate appeals policy as an appendix to the main policy that clearly sets out how the appeals process will work for those appealing a decision.
8.	We are proposing to set out a clear order and hierarchy for how travel support options will be considered by the Council. This aims to improve transparency. The hierarchy applies to new applicants and to those already receiving travel support. If a child/student/adult learner is eligible for travel support, we would consider a range of options, working with pupils, parents and carers pro-actively to establish the most suitable and sustainable approach. Proposed methods of travel support would be considered in a clear order, which is set out below: <ol style="list-style-type: none"> <li>1. Travel training – Independent travel training (ITT) gives children, students and adult learners the essential skills needed to travel</li> </ol>

	<p>independently either on foot, by other sustainable travel option, such as bike or scooter, or by public transport.</p> <ol style="list-style-type: none"> <li>2. Sustainable travel such as bike or scooter.</li> <li>3. Bus/rail pass.</li> <li>4. Personal Travel Budgets (PTBs) – only applicable to children and young people with an EHC plan. Parents or carers can use PTBs in any reasonable way to get their child to school. A PTB will only be offered where it is a more cost-effective option than a suitable alternative option (unless in exceptional circumstances). Provision will be reviewed periodically and if a more economical mode of travel becomes available, the parent will be given notice of a change to the mode of travel, for example, eligibility for ITT or a place becomes available on a shared transport route.</li> <li>5. Group pick up/drop off. (Where appropriate and reasonable, parents or carers may be expected to take their child to and from a pickup/drop off point. Pick-up/drop-off points will be within 1 mile of the child’s home address).</li> <li>6. Vehicle (taxi / minibus) provision by other Southampton City Council services that have suitable vehicles.</li> <li>7. Transport – multi occupancy (transportation for multiple children).</li> <li>8. Transport (taxi / minibus) – single occupancy (transportation for a single child).</li> </ol>
9.	<p>We are proposing that parents/carers who wish to apply for school travel support list their nearest school in their school application forms. When an application for travel is considered following the normal admissions round, it can be difficult for local authorities to know whether a child could have been admitted to their nearest school if their parent/carer did not list that school as a preference when they applied for a school place. Whilst parents or carers are entitled to express a preference for any school in the city, individuals who do not apply for their nearest school with places available may not be entitled to travel support. Therefore, Southampton City Council is requesting that parents/carers express their preference of school, as well as separately list whether their first preference is their nearest school on their application form.</p>
10.	<p>We have included a proposed definition of a home address and how this would be defined in the case of dual custody arrangement. We are proposing the following definition: The designated home address will be defined as the address at which the child resides and spends the majority of their time. In cases where a child has a shared living arrangement, such as equal shared custody for separated parents/carers, we would use the address where the recipient of the child benefit lives. If no child benefit is received, we would use the address where the child is registered at their GP surgery.</p>
11.	<p>We have suggested changes to the terminology used within the policy to ensure it is consistent. This includes the service’s rebrand from ‘Home to School Transport’ to ‘School Travel Service’. This introduces flexibility to the policy and is a more accurate reflection of the service offer to provide sustainable as well as suitable travel options.</p>
12.	<p><b><u>Public Engagement Exercise</u></b></p>
13.	<p>In total, 182 people responded to the public engagement exercise, including 84 respondents who are parents/carers of a child in receipt of school/post-16</p>

	travel support and 9 child/adult learner in receipt of school/post-16 travel support.
14.	<p>The aim of this consultation was to:</p> <ul style="list-style-type: none"> <li>• Clearly communicate the proposed draft policy to residents and stakeholders;</li> <li>• Ensure any resident, business or stakeholder in Southampton that wished to comment on the proposals had the opportunity to do so, enabling them to raise any impacts the proposals may have, and;</li> <li>• Allow participants to propose alternative suggestions for consideration which they feel could achieve the objectives of the policy in a different way.</li> </ul>
15.	<p>The consultation was promoted in the following ways:</p> <ul style="list-style-type: none"> <li>• Via schools and the Parent Carer Forum</li> <li>• Southampton City Council's website</li> <li>• Social media posts (including Facebook, LinkedIn, X/Twitter)</li> <li>• Southampton City Council e-bulletins</li> </ul>
16.	Overall, 42% respondents felt that the proposals would have a negative impact, including 35% that said they would have a very negative impact. 26% of respondents felt the proposals would have a positive impact. Of those respondents that are recipients of (or parent/carer of) school/post-16 travel support, 16% felt the proposals would have a positive impact and 66% felt the proposals would have a negative impact.
17.	Within the feedback, a section of the policy that individuals found concern was in the setting out of the travel options hierarchy that the Council will be looking to follow when providing travel support. 33% of respondents that are recipient of (or parent/carer of) school/ post-16 travel support agreed, whilst 57% disagreed. Feedback in disagreement were overwhelmingly centred upon concerns regarding the assessments deciding travel options, concerns regarding the individual needs of children with SEND, and relating to this, concerns regarding children travelling to pick-up and drop-off points.
18.	In response to this feedback, the considerations of feedback form that is attached and an appendix to this report sets out that the School Travel Service and SEND team will assess which form of transport is most suited to each child, working with pupils, parents and carers pro-actively to establish the most suitable and sustainable approach. This is ongoing practice and by setting out the order in which different types of transport is considered within the updated policy, the Council is aiming to improve transparency.
19.	Additionally, the consideration of feedback form provides further detail regarding the operational aspects of the option to travel to pick-up and drop-off points. This outlines that the pick-up and drop-off points will be trialled on a pilot basis and only children that would be suited to this method of transport will participate in this trial.
20.	The majority of respondents agreed that the draft policy was easy to understand and provided sufficient information.
21.	The policy has been refined in response to the feedback received from public consultation.

22. The policy now has a School Travel Service Appeals and Complaints Procedure attached as an appendix. This procedure has been added in accordance with feedback stipulating that there was a lack of information regarding the appeals process within the policy. In further response to feedback, wording has been added to provide for further clarity throughout the document. This now gives clarity on how the safety of walking routes will be assessed, underlines the fact that both the type of transport offered as well as decisions not to provide support provides grounds for appeal, and notes that for individuals that have deferred a year and still attend school beyond aged 16, travel support will be considered on a case-by-case basis. This also provides further information regarding the use of the personal travel budget.

**RESOURCE IMPLICATIONS**

**Capital/Revenue**

23. There will be no impact on capital income / expenditure.

24. Southampton City Council currently owns 3-4 minibuses which are used by Adult Services. One minibus is currently proposed for use by the School Travel service as part of a pilot project for utilising the in-house fleet. This will cause no impact on capital expense. However, should the in-house pilot succeed then there will be potential for additional capital investment to expand the fleet.

25. The clear order and hierarchy for how school travel support options will be considered by the Council will support the provision of more sustainable travel support which should provide revenue cost efficiencies in the provision of travel support. For example, the average cost of travel support to a child using a taxi or minibus is approximately £9,000 pa, therefore, for every child for whom independent travel training is successful, it will generate an annual saving of £8,800. The table below demonstrates the approximate current spend forecast and numbers per entitlement.

	Number (approx.)	Estimate for year (£) (approx.)	Average per user (£) (approx.)
Personal Travel Budget	100	170,600	1,600
Bus pass	800	270,400	300
Single Occupancy	100	2,300,000	23,500
Multiple Occupancy	900	7,000,000	8,000

26. Whilst parents/carers are entitled to express a preference for any school in the city, parents/carers will need to separately list whether their first preference is their nearest school on their application form if they intend to apply for travel support. Travel support may not be provided to any school other than the nearest having spaces available at the time of offer. This means the Council may not be required to provide school travel support where the child may have been awarded a place at a school which would not qualify for travel support under the distance criteria, which may lead to a revenue cost efficiency.

27. Although it is unclear how many customers will shift category as a result of the policy changes, the Policy makes clear that we will be assessing travel support based on the most economical, suitable travel option for each child. This will enable the service to more robustly implement changes and will support moving away from taxis and minibuses as customer expectations are managed. Any future arbitration regarding travel support will be managed by

	the School Travel Service for mainstream applications, whilst SEND Travel Panels have been set up for SEND children.
<b><u>Property/Other</u></b>	
28.	None
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
29.	Under section 508A of the Education Act, local authorities must promote the use of sustainable travel and transport and make transport arrangements for all eligible children.
30.	Local authorities have discretionary power under section 508C of the Education Act 1996 to make travel arrangements for other children.
31.	Local authorities have a duty under sections 508F and 508G of the Education Act 1996, as inserted by section 57 of the Apprenticeships, Skills, Children and Learning Act 2009. Under section 508F, the local authority is required to make such arrangements for the provision of transport as they consider necessary in respect of: <ul style="list-style-type: none"> <li>a) adults (i.e. those who are aged 19 or over) for the purpose of facilitating their attendance at local authority maintained or assisted further or higher education institutions or institutions within the further education sector; and</li> <li>b) relevant young adults with an EHC plan (which can only be maintained up until the age of 25) for the purpose of facilitating their attendance at institutions where they are receiving education or training outside the further and higher education sectors. For those young adults, the local authority's duty only applies where the local authority has secured the provision of education or training at that institution and the provision of boarding accommodation in connection with that education or training. The adult duty applies only to young people who are attending a course which they started after their 19th birthday, including those with EHC plans.</li> </ul>
32.	Local authorities have a duty under the School Information (England) Regulations 2008 to publish information about travel arrangements.
<b><u>Other Legal Implications:</u></b>	
33.	The proposals are wholly consistent with and take into account the Equality Act 2010 and the Public Sector Equality Duty set out in section 149 of the Act.
34.	The policy has been fully assessed in accordance with the Council's statutory duties under the Equality Act 2010, including the Public Sector Equality Duty. A detailed Equality and Safety Impact Assessment is included with this report and will be reviewed and updated prior to any future decisions being considered regarding service provision.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
35.	Failure to have a policy in place would be high risk and leave the Council exposed to legal challenge for non-compliance with its statutory duty to have a policy in place, under section 508 of the Education Act and the School Information (England) Regulations 2008.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	

36.	In developing the policy, a review has been conducted to ensure it is in accordance with relevant Policy Framework policies and strategies. The policy is consistent with the Council's corporate objectives as set out in the Corporate Plan 2024 update.
-----	--

<b>KEY DECISION?</b>	<b>Yes</b>
----------------------	------------

<b>WARDS/COMMUNITIES AFFECTED:</b>	All
------------------------------------	-----

SUPPORTING DOCUMENTATION

**Appendices**

1.	School Travel Service and Post-16 Travel Service Policy 2024-25
2.	ESIA School Travel Service Policy
3.	School Travel Policy Consultation Feedback Report
4.	School Travel Policy Consultation Feedback Considerations

**Documents In Members' Rooms**

1.	None
----	------

**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>
---	------------

**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>
--	-----------

**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.	None

This page is intentionally left blank



# Southampton City Council

## School Travel Service and Post-16 Travel Service Policy 2024-2025



## Contents

Introduction .....	3
Legislative Context and other Related Documents .....	3
1. Travel Support (Early Years – Age 16) .....	4
2. Post-16 Statement for Students in Further Education and Adult Learners .....	8
3. Exceptional Circumstances Criteria .....	12
4. Additional Information.....	15
Appendix 1 .....	22
Appendix 2 .....	24
Appendix 3.....	43
Appendix 4.....	44

School Travel Service and Post-16 Travel Service Policy 2024-2025			
<b>Version</b>	V0.12	Approved by	
<b>Date last amended</b>	14/03/24	Approval date	
<b>Lead officer</b>	Service Manager – Service Delivery, Performance & Compliance	Review date	
<b>Contact</b>	<a href="mailto:annamarie.hooper@southampton.gov.uk">annamarie.hooper@southampton.gov.uk</a>	Effective date	

## Introduction

- I. This policy sets out Southampton City Council's approach to the operation of the school travel service in Southampton. It sets out the council's statutory requirements along with local policy. The legal responsibility for ensuring a child's attendance at school rests with the child's parent or carer. Parents or carers are generally expected to provide travel arrangements for their child/children to travel to and from school.
- II. The purpose of this policy is to set out the framework within which Southampton City Council will deliver its statutory responsibilities to provide travel support for eligible children under the Education Acts 1996 and 2011, and the Equality Act 2010.
- III. This policy applies to children, students, and adult learners whose permanent home address is within the administrative boundaries of Southampton City Council. Children and young people studying in but not resident in Southampton should refer to the relevant transport policies issued by the local authority in their resident area.

## Legislative Context and other Related Documents

- IV. This policy takes into account how Southampton City Council will deliver its statutory duties to provide travel support as set out in the Education Acts, which outline the categories of children and young people of compulsory school age (age 5-16) who are eligible for local authority funded travel support.
- V. This policy fulfils the requirements of Section 509 of the Education Act 1996 as amended by the Education Act 2002 and the Apprenticeships, Skills, Children and Learnings Act 2009 in relation to post-16 learners.
- VI. This policy takes in account the requirements of the Equality Act 2010.
- VII. This policy also reflects the requirements set out in:
  - Department of Education's travel to school for children of compulsory school age statutory guidance for children of compulsory school age, June 2023
  - Department of Education's Post 16 transport and travel support to education and training statutory guidance for local authorities, January 2019
  - Part 5 of the Transport Act 1985

## **1. Travel Support (Early Years – Age 16)**

### Early Years Travel Support

- 1.1. There is no legal entitlement to travel support to and from a nursery, school or early years provision settings for children below compulsory school age.
- 1.2. In most cases, travel support will not be available under this policy for children travelling to nurseries or other early years settings who are below compulsory school age.
- 1.3. Children attending specialist early years provision with an Education Health and Care Plan (EHCP) or through agreement for an Education Health and Care assessment, will be considered for travel support on a case-by-case basis.
- 1.4. Where travel support is agreed by Southampton City Council, consideration will be given as to whether the parent or carer can be expected (where reasonable and appropriate) to accompany their child/children whilst they are travelling and make arrangement for their return journeys.

### Compulsory School Age (Primary and Secondary)

- 1.5. Southampton City Council has a duty under the Education Acts 1996 and 2011 to provide free of charge travel support for 'eligible children' of compulsory school age.
- 1.6. Children aged under the age of 5 attending school in a Reception class will be considered to be of compulsory school age for the purpose of this policy and therefore qualify for travel support if they meet the eligibility criteria set out in this section.
- 1.7. Children of compulsory school age attending the nearest suitable school are eligible for free of charge travel support where the nearest suitable school is:
  - A distance of more than 2 miles from their home if the child is below the age of 8
  - A distance of more than 3 miles from their home if the child is over the age of 8
- 1.8. Children will be eligible for travel support under 'extended rights' where the child is entitled to free school meals, or their parents or carers are in receipt of the maximum level of Working Tax Credit or Universal Credit (with an earned income of no more than £7,400) and:
  - The nearest suitable school is more than 2 miles from their home (for children over the age of 8 and under the age of 11)
  - The school is between 2 and 6 miles from their home (if aged 11-16 and there are not three or more suitable nearer schools)
  - The school is between 2 and 15 miles from their home and is the nearest school preferred on the grounds of religion or belief, if, having regard to that religion or belief, there is no suitable school nearer to their home (aged 11-16)
- 1.9. Travel support will be provided if the nearest suitable school is measured as being nearer than the eligibility distance, but the child cannot be reasonably expected to walk (even if accompanied by a parent or carer) because the nature of the route is assessed to be unsafe to walk, and there is no alternative route within the compulsory walking distance that they would be able to walk in reasonable safety, as agreed by Southampton City Council. To assess whether a route can be walked in reasonable safety, Southampton City Council will consider the whole route. For

example, this will consider a range of risks such as whether routes have crossing controls or the speed of traffic.

- 1.10. Assessment for travel support will be determined once a school place has been allocated by Southampton City Council at a suitable school. Where a child's nearest school is oversubscribed and unable to offer them a place, the nearest school with places available is their nearest suitable school for school travel purposes.
- 1.11. Where the child is not attending their designated catchment or nearest suitable school due to parental or carer choice, and do not meet the extended rights criteria, the child will not normally be entitled to travel support.
- 1.12. For some children living within the Southampton City boundary, their nearest suitable school may be situated outside of the Southampton City boundary. Southampton City Council will consider travel support to a neighbouring local authority school, if it is the nearest suitable school to the child's home address.
- 1.13. Children who are not eligible for travel support under the eligibility set out in this section may qualify under the 'Exceptional Circumstances Criteria' (see Section 3).

#### Parents or Carers with a Disability

- 1.14. Where a child lives within walking distance of the nearest suitable school (or designated school if it is not the nearest) but the route to school relies on a parent or carer with a disability accompanying that child for it to be considered safe, and the parent or carer's disability prevents them from doing so, the child may be eligible for travel support. This will be determined by Southampton City Council on a case-by-case basis and will require medical evidence of the parent's or carer's disability.

#### Special Educational Needs, Disabilities and Limited Mobility

- 1.15. Southampton City Council will consider the provision of travel support to and from the nearest suitable school on a case-by-case basis, based on the needs of children of compulsory school age who cannot be reasonably expected to walk to school or travel independently due to their Special Educational Need and/or Disability (SEND) or limited mobility, even if they were accompanied by a parent or carer.
- 1.16. Travel support will be provided to and from a child's nearest suitable school. The nearest suitable school will be set out in a child's Education, Health and Care Plan (EHCP), taking into account the age, ability and aptitude of the child (including any SEND requirements). Children with an EHCP will be assessed on an individual basis and travel support will be provided where appropriate, based on a child's level of need, and will be reviewed in line with the statutory review process. Travel support is therefore subject to change based on the outcome of this review. Children without an EHCP will be assessed for travel support to their nearest suitable school.
- 1.17. Where a parent makes a preference for a school where Southampton City Council do not assess that it is the nearest suitable school, travel support will not be provided.
- 1.18. The appropriate travel support will be determined by Southampton City Council, taking into account information from the parent or carer and information and advice from relevant professionals, and any information that is recorded in a child's EHCP and Annual Review. Further detail around how appropriate travel support will be determined is set out in Section 4 of this policy.

### Independent Travel Training

- 1.19. All applications for children from secondary school age and beyond will be assessed for independent travel training where it is agreed travel support will be provided. Further detail around how appropriate travel support will be determined is set out in Section 4 of this policy.
- 1.20. All children/students/adult learners from secondary school age already in receipt of travel support and that have an Education Health and Care Plan (EHCP), will be routinely considered, whether they are suitable for independent travel training.
- 1.21. If the application is accepted by Southampton City Council, a Travel Trainer will work with the student to build their confidence and ability to travel independently.
- 1.22. Southampton City Council is committed to sustainable travel, and if travel support is agreed, it will be provided via the most cost-effective suitable method as assessed by the Southampton City Council School Travel Service. Further information regarding the method of travel support is detailed in Section 4 of this policy.
- 1.23. Independent travel training for pupils with SEND or limited mobility is tailored and practical help is provided to support travel by public transport, on foot or by bike.
- 1.24. Further information on independent travel training is available at <https://myjourneysouthampton.com/education/independent-travel-training/>.

## **2. Post-16 Statement for Students in Further Education and Adult Learners**



- 2.1. The local authorities have a duty under sections 508F and 508G of the Education Act 1996, as inserted by section 57 of the Apprenticeships, Skills, Children and Learning Act 2009, to consider arrangements for the provision of transport for post-16 students. Under section 508F, the local authority is required to make such arrangements for the provision of transport as they consider necessary in respect of:
- a) adults (those who are aged 19 or over) for the purpose of facilitating their attendance at local authority maintained or assisted further or higher education institutions or institutions within the further education sector; and
  - b) relevant young adults with an EHC plan (which may be maintained up until the age of 25) for the purpose of facilitating their attendance at institutions where they are receiving education or training outside the further and higher education sectors. This duty only applies where the local authority has secured the provision of education or training at that institution and the provision of boarding accommodation in connection with that education or training.
- 2.2. The duty under sections 508F and 508G of the Education Act 1996 applies to adults over the age of 19 who are attending a course which they started after their 19th birthday. For relevant young people the duty applies to those up to the age of 19 and beyond the age of 19 if they are continuing a particular course started before the age of 19 under 509AC(1) of the Education Act 1996.
- 2.3. For young people who have deferred a year and are therefore still at school beyond 16 years of age, travel support will be considered on a case by case basis.

#### Support provided by local education and training providers

- 2.4. Discounts and concessionary fares may be available to learners through individual education and training providers. Details of schemes available through local providers (within Southampton and neighbouring areas) are available in Appendix 2.

#### Support provided by Southampton City Council

- 2.5. Where a young person is of 'sixth form age' and attending school, further education provision or an apprenticeship placement, legislation gives local authorities the discretion to determine what travel support is necessary to facilitate a young person's attendance. This policy will refer to young people in this category as 'students'.
- 2.6. Travel support for students with SEND or limited mobility will be provided based on assessed need. Students and/or their parents or carers will not be required to contribute towards the cost of this service.
- 2.7. Where assessed as appropriate, travel support will be provided to the further education provider or apprenticeship placement that is assessed by Southampton City Council to be the nearest suitable placement for the student and which offers a course or programme which meets the needs of the applying student. Where a suitable course cannot be provided in Southampton, Southampton City Council will offer travel support to the next nearest further education provider offering the appropriate course that meets Southampton City Council's assessed needs or a student's needs.

#### Post-19 Adult Learners

- 2.8. Students over the age of 19 are considered 'adult learners'. Under Section 508F of the Education Act 1996, Southampton City Council has a duty to make arrangements for the provision of travel support free of charge, as appropriate and in line with the adult

learner's Education, Health and Care Plan (EHCP).

2.9. Adult learners over the age of 19 and under the age of 25 may qualify for travel support under this provision. Travel support for adult learners eligible for school travel will be free of charge.

2.10. This will only apply to adult learners who are receiving further education at a further education provider and are in receipt of an EHCP.

2.11. Adult learners' eligibility for travel support and the type of provision offered will be assessed by Southampton City Council having regards to the learner's assessed needs as set out in their EHCP.

DRAFT

### Independent Travel Training

- 2.12. All applications for children/students/adult learners from secondary school age and beyond will be assessed for independent travel training where it is agreed travel support will be provided. Further detail around how appropriate travel support will be determined is set out in Section 4 of this policy.
- 2.13. All children/students/adult learners from secondary school age already in receipt of travel support and that have an Education Health and Care Plan (EHCP), will be routinely considered, whether they are suitable for independent travel training.
- 2.14. If the application is accepted by Southampton City Council, a Travel Trainer will work with the student to build their confidence and ability to travel independently.
- 2.15. Southampton City Council is committed to sustainable travel, and if travel support is agreed, it will be provided via the most cost-effective suitable method as assessed by the Southampton City Council School Travel Service. Further information regarding the method of travel support is detailed in Section 4 of this policy.
- 2.16. Independent travel training for pupils with SEND or limited mobility is tailored and practical help for those with SEND requirements is provided to support travel by public transport, on foot or by bike.
- 2.17. Further information on independent travel training is available at <https://myjourneysouthampton.com/education/independent-travel-training/>.

### Appeals process

- 2.18. Students and adult learners, or parents or carers on their behalf, have a right to appeal the decision made by Southampton City Council to provide travel support. The appeals process is outlined in Section 4 of this policy and is set out in more detail in Appendix 4.

### **3. Exceptional Circumstances Criteria**

DRAFT

- 3.1. Children, students and adult learners who do not meet the criteria for statutory travel support may be eligible for help under the exceptional circumstances criteria. Southampton City Council recognises that travel support to and from an educational or training institution can have a positive impact on some vulnerable children and students, and may provide travel support to individuals who do not meet the qualifying criteria for support set out in this policy.
- 3.2. Applications for travel support under the exceptional circumstances criteria will be assessed on a case-by-case basis, taking into account the individual circumstances and the impact travel support will have on the educational outcomes of the child or student.
- 3.3. The period for which travel support is awarded under the exceptional circumstances criteria will be dependent on the individual circumstances of the child, student, or adult learner and may be for a fixed time period, or ongoing with an agreed review frequency.
- 3.4. Southampton City Council will consider any application for travel support for children of compulsory school age on the grounds of exceptional circumstances on a case-by-case basis. The following factors will be taken into account when assessing applications for travel support under the exceptional circumstances criteria. The list is not exhaustive, applications are not limited to these factors, and applications relating to these factors will not be automatically awarded travel support.
- The educational outcomes of the child
  - The health and wellbeing of the child, parent or carer and other family members
  - Duties under the Equalities Act 2010
  - Health and safety risks to the child or others that may apply if they travelled to school without support
  - Extraordinary circumstances that arise of a parent's or carer's work or caring commitments
  - Extraordinary circumstances that arise in relation to a child's parental or care duties
  - A special need or medical condition that may prevent the child from walking to school or using public transport
  - A special need or medical condition that may prevent parents or carers from being able to accompany the child, and it is reasonable to expect that the child requires accompaniment
- 3.5. Applications for travel support for students aged 16-19 not otherwise provided for in this policy may be considered on a case-by-case basis in line with the factors set out in Section 3.4 of this policy. In such cases Southampton City Council will direct the applicant to explore all options for bursaries and support available in the first instance.

#### Child/Student/Adult Learner Medical Conditions

- 3.6. Travel support for a child or student or Adult Learner may be provided within the minimum walking distances where written evidence from a GP or hospital consultant (or other appropriate independent professional) is provided stating:
- What medical or mental health conditions the child or student has and how this affects their ability to walk to and from school/further education provider
  - The child or student or Adult Learner cannot walk the given distance to and from school/further education provider

- How long the situation is likely to last

#### Parent or Carer Medical Conditions

3.7. Travel support may be provided within the minimum walking distances where written evidence is provided from a GP or hospital consultant (or other appropriate independent professional) confirming that the child, student or adult learner requires accompaniment to and from school/further education provider. In addition, the written evidence provided must include:

- What medical or mental health condition the parent or carer has where they are the only adult responsible for taking the child or student to and from school/further education provider and how this affects their ability to accompany the child to and from school/further education provider
- Confirmation that the parent(s) or carer(s) responsible for taking a child or student to school cannot walk the distance to and from school/further education provider
- How long the situation is likely to last

DRAFT

## **4. Additional Information**

DRAFT

- 4.1. Parents, carers, students or adult learners who wish to apply for travel support can do so by completing Southampton City Council's School Travel Service form, details of which can be found at: <https://www.southampton.gov.uk/schools-learning/in-school/school-travel-support/>, or alternatively, a paper copy can be obtained by writing to the council at School Travel Service, Civic Centre, Southampton. SO14 7LY, or phone the Council on 023 8083 2419.
- 4.2. When considering what type of travel support is appropriate for each child/student/adult learner, Southampton City Council will consider:
- The age and maturity of the child/student/adult learner
  - The ability and aptitude of the child/student/adult learner
  - Any special educational needs the child/student/adult learner may have
  - The type of vehicle the child/student/adult learner is travelling on
  - The length of the journey
  - The nature of the possible routes from home to school, particularly in relation to safety
  - Whether the child/student/adult learner is physically able to walk the distance involved
  - Whether the child/student/adult learner needs to be accompanied and whether it is possible for the child/student/adult learner to be accompanied
- 4.3. When considering whether a child's parent or carer can reasonably be expected to accompany the child on the journey a range of factors will be taken into account, including the age of the child and whether one would ordinarily expect a child of that age to be accompanied. The general expectation is that a child will be accompanied by a parent or carer where necessary, unless there is a good reason why it is not reasonable to expect the parent or carer to do so. Cases where it is not reasonable to expect the parent or carer to accompany the child will be considered under the 'Exceptional Circumstances Criteria'.
- 4.4. Local authorities have a duty to promote the use of sustainable travel on journeys to and from places of education in their area. If a child/student/adult learner is eligible for travel support, this will be provided via the most sustainable, cost-effective, suitable method as assessed by Southampton City Council. Examples of the types of travel considered will include (but are not limited to) the following:
- **Assessment for independent travel training (ITT)** – Children from secondary school age with SEND, students and adult learners will be assessed for independent travel training, allowing them to have the confidence and ability to travel independently after specialist training
  - **Personal Transport Budget (PTB)** – Children, and students who are assessed as being eligible for free school travel may be offered a Personal Travel Budget for the purpose of travel to and from their school/education setting. The School Travel Service will assess whether it would be a suitable form of travel based on the parent or carer's ability to transport their child/student/adult learner to and from their school/education setting. A PTB will only be offered where it is a more cost-effective option than a suitable alternative option (unless in exceptional circumstances). Provision will be reviewed periodically and if a more economical mode of travel becomes available, the parent or carer will be given notice of a change to the mode of travel, for example, eligibility for ITT or a place becomes available on a shared transport route
  - **Walking escort** – An escort may be provided to accompany a child on the walk to school/education setting where walking is an appropriate means of



making the journey, and parental or carer consent to the arrangement has been obtained

- **Passenger assistant** – Passenger assistants are provided in individual cases where the local authority feels it is necessary to meet a child's individual needs. The role of the passenger assistant will be to provide general supervision on public transport and ensure that a child's journey to and from school is safe
- **Bus Pass/Rail Pass**
- **Group pick up/drop off**
- **Transport (taxi / minibus)** – multi occupancy
- **Transport (taxi / minibus)** – single occupancy
- **Other forms of transport as appropriate**

4.5. If a child/student/adult learner is eligible for travel support, Southampton City Council will consider a range of options, working with pupils, parents and carers pro-actively to establish the most appropriate option via a hierarchy of travel support. The options for travel support will be considered by Southampton City Council in a clear order, which is set out below:

1. Travel training – Independent travel training (ITT) gives children, students and adult learners the essential skills needed to travel independently either on foot, by other sustainable travel option, such as bike or scooter, or by public transport.
2. Sustainable travel such as bike or scooter
3. Bus/rail pass
4. Personal Travel Budgets (PTBs) – only applicable to children and young people with an EHCP. Parents or carers can use PTBs in any reasonable way to get their child to school
5. Group pick up/drop off
6. Vehicle (taxi / minibus) used by other Southampton City Council services
7. Transport – multi occupancy
8. Transport (taxi / minibus) – single occupancy

#### Privilege Places

4.6. Southampton City Council is committed to identifying sustainable modes of transport for travel support where appropriate and suitable for the needs of the individual child or young person. A spare place on a contract vehicle may be offered to a child who is not entitled to travel support. This is known as a 'privilege place'. Privilege places can be withdrawn if they are needed for eligible children. A **contributory charge of £750.00** per annum, paid in three termly instalments of £250.00 per term will be issued towards the cost of travel support. Southampton City Council has the discretion to remove the right of placement at any time. The council will provide 10 days' notice of the withdrawal of the offer, and a refund of a pro-rata basis of fees received will be issued.

#### Suitable Education provider

4.7. Children of compulsory school age attending the nearest suitable school may be eligible for travel support as set out in this policy.

4.8. A suitable school is taken to mean the nearest qualifying school with places available that provides education appropriate to the age, ability and aptitude of the child, and any SEND that the child may have, or the place, other than a school, where they are receiving education by virtue of arrangements made under Section 19(1) of the Education Act 1996.

4.9. Qualifying education providers are:

- community schools, foundation schools, voluntary aided and voluntary controlled
- schools
- academies (including those which are free schools, university technical colleges,
- studio schools and special schools)
- alternative provision academies
- community or foundation special schools
- non-maintained special schools
- pupil referral units
- maintained nursery schools (where attended by a child of compulsory school age); and
- city technology colleges and city colleges for the technology of the art

4.10. For children with SEND, an independent school can also be a qualifying school where this is assessed to be the nearest, most suitable school and it is named on the child's Education, Health and Care Plan (EHCP). Where attendance at an independent school is based on parental or carer preference and not named on the EHCP, travel support will not be awarded.

4.11. Where a child is registered at more than one qualifying school (Dual Registration) the relevant educational establishment is whichever of the schools the child is attending at the relevant time.

4.12. Where a child has no fixed abode travel support will apply from wherever the child is residing at the relevant time to the nearest suitable school.

4.13. The designated home address will be defined as the address at which the child resides and spends the majority of their time. In cases where a child has a shared living arrangement, such as equal shared custody for separated parents or carers, the local authority determines the child's designated home address, based on the address at which the recipient of the child benefit resides. If no child benefit is received, the designated home address will be determined by the address at which the child is registered at their GP surgery. When the child stays at another address, they will not qualify for any travel arrangements other than those provided from the designated home address.

4.14. Where a child is registered at a school but is attending a place other than that school as a result of a temporary exclusion, eligibility will apply in relation to the educational setting which they are attending for the duration of that exclusion.

4.15. Travel support will be provided to the nearest further education provider assessed by Southampton City Council to be a suitable placement for the student and which offers a course or programme which meets the needs of the applying student. Where a suitable course cannot be provided in Southampton, Southampton City Council will offer travel support to the next nearest further education provider offering the appropriate course.

4.16. Parents or carers who wish to apply for travel support must list their nearest suitable school on their school application form.

### Travel times and distances

- 4.17. Travel support will only be given for travel to school or education settings at:
- The start and end of the school day or
  - Where the pupil is attending residential provision, at the start and end of their provision periods as agreed by Southampton City Council
- 4.18. Where the pupil is on a reduced timetable and requires school travel at the start and end of their scheduled hours, school travel provision will be considered on a case-by-case basis.
- 4.19. Travel support will not be provided before and after school events, such as breakfast clubs and sports events.
- 4.20. Schools and education providers are expected to give reasonable notice to Southampton City Council of any changes to provision hours. If additional costs arise associated with a change in provision hours, Southampton City Council reserves the right to make arrangements for all or part of those costs to be charged to the school or education provider concerned.
- 4.21. Travel support will be arranged to be as easy and comfortable as possible. Acknowledging that there may occasionally be transport network disruption on travel routes that is out of the council's control, Southampton City Council will aim for a maximum journey time of 45 minutes for children in mainstream primary settings, and 75 minutes for children in mainstream secondary settings.
- 4.22. In exceptional circumstances, for children attending specialist provision to meet their SEND needs, journey times may be longer.
- 4.23. Distances in relation to eligibility for travel support will be measured by the shortest reasonable walking route, by which a child may walk safely. In cases where extended rights apply and the child is travelling more than 3 miles (up to 6 miles or up to 15 miles to a school preferred on the grounds of religion or belief) walking routes do not apply, and the shortest route will be measured along road/driving routes.

### Pick-up/drop-off points

- 4.24. Where appropriate and reasonable, parents or carers may be expected to take their child to and from a pick-up/drop off point. Pick-up/drop-off points will be within 1 mile of the child's home address.
- 4.25. Parents or carers are responsible for the safety of their child until they board and after they exit the vehicle. If the parent or carer is not at the drop off point to meet their child, the child will be placed into the care of the duty social worker from Southampton City Council's children's social care department.

### Changes of circumstance

- 4.26. Parents or carers should notify the School Travel Service of any change of address, with as much notice as reasonable possible, but with a minimum of 10 working days' notice. In the case of a change of home address, eligibility will be re-assessed based on the new address. To do this, you can contact the School Travel Service via email at [travel.coordination@southampton.gov.uk](mailto:travel.coordination@southampton.gov.uk) or write to: School Travel Service, Civic Centre, Southampton, SO14 7LY.

4.27. The normal eligibility will apply to the children of families where closure or reorganisation of schooling in the city takes place. Exceptional Circumstances Criteria may be taken into account in cases where travel support would minimise significant disruption to the child's education.

#### Unacceptable behaviour

4.28. Southampton City Council reserves the right to review travel support where a child's behaviour is deemed unacceptable, in that it may threaten the safety of the pupils, driver and passenger assistants. Where travel support is removed, Southampton City Council will engage with parents and carers to provide suitable alternative travel support when it is safe to do so.

#### Lost or stolen bus passes

4.29. Where a bus or other transport pass is lost, the pass holder (or their parent or carer) is responsible for any administrative charges made by the bus company or other issuer. Southampton City Council will not meet the costs of administrative charges for lost or stolen tickets. Stolen travel passes will normally not incur an administrative charge for replacement if a police crime number is provided by the child or their parent or carer.

#### Appeals process

4.30. Parents, carers and post-16 students are entitled to appeal the type of travel support that is offered and decisions where Southampton City Council has decided not to provide travel support.

4.31. The appeals process is split into two stages. Stage 1 is a review of the decision by a senior officer(s) at Southampton City Council. A request for a review of the decision must be made within 20 working days of receiving the decision by Southampton City Council. Requests should detail why the parent, carer or post-16 pupil believes the decision should be reviewed and give details of any personal and/or family circumstances the parent, carer or post-16 student believes should be considered when the decision is reviewed. Requests can be submitted by email to [travel.coordination@southampton.gov.uk](mailto:travel.coordination@southampton.gov.uk) or write to: School Travel Service, Civic Centre, Southampton, SO14 7LY. Following the review, a decision will be made, and a response will be provided in writing to the appellant within 20 working days of receiving the appeal. This will clearly explain:

- whether the original decision is being upheld
- why the decision was reached
- how the review was conducted
- the factors considered in reaching the decision
- any other agencies or departments that were consulted as part of the review
- information about how the parent or carer can escalate the case to stage 2 of the appeals process (if appropriate)

4.32. Following the stage 1 review, appellants have a further 20 working days to escalate the matter to stage 2. Stage 2 of the appeals process will consist of a review by an independent panel. An appeal form can be requested from the School Travel Service, email: [travel.coordination@southampton.gov.uk](mailto:travel.coordination@southampton.gov.uk) or write to: School Travel Service, Civic Centre, Southampton, SO14 7LY. The appeal form asks the parent or carer to explain why they believe the local authority should review its decision and the parent or carer is asked to include any information they would like to be considered as part of the review. The panel members will be independent of the

original decision-making and stage 1 appeals process but may not be independent of Southampton City Council. Parents or carers may attend an appeal hearing if they wish, virtually or in person, to present their case. Where a parent or carer does not wish, or is unable, to attend a hearing, the panel will make its decision based on the parent's written representations.

4.33. The stage 2 review will take place within 40 working days of the parent or carer notifying Southampton City Council that they wish to escalate their appeal to stage 2. The panel will consider information provided at stage 1 of the appeal as well as any additional information provided and any oral representations made at stage 2.

4.34. A decision will be made and within 5 working days of the panel meeting and detailed written notification of the outcome will be provided to the appellant. This will clearly explain:

- whether the original decision has been upheld
- why the decision was reached
- how the review was conducted
- the factors considered in reaching the decision
- which, if any, other agencies or departments were consulted as part of the review.

4.35. Where travel support is found to have been granted in error, notice of one full term will be given to allow families time to make other arrangements.

4.36. Where entitlement has been denied in error, travel support will be arranged as soon as possible and consideration will be given to reimbursing parents or carers retrospectively, with a normal time limit of the start of the academic year in question.

4.37. Parents or carers may complain to the Local Government and Social Care Ombudsman if they believe the local authority has made a mistake in the way it has handled their case. If a parent or carer considers the decision of the independent appeals panel to be flawed on public law grounds, they may apply for a judicial review.

4.38. Further details about the appeals / complaints procedure is set out in Appendix 4 of this policy.

#### Policy Review

4.39. The Policy for the School Travel Service and Post-16 Travel Service will be reviewed and updated on an annual basis.

[END]

## Appendix 1

### Eligibility Summary

<b>School Travel Support Eligibility Table - School Aged Children – Reception – Year 11</b>	
<b>Who are we helping?</b>	<b>What are the criteria?</b>
Children living further than the statutory walking distance from their nearest most suitable school	<p>For children below the age of 8, travel support will be awarded where the distance between home and their nearest most suitable school is more than 2 miles from their home.</p> <p>For children over the age of 8, travel support will be awarded where the distance between home and their nearest most suitable school is more than 3 miles from their home.</p> <p>Children who cannot be reasonably expected to walk to school because the walking route is deemed unsafe will be eligible for travel support.</p>
Children with an Education Health or Care Plan (EHCP)	Children attending their designated most suitable school that can meet their need who are unable to walk to school (accompanied or unaccompanied) by reason of their special educational needs and/or disability will be considered eligible for travel support.
Children of parents or carers with a disability	Children who live within the walking distance criteria of the nearest suitable school (or designated school if it is not the nearest) but the route relies on a disabled parent/carer accompanying the child for it to be considered safe, and the parent/carer's disability prevent them from doing so will be considered eligible for travel support.
Children whose families meet the low income criteria	<p>Travel support will be provided where:</p> <p>The nearest school is more than 2 miles from their home (for children over the age of 8 and under 11).</p> <p>The nearest school is between 2 and 6 miles from their home (if aged 11-16 and there are not three or more suitable nearer schools).</p> <p>The school is between 2 and 15 miles from their home and is the nearest school preferred on the grounds of religion or belief (aged 11-16).</p>

<p>Post-16 students in Further Education and Continuing Learners</p>	<p>Travel support will be provided for students with special educational needs and/or disabilities between the age of 16 and 19.</p>
<p>Post-19 Adult Learners</p>	<p>Travel support will be provided for adult learners over the age of 19, but under the age of 25 who are receiving further education at a further education provider, and have been assessed by Southampton City Council for travel support as set out in their Education, Health and Care Plan (EHCP).</p>

DRAFT

## Appendix 2

### Post-16 Provision 2024/2025

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
<b>Southampton City College</b>	City College Bursary	<p>Be aged between 16-18 on 31/8/24 (Now 16-19 due to Covid 19)            Be one of the following:            In Care/Care Leaver            Receiving income support            In receipt of DLA/PIP or ESA/UC.</p> <p>You or parent/carer in receipt of one of the following:            Income support            Job seekers allowance            Pension credits            Employment and support allowance            Working tax credit/Child tax credit            Universal credit.</p> <p>A household income of less than £29,000 per year.</p> <p>Enrolled on a course where City College is the nearest provider to my home, or live outside of Southampton.</p>	<p>Bursaries of £1,200 a year for the most vulnerable young people if your household income is less than £29,000, or £32,000 for travel support only.</p> <p>Discretionary bursaries based on individual need, such as help with the costs of travel, equipment or meals.</p> <p>A £25 Admin fee will be charged for a replacement ferry pass, £5 administration will be charged for a replacement bus pass.</p> <p>Any student found to have misused their ferry or bus pass will not receive further help from the college.</p> <p>Attendance will be monitored and must be above 90%. Support may be stopped if your attendance is too low or you withdraw.</p>	<p>City College Southampton,            St Mary Street,            Southampton, SO14 1AR</p> <p>02380 484 848</p> <p>enquiries@southampton-city.ac.uk</p> <p>Bursary@Southampton-City.ac.uk</p> <p>www.southampton-city.ac.uk</p> <p><a href="mailto:learningsupport@southampton-city.ac.uk">learningsupport@southampton-city.ac.uk</a></p> <p><a href="mailto:studentfinance@southampton-city.ac.uk">studentfinance@southampton-city.ac.uk</a></p>



Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
			City College students can purchase discounted bus tickets at student rates from First and Bluestar buses. If you are eligible for the City College Bursary scheme your bus travel may be FREE.	
<b>Itchen Sixth Form College</b>	Discretionary Support	<p>Support may be available for students whose parent/guardians' household annual income is less than £26,000 or if the parent/guardian living with the student is receiving one of the following benefits:</p> <p>Income Support;</p> <ul style="list-style-type: none"> <li>• Income Based Jobseeker's Allowance (JSA);</li> <li>• the Guarantee Element of Pension Credit;</li> <li>• Income-Related Employment and Support Allowance (ESA);</li> <li>• support under part VI of the Immigration and Asylum Act 1999;</li> <li>• or Working Tax Credit/Universal Credit.</li> </ul> <p>If your household income is less than £30,000 and you live more than three miles away from college, you will be able to</p>		<p>For more information please contact</p> <p><b>Michelle Payne, Finance Support &amp; Transport Officer</b></p> <p>Tel: 023 8043 5636 ext 269</p> <p>Email: <a href="mailto:transportandifs@itchen.ac.uk">transportandifs@itchen.ac.uk</a></p>

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
		receive support with your travel to and from college. For more information, please download more information		
	Full Bursary	<p>The 16-19 Tier F (Full Bursary) Bursary of £1200 is available to eligible students in any of the following categories:</p> <ul style="list-style-type: none"> <li>• young people in care</li> <li>• care leavers</li> <li>• young people claiming Income Support in their own name</li> <li>• young people claiming Universal Credit in their own name</li> <li>• disabled young people who receive both Employment Support Allowance and Living Allowance in their own name</li> </ul>	In addition to receiving the discretionary support, the student will receive a weekly payment during term time of £20 for 30 weeks, provided their weekly attendance is 90% or above.	
<b>Richard Taunton Sixth Form College</b>	Financial Assistance Bursary	Be aged between 16-19, live independently and claim income support, or Be aged between 16-19, live independently and claim universal credit, or In care, or A care leaver, or	The Bursary is £1,200 per year.  Bursaries will be provided in the form of discounted bus passes, free school meals or payments into your bank account.	Student Services  Richard Taunton Sixth Form College, Hill Lane, Southampton, SO15 5RL  02380 514 720

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
		<p>A disabled young person in receipt of DLA, or A disabled young person in receipt of universal credit and PIP, or Be aged 19+ and have an EHCP.</p> <p>If you can prove financial need based on household income.</p> <p>If you have specific travel challenges when attending the college.</p>	<p>The bursary is for educational purposes only and you must have 100% attendance with no more than 3 'lates' to all timetabled classes each fortnight.</p> <p>Bus passes must be returned if you should leave part way through the year.</p>	<p>studentservices@richardtaunton.ac.uk</p> <p>www.richardtaunton.ac.uk</p>
<b>Bitterne Park Sixth Form</b>	Vulnerable Bursary	<p>The 16-19 Vulnerable Bursary of up to £1200. The Vulnerable Bursary is available to eligible students in any of the following categories:</p> <ul style="list-style-type: none"> <li>• A student in care</li> <li>• A care leaver</li> <li>• A student claiming income support</li> <li>• A student claiming Universal Credit</li> <li>• A disabled young person in receipt of both Employment Support Allowance and Disability Living Allowance</li> </ul>	<p>As the funds allocated by the Education Funding Agency, are very limited, we may not be able to guarantee financial support for every claimant. It is at the college's discretion to decide on the amount and type of support that is awarded to each student. Bursary funding can be used to help with costs of transport, food, equipment or other course related costs.</p> <p>Please note that our Finance Office will request documentary evidence for any claim for financial support.</p> <p>Please contact the college office for further information.</p>	<p>College Office</p> <p>Bitterne Park Sixth Form College, Dimond Road, Southampton, SO18 1BU</p> <p>02380 294 155</p> <p>info@bitterneparksixthform.org.uk</p> <p>www.bitterneparksixthform.org.uk</p>

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
	Discretionary Bursary	<p>The Discretionary Bursary is available for learners to help with travel to college, equipment, books, essential trips or attending HE interviews.</p> <p>Each application is judged on the basis of relative financial need; the amount of grant will be determined by that need and the funds available.</p> <p>The Discretionary Bursary is available to eligible students in any of the following categories:</p> <p>A student living in a household where the joint income is less than £25,000 (or living independently on an income below this level</p> <p>A student In receipt of an income assessed benefit such as: Income Support; Universal Credit; Job Seeker's Allowance; Working/Child Tax Credit; Housing Benefit</p> <p>A student facing exceptional financial circumstances</p>		
<b>Eastleigh College</b>	Subsidized Travel	<ul style="list-style-type: none"> <li>Over 19 years old on 31/08/2023 (or 19-24 with an</li> </ul>	Full time Student's Bursary	Eastleigh College Chestnut Avenue

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
		<p>Educational Health Care Plan)</p> <ul style="list-style-type: none"> <li>Studying a 'funded' course at the College (apprenticeships are not eligible)</li> <li>Not in receipt of an Advanced Learner Loan</li> <li>Learner cannot obtain support elsewhere. For example, if you receive benefits (like Universal Credit), you must contact your Job Coach to check if you are eligible for support with travel or childcare before applying to us</li> <li>A UK resident or meet sufficient residency criteria</li> </ul>	<p>£500 paid termly to help with the cost of attending college (£1500 per annum)</p> <p><b>Eligibility</b></p> <p>Household income of up to £25,000 per year or in receipt of an income assessed benefit</p> <p>At least 90% attendance per term</p> <p>Studying a full-time government funded course</p> <p>Part-time Student's Bursary</p> <p>£250 paid termly to help with the cost of attending college (£600 per annum)</p> <p><b>Eligibility</b></p> <p>Household income of up to £25,000 per year or in receipt of an income assessed benefit</p> <p>At least 90% attendance per term</p> <p>Studying a government funded course of 150+ guided learning hours per year</p>	<p>Eastleigh Hampshire SO50 5FS</p> <p>02380911000</p> <p>studentsupport@eastleigh.ac.uk</p> <p>bebetter@eastleigh.ac.uk</p>
	Eastleigh College Travel Bursary	Under 19 on 1/9/2024 (or 19-24 with an EHCP)	Reduced travel costs (student contribution of £100 per term) All termly passes are issued each term. To be eligible to receive awards,	

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
		<p>Studying a full-time funded course at the college (apprenticeships are not eligible).            Be a UK resident or meet enough residency criteria.            Live over 2 miles from the college (by AA route planner).            Have a household income of up to £30,000 - or household in receipt of income assessed benefit.            Not be receiving support from any other sources (e.g.: local education authority).</p>	<p>both proof of student address and a completed travel bursary application form will be required for submission to the College. The College reserves the right to change the bursary offer, or to withdraw payments at any time.</p>	
	Enhanced Travel	<p>Under 19 on 1/9/2024 (or 19-24 with an EHCP)            Studying a full-time funded course at the college (apprenticeships are not eligible).            Be a UK resident or meet enough residency criteria            Be on:</p> <ul style="list-style-type: none"> <li>• Income Support</li> <li>• Income-based Jobseekers Allowance</li> <li>• Income-related Employment Support Allowance (ESA)</li> <li>• Support under Immigration &amp; Asylum Act 1999 (part VI)</li> <li>• Guarantee element of State Pension Credit</li> <li>• Child Tax Credit (provided not entitled to Working Tax Credit) and gross income of no more than £16,190 each year</li> </ul>	<p>Fully funded travel pass            All termly passes are issued each term. To be eligible to receive awards, both proof of student address and a completed travel bursary application form will be required for submission to the College. The College reserves the right to change the bursary offer, or to withdraw payments at any time.</p>	

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
		<p>(assessed by Her Majesty's Revenue &amp; Customs)</p> <ul style="list-style-type: none"> <li>Working Tax Credit run on (paid for 4 weeks after you stop qualifying for Working Tax Credit)</li> <li>Universal Credit (with net earnings no more than £7,400 each year)</li> </ul>		
<b>St Vincent Sixth Form College</b>	Travel Help	Awaiting further information – Please contact the College direct.	<p>Students can apply for a discounted bus pass which covers the cost of their travel to and from college and can be used weekdays on all First Hampshire services.</p> <p>Students from Henry Cort, Fareham Academy, Cams Hill, Bridgemary and Brune Park Schools can access the Eclipse Express Bus service to college which takes only a few minutes. In addition to this the College also provides a bespoke bus service for students attending Brookfield, Crofton and Bay House School routes to the College community at the start and end of the day with students having access to all local services at other times.</p> <p>Students travelling from Portsmouth will be eligible for free ferry tickets for the academic year.</p> <p>Students with Learning Difficulties may be eligible for free transport, subject to</p>	Finance Office  St Vincent Sixth Form College, Mill Lane, Gosport, PO12 4AQ  023920603 633  finance@stvincent.ac.uk  www.stvincent.ac.uk

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
			meeting Hampshire County Council's (HCC) SEN criteria. Please contact HCC regarding this.	
<b>Barton Peveril Sixth Form College</b>	Discretionary Student Support Fund	<p>Are over 16 years of age and under 19 years of age at the start of the academic year and studying a state funded course at Barton Peveril Sixth Form College</p> <p>Are living in a household where the joint annual income is less than £23,500 (or living independently on an income below this level), annual income includes any assessed benefit such as:</p> <ul style="list-style-type: none"> <li>• Income Support</li> <li>• Universal Credit</li> <li>• Job Seekers Allowance</li> <li>• Working/Child Tax Credit</li> <li>• facing exceptional financial circumstances *</li> <li>• Meet the residency conditions specified below.</li> </ul> <p>(*Exceptional financial circumstances: If this applies, a covering letter should be included outlining the circumstances. Supporting evidence of income must also be supplied.)</p>	<p>Applicants with exceptional circumstances will be viewed sympathetically where financial need can be evidenced. Details of the bus routes covered by the college transport arrangements can be found on the college website – <a href="http://www.barton-peveril.ac.uk">www.barton-peveril.ac.uk</a>. – applications for bursary fund found at: <a href="https://www.barton-peveril.ac.uk/college-life-intro/student-finance/">https://www.barton-peveril.ac.uk/college-life-intro/student-finance/</a>.</p>	<p>Transport Officer</p> <p>Barton Peveril College, Chestnut Avenue, Eastleigh, SO50 5ZA</p> <p>02380 367 214</p> <p><a href="mailto:studentfinance@barton.ac.uk">studentfinance@barton.ac.uk</a></p> <p><a href="mailto:transport@barton.ac.uk">transport@barton.ac.uk</a></p> <p><a href="http://www.barton-peveril.ac.uk">www.barton-peveril.ac.uk</a></p>
<b>Brockenhurst College</b>	Vulnerable Bursary	Students aged 16-18 on 31/08/2024 and, are participating in provision as directed by the Education Funding Agency, see	If you are eligible for a Vulnerable Bursary, you can receive up to £1,200 per academic year. Please note that you will only receive the amount you	Student Finance and Welfare Advisor



Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
		<p><a href="https://www.gov.uk/government/publications/16-to-19-bursary-fund-guide-2023-to-2024-academic-year/16-to-19-bursary-fund-guide-2023-to-2024-academic-year">https://www.gov.uk/government/publications/16-to-19-bursary-fund-guide-2023-to-2024-academic-year/16-to-19-bursary-fund-guide-2023-to-2024-academic-year</a>; and are in one of these defined vulnerable groups:</p> <p>In care – i.e. children who are voluntarily looked after by a local authority (under section 20 of the Children Act 1989) or under a care order (under section 31 of the Children Act 1989). Or care leaver – i.e. a young person aged 16 or 17 who were previously looked after for a continuous period of 13 weeks (or multiple periods totalling 13 weeks), starting after the age of 14 and ending after the age of 16; or a young person aged 18 or above who was looked after for a continuous period of 13 weeks (or multiple periods totalling 13 weeks) prior to turning 18, starting after the age of 14 and ending after the age of 16.</p> <p>Receiving Income Support or Universal Credit in your own name, while financially supporting yourself or supporting yourself and a dependant living with you. Or receiving Disability Allowance or</p>	<p>actually need in order to participate in your studies. This means we will not automatically award you £1,200 if you do not need the full amount.</p>	<p>Brockenhurst College, Lyndhurst Road, Brockenhurst, Hampshire, SO42 7ZE</p> <p>01590 625 555</p> <p>financialsupport@brock.ac.uk</p> <p>www.brock.ac.uk</p>

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
		<p>Personal Independence Payments in your own name, along with Employment and Support Allowance or Universal Credit in your own name.</p>		
	College Bursary	<p><u>Vulnerable Bursary.</u> For students aged 16-18 on 31/08/2024 who are in one of the following defined groups, a £1200.00 bursary is available (please see page 3 of the Bursary application form for full details and complete pages 1, 2,3, and 7).</p> <ul style="list-style-type: none"> <li>• In care, a care leaver, or have a Special Guardianship Order; or</li> <li>• Receiving DLA or PIP and ESA or Universal Credit in their own right; or</li> <li>• Receiving Income Support or Universal Credit because they are financially supporting themselves.</li> </ul>		
	Discretionary Bursary	<p>To qualify for the Discretionary Bursary, you must meet the following criteria: You must have lived in the UK for at least three years before starting your studies. You must be over 16, but To qualify for the Discretionary</p>	<p>You must live in a household whose take home pay is less than £23,000 per year. This means take-home pay of less than £1,916 per month. Importantly, we do not include any benefit payments in our calculation. The Discretionary Bursary will cover:</p>	

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
		<p>Bursary, you must meet the following criteria:            You must have lived in the UK for at least three years before starting your studies.            You must be over 16, but under 19 on August 31 2024            The Discretionary Bursary is also available to you if you are 19 or older and have an Education Health and Care Plan (EHCP). In addition, it is available to you if you are aged 19 or older and are continuing a Study Programme they started between the ages of 16 and 18.            Under 19 on August 31 2024.            The Discretionary Bursary is also available to you if you are 19 or older and have an Education Health and Care Plan (EHCP). In addition, it is available to you if you are aged 19 or older and are continuing a Study Programme they started between the ages of 16 and 18.</p>	<ul style="list-style-type: none"> <li>• Essential Course Costs including trips, uniform, course resources, trips and books.</li> <li>• A £25 stationery purse will be available to use at the Brockenhurst College online store.</li> </ul> <p><b>Travel Bus</b>            College bus passes may be purchased through our online store, available to bursary students at a heavily subsidised rate of £40.00 a month. Details of our 2023/24 bus provision can be found by clicking <a href="#">here</a>.</p> <p><b>Train</b>            Sixteen and seventeen year olds can apply for a 50% discount on all rail fares by clicking <a href="#">here</a>.            The Discretionary Bursary will contribute £10.00 a week towards adult train fares for students aged 18 and over.</p>	
<b>Sparsholt College</b>		<p>If you're 16–18 and in care, a care leaver, or are in receipt of Income Support and support yourself or any dependents financially, or receive both Employment Support Allowance (ESA) and Disability</p>	<p>2023/2024 timetable and prices: <a href="https://www.sparsholt.ac.uk/the-college/transport/">https://www.sparsholt.ac.uk/the-college/transport/</a> when they are available.</p> <p><u>2023/24 Prices:</u></p>	<p>Transport Team</p> <p>Sparsholt College,            Hampshire            Westley Lane            Sparsholt</p>

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
		<p>Living Allowance (DLA), you may be eligible for a bursary of up to £1,200 to help you meet the costs of coming to college.</p> <p>The link to the application form can be found under the 'Support to Study Bursary' section.</p> <p>The Sparsholt FE Bursary Policy can be found <a href="#">here</a></p> <p>Sparsholt provide a discretionary fund for learners that do not meet the criteria for the 16-18 Bursary Fund or are aged over 19.</p> <p>If your household income is under £32,960 the College's Support to Study Bursary may be able to help If your household income is under £35,000 the College's Support to Study Bursary may be able to help with the costs of travel, books, equipment or any other cost which may make it difficult for you to attend college. You could receive up to 70% off transport costs, as well as being able to pay the</p>	<p>Campus Bus</p> <p>Band A – £670</p> <p>Band B – £785</p> <p>Band C – £855</p> <p>Band D – £955</p> <p>This payment can be spread at no extra cost by paying an initial payment of £70 at application and the remaining balance over 9 months via the <a href="#">online store</a></p>	<p>Winchester SO21 2NF</p> <p>01962 797 346</p> <p>transport@sparsholt.ac.uk</p> <p>www.sparsholt.ac.uk</p>

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
		<p>remaining balance on a monthly basis. If your household income is under £28,000 you may be eligible for the transport cost to be fully covered by the fund. The income threshold of £35,000 is increased by £1,650 for each dependent child living in the same house as the bursary applicant.</p> <p>The Sparsholt FE Bursary Policy can be found <a href="#">here</a>.</p> <p>The application form can be found <a href="#">here</a>.</p> <p>If you need any further assistance please call 01962 797267.</p>		
	<p>Combined Rail and Bus Pass</p>	<p>This pass includes rail travel to Winchester from the following locations, plus a Stagecoach pass to get you from Winchester to the college on the hourly <b>Number 7</b> bus service (valid during term time only and excluding weekends):</p> <p>Band A – £695            Band B – £896            Band C – £1018            Band D – £1103</p>	<p>If Stagecoach operates in your area and you would like a Stagecoach bus pass to get you from home to the train station, you may upgrade to a Stagecoach Megarider pass. The price of this is £350.</p> <p>For more information about Stagecoach services please visit their <a href="#">website</a>.</p> <p>If you live in the Winchester area and only need to catch the No 7 bus, you</p>	

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
			<p>can buy a Stagecoach bus pass for just this service. The cost of this for 2023/24 is £450</p> <p>Students travelling from Andover can purchase a Stagecoach Gold Studentrider pass. This pass can be used on any Stagecoach bus in Hampshire during the academic year. The annual cost for 23/24 is £800</p>	
	Megarider Gold	<p>Please use link:  <a href="https://www.sparsholt.ac.uk/the-college/transport/">https://www.sparsholt.ac.uk/the-college/transport/</a>.</p> <p>This pass can be used on ANY Stagecoach bus in Hampshire during the academic year, including weekends and holidays. This is the most cost-effective pass for students travelling from Andover.</p> <p>You can also apply for a Megarider Gold and Train package.</p>	<p><b>Annual Academic Year Prices 2023/24:</b>  Stagecoach Gold StudentRider Pass – £795</p> <p>You can also apply for a Megarider Gold and Train package – price bands for 2022/23 are:</p> <p><b>Train and Stagecoach Gold StudentRider Pass 23/24 Prices:</b></p> <p>Band A – £1045</p> <p>Band B – £1246</p> <p>Band C – £1368</p> <p>Band D – £1453</p>	
<b>Totton College</b>		Please contact the College direct.	Transport to Totton College is via the public bus and train service. The service can support students travelling	Totton College, Water Lane, Totton, Southampton, Hampshire, SO40 3ZX

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
		<p>Bursaries are available for under 19-year olds and offer various of levels of finance support.</p> <p>If you are aged 16-18 and in one of the groups below, you can apply for a vulnerable bursary: (See 'about you' section for details age &amp; eligibility)</p> <ul style="list-style-type: none"> <li>• In Care</li> <li>• care leavers</li> <li>• receiving Income Support or the equivalent Universal Credit because they are financially supporting themselves or financially supporting themselves and someone who is dependent on them and living with them such as a child or partner, or</li> <li>• receiving Disability Living Allowance or Personal Independence Payments in their own right as well</li> <li>• as Employment and Support Allowance or Universal Credit in their own right</li> <li>• and have a financial need</li> </ul> <p>How much will I get paid if I'm eligible?</p>	<p>from a range of locations such as the Waterside, New Forest, Southampton and Romsey, including locations from Salisbury and the Isle of White, please just ask if you are unsure.</p>	<p>02380 874 874</p> <p>info@totton.ac.uk</p> <p>www.totton.ac.uk</p>

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
		<p>You could get up to £1,200 if you study full time for a minimum of 30 weeks. If your course is less than 30 weeks, you will get less. Note: You will only receive the amount you actually need to participate and we will not automatically award the full £1,200 if you do not need that level of support.</p> <p>Age - You must be aged: over 16 at 31 August 2023, under 19 at 31 August 2023, the only Students aged 19 or over who are eligible to receive a bursary are those who have an Education, Health and Care Plan (EHCP) – you can only apply for a Discretionary Bursary NOT a Vulnerable Bursary.</p> <p>Residency – You must meet the residency requirements set out by the ESFA (Education &amp; Skills Funding Agency) We will check this during your enrolment process</p> <p><a href="#">Nacro-16-to-19-Bursary-website-statement-V1-July-2020.pdf (netdna-ssl.com).</a></p>		

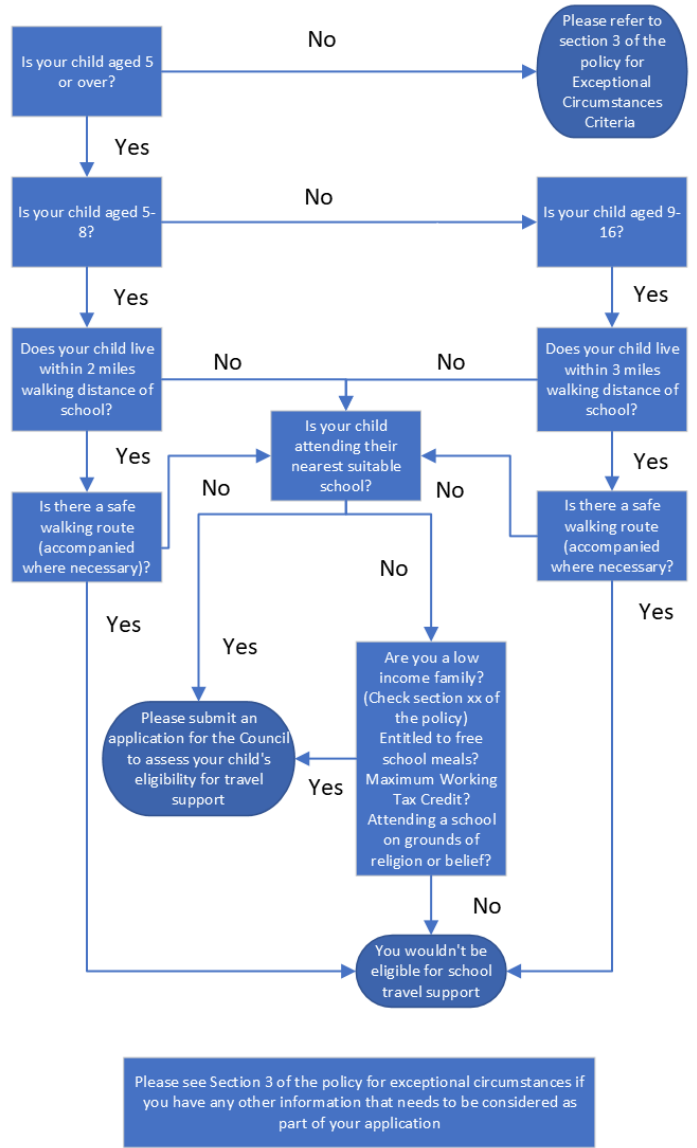


Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
<b>Bluestar Bus</b>		<p>Students can receive discounted travel if they are aged 16-19.</p> <p><b>Colleges include:</b></p> <ul style="list-style-type: none"> <li>• Bitterne Park School &amp; Sixth Form</li> <li>• Itchen Sixth Form College</li> <li>• King Edward VI School</li> <li>• Richard Taunton Sixth Form College</li> <li>• St Anne's Catholic School &amp; Sixth Form</li> <li>• Southampton City College</li> <li>• Barton Peveril Sixth Form College</li> <li>• Peter Symonds College</li> <li>• Eastleigh College</li> <li>• St Mary's College</li> </ul>	<p>School &amp; College tickets – Please visit their website on <a href="http://www.bluestarbus.co.uk/page.shtml?pageid=915">http://www.bluestarbus.co.uk/page.shtml?pageid=915</a></p> <p>Bluestar serves several schools and colleges in the South Hampshire area. There are many ticket options and discounted tickets available.</p> <p>Visit <a href="https://www.bluestarbus.co.uk/search?query=college">https://www.bluestarbus.co.uk/search?query=college</a> for more information on how you can get discounted travel to college including costs.</p>	
<b>First Bus</b>			<p>Here at First Bus, we know that students appreciate cheaper bus travel, and if that's what you're looking for, then our great value First Student bus passes make this possible.</p>	<p>Please visit their website for more information:</p> <p><a href="https://www.firstgroup.com/buy-ticket/students">https://www.firstgroup.com/buy-ticket/students</a></p>

Provider	Bursary Name	Eligibility Criteria	More information	Contact Details
			Whether you're on your way to a lecture or need a safe ride home from a well-deserved night out, we're making your journey easier and cheaper.	
<b>Southampton City Council</b>	<b>Concessionary Bus pass</b>	<p>Southampton residents over 5 years of age who have a long-term eligible disability can apply for an off-peak travel concessionary bus pass.</p> <p>If you are registered as severely sight-impaired, you will be entitled to free bus travel at any time within Southampton.</p> <p>If you are unable to travel alone, you may qualify for a companion bus pass. This will allow one carer to travel with you free of charge on journeys within the city boundary.</p> <p>For travel information regarding wheelchairs and power chairs, please see the appropriate bus company website accessibility pages.</p>	<p>For further information and how to apply, please visit the following website:</p> <p><a href="http://www.southampton.gov.uk/travel-transport/apply-pay/itchen-bridge/smartcities/travel-disabled.aspx">http://www.southampton.gov.uk/travel-transport/apply-pay/itchen-bridge/smartcities/travel-disabled.aspx</a></p>	<p>Email: <a href="mailto:smartcities@southampton.gov.uk">smartcities@southampton.gov.uk</a></p> <p>Telephone: 023 8083 3008</p>

# Appendix 3

Diagram to show eligibility of children of compulsory school age



## Appendix 4

### School Travel Service Appeals and Complaints Procedure

#### 1.0 Summary

- 1.1 Southampton City Council has adopted the process recommended by the Government's statutory guidance for home to school travel should parents, carers or post-16 students wish to appeal a travel application outcome which includes a two-stage process:
- stage 1: review of a decision by Southampton City Council for travel support by two Senior Officers, and where this has not resolved the matter,
  - stage 2: appeal against a decision where an appeal hearing will be held by an independent Appeals Panel
- 1.2 This document details Southampton City Council's procedure for school travel appeals and complaints.

#### 2.0 Right of Appeal

- 2.1 Parents, young people and post-16 students with concerns about Southampton City Council's decision on their travel support application are entitled to request that the decision is reviewed, and where this has not resolved the matter, to appeal against a decision.
- 2.2 Appeals may relate to:
- the travel arrangements offered
  - a child's eligibility
  - the distance measurement in relation to statutory walking distances
  - the safety of the route
- 2.3 Common concerns include, but are not limited to:
- the child/young person's eligibility
  - the transport arrangements offered
  - the distance measurement in relation to statutory walking distances
  - unsuitability (safety) of the route to school
  - financial concerns
  - ill health/disability of the parent or child
  - administrative errors and application of the law
- 2.4 Parents or carers or post-16 students may not request a review or appeal on the grounds that they disagree with the road safety assessment undertaken by a qualified road safety officer. However, they may appeal if they consider there are exceptional personal circumstances that need to be taken into consideration by Southampton City Council.
- 2.5 The review can only consider whether the relevant policies have been applied appropriately.
- 2.6 The process that must be followed is set out in this document.

### 3.0 Appeal Panel

- 3.1 Stage 1 reviews are undertaken by two Southampton City Council Senior Officers representing the School Travel Service and either the Education and Admissions Service or the SEND Service and will be independent of the original decision-making process.
- 3.2 Stage 2 appeals are heard by an independent Appeals Panel and will be independent of the original decision-making process and the Stage 1 review. The panel will be suitably experienced (at the discretion of the Council), to ensure a balance is achieved between meeting the needs of the parents, carers and post-16 students and Southampton City Council, and that road safety requirements are complied with and no child is placed at unnecessary risk.

### 4.0 Stage 1 – Review of the Decision

- 4.1 A parent, carer or post-16 student has 20 working days from receipt of the Southampton City Council's travel support decision to make a written request asking for a review of the decision.
- 4.2 The written request should detail why the parent, carer or post-16 student believes the decision should be reviewed and give details of any personal and/or family circumstances the parent, carer or post-16 student believes should be considered when the decision is reviewed.
- 4.3 Supporting evidence can be provided as appropriate.
- 4.4 Requests must be submitted by email to [travel.coordination@southampton.gov.uk](mailto:travel.coordination@southampton.gov.uk). Alternatively, requests can be received by post: School Travel Service, Southampton City Council, Civic Centre, Southampton. SO14 7LY.
- 4.5 A review of the decision on travel support will be undertaken, together with consideration of any information and supporting evidence received with the written request.
- 4.6 The Review Panel will review the original decision and provide a written stage one response within 20 working days of its receipt.
- 4.7 The response will include detailed information about the outcome of their review, setting out:
  - whether the original decision is being upheld
  - why the decision was reached
  - how the review was conducted (including the standard followed e.g. Road Safety GB)
  - information about other services and/or agencies that were consulted as part of the process
  - what factors were considered
  - information about how the parent can escalate their case to stage two (if appropriate)

### 5.0 Stage 2 – Appeal of the Stage 1 Decision

- 5.1 A parent, carer or post-16 student has 20 working days from receipt of Southampton City Council's stage one written decision notification to escalate the matter to stage two.
- 5.2 All appeals must be submitted in writing using the application form provided by Southampton City Council.
- 5.3 Supporting evidence can be provided as appropriate.
- 5.4 Appeal applications will be acknowledged in writing within 5 working days of receipt.

- 5.5 Within 40 working days of receipt of the appeal application, an independent Appeals Panel will consider written and verbal representations from both the Appellant and Officers involved in the case.
- 5.6 The Appellant will be invited to present their appeal case to the Appeals Panel at a formal appeal hearing.
- 5.7 Appeal hearings will be held during the normal working day only.
- 5.8 Appellants unable to attend the appeal hearing can send a friend, relative, or other representative to attend on their behalf but must notify Southampton City Council in advance of the hearing.
- 5.9 Legal representation is not permitted.
- 5.10 Further correspondence will be issued, which will include a date and time for the appeal hearing.
- 5.11 At least 5 days prior to the appeal hearing, Appellants and the Council's Appeals Panel will receive a copy of the case papers and any supporting documentation for consideration at the appeal hearing.
- 5.12 The Appeals Panel Chair will provide a detailed written notification of the outcome to the Appellant (within 5 working days), setting out:
- whether the original decision is being upheld
  - why the decision was reached
  - how the review was conducted (including the standard followed e.g. Road Safety GB)
  - information about other departments and/or agencies that were consulted as part of the process
  - what factors were considered
  - information about the right to put the matter to the Local Government Ombudsman (see below)
- 5.13 The Appeals Panel will consider an appeal on the basis of the information received in writing if an Appellant is unable to attend the hearing or send a representative.

## 6.0 Appeal Hearing Procedure

- 6.1 The Appeals Panel will comprise three or five members, one of which will Chair the appeal hearing.
- 6.2 A Presenting Officer will attend the appeal hearing to present the case for the travel support decision.
- 6.3 A note taker will attend the appeal hearing to make a record of the meeting.
- 6.4 At the start of the appeal hearing, the Chair of the Appeals Panel will introduce all attendees and will explain the procedure before continuing.
- 6.5 The Appeals Panel may ask anyone questions at any time or may alter the order at any time.
- 6.6 The appeal hearing procedure is as follows:
- 1) The Presenting Officer will explain the reasons for the travel support decision.
  - 2) The Appeals Panel may ask the Presenting Officer questions.
  - 3) The Appellant/Representative may ask the Presenting Officer questions.
  - 4) The Appellant/Representative will explain the grounds of the appeal and its desired outcome.
  - 5) The Appeals Panel may ask the Appellant/Representative questions.
  - 6) The Presenting Officer may ask the Appellant/Representative questions.
  - 7) The Presenting Officer will be asked to summarise their case.

- 8) The Appellant/Representative will be asked to summarise the grounds of their appeal.
  - 9) The Appellant/Representative and the Presenting Officer will be asked to leave the room and the Appeals Panel will make its decision.
- 6.7 In reaching their decision the Appeals Panel:
- may agree to consider only written evidence for either or both parties
  - must have regard to Southampton City Council's School Travel Service and Post-16 Travel Service Policy
  - will begin by reviewing the application of Southampton City Council's School Travel Service and Post-16 Travel Service Policy to ensure compliance with published arrangements
  - has a responsibility to consider the most cost-effective travel solutions to ensure an efficient use of public funds
- 6.8 The outcome of the Appeals Panel will be one of the following:
- uphold the appeal
  - decline the appeal
  - partially uphold the appeal. This can include meeting the appellant's wishes in part or for a time-limited period. At the end of the time-limited period, the Appeals Panel can reconsider the circumstances and may request additional information, for example up to date medical records or school attendance records
- 6.9 Following the stage 2 outcome, there is no further opportunity to appeal the travel support decision with Southampton City Council.
- 6.10 For cases that have been upheld by the Appeals Panel, arrangements for the agreed level of travel support will be made as soon as reasonably practical.

## 7.0 Local Government Ombudsman

- 7.1 If an appellant considers that there has been a failure to comply with the procedural rules or if there are any other irregularities in the way an appeal was handled, they may have a right to refer the matter to the Local Government Ombudsman.
- 7.2 The Ombudsman cannot question a Local Authority's decision if it has been made properly and fairly.
- 7.3 The Ombudsman will not normally consider a complaint until the two-stage review and appeals process has concluded.
- 7.4 An appellant can find out how to make a complaint to the Ombudsman at: [www.lgo.org.uk](http://www.lgo.org.uk).
- 7.5 Further information is published online by the Local Government Ombudsman at: <http://www.lgo.org.uk/make-a-complaint/factsheets/education/school-transport>

## 8.0 Repeat Applications

- 8.1 Once a decision on an application has been made, including any review or appeal decisions, further applications for assisted travel in relation to the same child at the same school cannot be accepted. The exception to this is where Southampton City Council, or body appointed, is satisfied that there has been a significant and material change in circumstances since the original application was considered.
- 8.2 Where Southampton City Council determines a change to its School Travel Policy, parents, carers and post-16 students affected by the change can apply for a review and appeal in accordance with the arrangements set out in this policy.

## 9.0 Complaints

- 9.1 Complaints about service delivery, shall be made in accordance with the Southampton City Council's Corporate Complaints Procedure. Complaints will not be accepted if simply seeking to challenge the decision following the review and appeal process set out above (in respect of which the appeal panel decision is binding and outside the scope of the Council's Complaints Policy).
- 9.2 Complaints about Southampton City Council's School Travel Service (rather than an appeal outcome) can be made via the website at: <https://www.southampton.gov.uk/council-democracy/have-your-say/comments-complaints/complaints/>.





### 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.

<b>Name or Brief Description of Proposal</b>	School Travel Service and Post-16 Travel Service Policy 2024-25
<b>Brief Service Profile (including number of customers)</b>	
<p>Under the 1996 Education Act, Southampton City Council has a statutory duty to provide free of charge travel arrangements to facilitate the attendance at school of eligible children within the Council’s administrative boundary. The Education Act 1996 requires that transport support is provided to children of compulsory school age who attend their nearest suitable school and:</p> <ul style="list-style-type: none"> <li>• live more than the statutory walking distance from that school, or</li> <li>• could not reasonably be expected to walk to that school because of their special educational needs, disability or mobility problem, even if they were accompanied by their parent, or</li> <li>• would not be able to walk to that school in reasonable safety, even if they were accompanied by their parent, or</li> <li>• meet the ‘extended rights’ criteria for children from low-income households.</li> </ul> <p>The policy also includes a statement specifying the arrangements for the provision of travel or other support to facilitate the attendance of all persons of sixth form age and adult learners (over the age of 19 and under the age of 25) receiving education or training (including those with and Education, Health and Care plan). There is no legal requirement to provide travel assistance to Early Years children, post-16 students or adult learners. However, local authorities must adhere to the statutory guidance on post-16 transport and the</p>	

Equalities Act 2010 when developing school travel policy and publishing school travel policy statements for Early Years children, post-16 and adult learners.

This policy sets out Southampton City Council's approach to the operation of the School Travel Service in Southampton. It sets out the Council's statutory requirements along with local policy, including the criteria for eligibility, the type of travel support the Council may provide and how to appeal a decision. The legal responsibility for ensuring a child's attendance at school rests with the child's parent or carer. Parents and carers are generally expected to provide travel arrangements for their child to travel to and from school.

This policy applies to children and young people whose permanent home address is within the administrative boundaries of Southampton City Council. Children and young people studying in, but not resident in, Southampton should refer to the relevant transport policies issued by the local authority in their resident area.

There are currently approximately 500 mainstream children and 1,100 SEND children for whom the Council provides travel support.

#### **Summary of Impact and Issues**

The School Travel Service and Post-16 Travel Service Policy 2024-25 updates the previous policy and provides a clearer document that will enable service users to better understand the Council's travel service offer and any support that they may be entitled to.

To achieve this, the following changes have been made:

- Wording amended to ensure terminology is consistent and more accurately reflects the service offer. This includes the service's rebrand from 'Home to School Travel' to 'School Travel Service'.
- Addition of a clear hierarchy of travel support options.
- Additional information on the appeals process.
- Requirement for parents who wish to apply for travel support to list their nearest suitable school on their school application form.

#### **Potential Positive Impacts**

The policy has been drafted to be fair and transparent. The wording of the policy has been reviewed to clarify the travel service offer and ensure terminology used in the policy is consistent and in line with the way the service operates. This means the policy is now an accurate reflection of the service offer.

Additional detail has been added to the appeals process, to make it clear what the appellant can expect when making an appeal.

A clear 'hierarchy' of travel assistance options has been set out to clearly indicate to parents and carers the order in which different forms of travel support will be considered, to increase transparency about the operation of the School Travel Service.	
<b>Responsible Service Manager</b>	Annamarie Hooper, Service Manager – Service Delivery and Compliance
<b>Date</b>	14/02/2024
<b>Approved by Senior Manager</b>	Pete Boustred, Head of Transport & Planning
<b>Date</b>	23/02/24

### Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
<b>Age</b>	This School Travel Service policy impacts children of compulsory school age, post-16 students and adult learners (up to age 25 where they are continuing on a course started before their 19th birthday). Travel support will be provided in line with statutory duties.	N/A – no change to policy or provision
<b>Disability</b>	There are approximately 1,100 children with Special Educational Needs and Disability (SEND) for whom the School Travel Service provides travel support.  Southampton City Council will provide travel support for all children of compulsory school age who cannot be expected to walk to school or travel independently by reason of their Special Educational Need and/or Disability (SEND), to the nearest most appropriate school based on their needs, in line with the Council's statutory duties.  Travel support for post-16 students and adult learners (up to age 25 where they are continuing on a course started	N/A – no change to policy or provision

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	<p>before their 19th birthday) with Special Educational Needs and/or Disabilities will be provided based on assessed need. Students and/or their parents/carers will not be required to contribute towards the cost of this service.</p> <p>Where a child lives within walking distance of the nearest qualifying school (or designated school if it is not the nearest) but the route to school relies on parent/carer with a disability accompanying that child for it to be considered safe, and the parent/carer's disability prevents them from doing so, the child will be eligible for school travel free of charge. This will be determined on a case-by-case basis, with medical evidence of the parent/carer's disability requiring confirmation.</p>	
<b>Gender Reassignment</b>	No identified impact.	N/A
<b>Care experienced</b>	No identified impact.	N/A
<b>Marriage and Civil Partnership</b>	No identified impact.	N/A
<b>Pregnancy and Maternity</b>	Where pregnancy or maternity impacts a parent/carer's ability to support their child's travel to and from school, they may be eligible for travel support under the Exceptional Circumstances criteria.	N/A – no change to policy or provision.
<b>Race</b>	No identified impact.	N/A
<b>Religion or</b>	Children will be eligible for free	N/A – no change to policy

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
<b>Belief</b>	school travel under 'extended rights' where the pupil is entitled to free school meals, the school is between 2 and 15 miles and is the nearest school preferred on the grounds of religion or belief (aged 11-16).	or provision.
<b>Sex</b>	No identified impact.	N/A
<b>Sexual Orientation</b>	No identified impact.	N/A
<b>Community Safety</b>	No identified impact.	N/A
<b>Poverty</b>	<p>According to the Department for Work and Pensions, in 2021/22, 25% of children aged under 16 were living in relative low-income families in Southampton. This is significantly higher than the national average.</p> <p>In the UK, children from lower income families are 50% less likely to do as well at school as their classmates.</p> <p>Children may be entitled to free travel support if they have a low family income and they are entitled to free school meals or get the maximum Working Tax Credit and one of the following applies:</p> <ul style="list-style-type: none"> <li>• they are aged 8 to 11, go to their nearest suitable school and it is at least 2 miles away from their home address.</li> <li>• they are aged 11 to 16 and go to a school 2 to 6 miles away - if it is one of their 3 nearest suitable schools from their home address.</li> </ul>	N/A – no change to policy provision.

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	<ul style="list-style-type: none"> <li>they are aged 11 to 16 and go to a school between 2 to 15 miles from their home address and is the nearest school preferred on the grounds of religion or belief.</li> </ul>	
<b>Health &amp; Wellbeing</b>	No identified impact.	N/A
<b>Other Significant Impacts</b>	No identified impacts.	N/A

DRAFT

## Considerations of the consultation feedback – School Travel Policy 2024-25 Consultation

### Updating the appeals process to bring it in line with government guidance

Consultation feedback		Officer response	Actions proposed
Broad themes	Comment themes		
Quantitative feedback	<ul style="list-style-type: none"> <li>• Overall                             <ul style="list-style-type: none"> <li>○ Total agree: 64%</li> <li>○ Total disagree: 24%</li> <li>○ Majority of respondents that are recipient of (or parent/carer of) school/post-16 travel support agree (51%)</li> </ul> </li> </ul>		
Positive comments	The group believed that it was a good idea to allow two chances for appealing a transport decision [...] Three pupils responded that they thought the new appeals system was better and two responded that they thought that considering alternatives to taxis in a hierarchy was a good idea (feedback from consultation session with primary school age children).	No officer response required (positive consultation feedback).	None.
Concerns and suggestions	Appeals - there is a lack of information on the appeals process, how to appeal and/or how decisions on appeals are made	The appeals process and timescales that are outlined in the policy is in line with government guidance. We will add an appendix to this policy to give further detail on the appeals process.	<p>An additional document detailing the appeals process has been appended to this policy.</p> <p>Additional wording has been added to clarify that both the type of transport that is offered, as well as decisions not to provide support provide grounds for appeal.</p>

### Defining the home address

Consultation feedback		Officer response	Actions proposed
Broad themes	Comment themes		
Quantitative feedback	<ul style="list-style-type: none"> <li>• Overall                             <ul style="list-style-type: none"> <li>○ Total agree: 60%</li> <li>○ Total disagree: 26%</li> <li>○ 42% of respondents that are recipient of (or parent/carer of) school/post-16 travel support agree, 40% disagree</li> </ul> </li> </ul>		
Concerns and suggestions	N/A	N/A	N/A

### Terminology consistent with the School Travel Service rebrand

Consultation feedback		Officer response	Actions proposed
Broad themes	Comment themes		
Quantitative feedback	<ul style="list-style-type: none"> <li>• Overall                             <ul style="list-style-type: none"> <li>○ Total agree: 53%</li> <li>○ Total disagree: 29%</li> </ul> </li> </ul>		

Consultation feedback		Officer response	Actions proposed
Broad themes	Comment themes		
	<ul style="list-style-type: none"> <li>39% of respondents that are recipient of (or parent/carer of) school/post-16 travel support agree, 44% disagree</li> </ul>		
Concerns and suggestions	N/A	N/A	N/A

### Setting out a travel options hierarchy

Consultation feedback		Officer response	Actions proposed
Broad themes	Comment themes		
Quantitative feedback	<ul style="list-style-type: none"> <li>Overall <ul style="list-style-type: none"> <li>Total agree: 51%</li> <li>Total disagree: 40%</li> <li>33% respondents that are recipient of (or parent/carer of) school/post-16 travel support agree, 57% disagree</li> </ul> </li> </ul>		
Positive comments	The group felt that it was a good idea to consider a hierarchy of options for school transport, not just a taxi (feedback from consultation session with primary school age children)	No officer response required (positive consultation feedback).	None.
Concerns and suggestions	Travel options hierarchy - questions/comments on assessments/the process of deciding travel options Travel options hierarchy - comments critical/not supportive of the option regarding travelling to pick-up/drop-off points Travel options hierarchy - comments on some options not being viable for some SEN children, irrespective of other factors (e.g. training) Travel options hierarchy - other/alternative considerations/suggestions Travel options hierarchy - some SEND children will need a chaperone with their travel option Travel options hierarchy - other/general critical/not supportive comments Travel options hierarchy - changing the mode of travel will be disruptive/debilitating for those with certain disabilities, e.g. autism	The School Travel Service and SEND team will assess which form of transport is most suited to each child, working with pupils, parents and carers pro-actively to establish the most suitable and sustainable approach. This is current practice and by setting out the order in which different types of transport is considered the council is aiming to improve transparency.  The pick up/drop off points will be trialled on a pilot basis, only children that would be suited to this method of transport will participate in this trial. We are anticipating that the pilot of one bus with multi location drop-off / pick-up in starts from the start of the summer term 2024. This may affect ~16-20 children.	None.

### Listing the nearest school in school applications

Consultation feedback		Officer response	Actions proposed
Broad themes	Comment themes		
Quantitative feedback	<ul style="list-style-type: none"> <li>Overall <ul style="list-style-type: none"> <li>Total agree: 35%</li> <li>Total disagree: 52%</li> <li>19% of respondents that are recipient of (or parent/carer of) school/post-16 travel support agree, 66% disagree</li> </ul> </li> </ul>		



Consultation feedback		Officer response	Actions proposed
Broad themes	Comment themes		
Concerns and suggestions	Listing nearest school - comments that the nearest school may not be the best/most appropriate for some SEN children	<p>Parents will be required to list their nearest suitable school. A suitable school is one that is suitable for the child's age, ability, aptitude and any special educational needs they may have. If a child has a school named on their EHCP, parents/carers should apply via SCC's SEND team.</p> <p>Distances in relation to eligibility for travel support will be measured by the shortest reasonable walking route, by which a child may walk safely. In cases where extended rights apply and the child is travelling more than 3 miles (up to 6 miles or up to 15 miles to a school preferred on the grounds of religion or belief) walking routes do not apply, and the shortest route will be measured along road/driving routes. The catchment area tool situated on the council website also lists schools from nearest to furthest once an address is inputted.</p>	Wording to the website will be amended making it clearer that individuals may not qualify for transport if not applying for their nearest school.

This page is intentionally left blank

# Draft School Travel Policy Consultation

## Feedback report

# Introduction & methodology



Southampton City Council undertook a public consultation on draft proposals for amendments to the School Travel Service.

This consultation took place between **03/10/2023 – 27/11/2023** and received **182** responses.

The aim of this consultation was to:

- Clearly communicate the proposed draft policy to residents and stakeholders;
- Ensure any resident, business or stakeholder in Southampton that wished to comment on the proposals had the opportunity to do so, enabling them to raise any impacts the proposals may have, and;
- Allow participants to propose alternative suggestions for consideration which they feel could achieve the objectives of the policy in a different way.

Page 137

This report summarises the aims, principles, methodology and results of the public consultation. It provides a summary of the consultation responses both for the consideration of decision makers and any interested individuals and stakeholders.

It is important to be mindful that a consultation is not a vote, it is an opportunity for stakeholders to express their views, concerns and alternatives to a proposal. This report outlines in detail the representations made during the consultation period so that decision makers can consider what has been said alongside other information.

Southampton City Council is committed to consultations of the highest standard and which are meaningful and comply with the *Gunning Principles*, considered to be the legal standard for consultations:

1. Proposals are still at a formative stage (a final decision has not yet been made);
2. There is sufficient information put forward in the proposals to allow 'intelligent consideration';
3. There is adequate time for consideration and response, and;
4. Conscientious consideration must be given to the consultation responses before a decision is made.



## Rules: The Gunning Principles

They were coined by Stephen Sedley QC in a court case in 1985 relating to a school closure consultation (R v London Borough of Brent ex parte Gunning). Prior to this, very little consideration had been given to the laws of consultation. Sedley defined that a consultation is only legitimate when these four principles are met:

1. **proposals are still at a formative stage**  
A final decision has not yet been made, or predetermined, by the decision makers
2. **there is sufficient information to give 'intelligent consideration'**  
The information provided must relate to the consultation and must be available, accessible, and easily interpretable for consultees to provide an informed response
3. **there is adequate time for consideration and response**  
There must be sufficient opportunity for consultees to participate in the consultation. There is no set timeframe for consultation,<sup>1</sup> despite the widely accepted twelve-week consultation period, as the length of time given for consultee to respond can vary depending on the subject and extent of impact of the consultation
4. **'conscientious consideration' must be given to the consultation responses before a decision is made**  
Decision-makers should be able to provide evidence that they took consultation responses into account

These principles were reinforced in 2001 in the 'Coughlan Case (R v North and East Devon Health Authority ex parte Coughlan<sup>2</sup>), which involved a health authority closure and confirmed that they applied to all consultations, and then in a Supreme Court case in 2014 (R ex parte Moseley v LB Haringey<sup>3</sup>), which endorsed the legal standing of the four principles. Since then, the Gunning Principles have formed a strong legal foundation from which the legitimacy of public consultations is assessed, and are frequently referred to as a legal basis for judicial review decisions.<sup>4</sup>

<sup>1</sup> In some local authorities, their local voluntary Compact agreement with the third sector may specify the length of time they are required to consult for. However, in many cases, the Compact is either inactive or has been cancelled so the consultation timeframe is open to debate

<sup>2</sup> BAILII, England and Wales Court of Appeal (Civil Division) Decisions, Accessed: 13 December 2016.

<sup>3</sup> BAILII, United Kingdom Supreme Court, Accessed: 13 December 2016

<sup>4</sup> The information used to produce this document has been taken from the Law of Consultation training course provided by The Consultation Institute

The agreed approach for this consultation was to use an online questionnaire as the main route for feedback. Questionnaires enable an appropriate amount of explanatory and supporting information to be included in a structured way, helping to ensure respondents are aware of the background and detail of the proposals.

Respondents could also write letters or emails to provide feedback on the proposals. Emails or letters from stakeholders that contained consultation feedback were collated and analysed as a part of the overall consultation.

The consultation was promoted in the following ways:

- Page 139
- Via schools and the Parent Carer Forum
  - Southampton City Council's website
  - Social media posts (including Facebook, LinkedIn, X/Twitter)
  - Southampton City Council e-bulletins

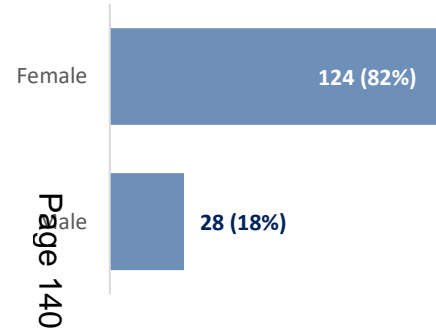
All quantitative survey results have been analysed and presented in graphs within this report. Respondents were also given opportunities throughout the questionnaire to provide written feedback on the proposals.



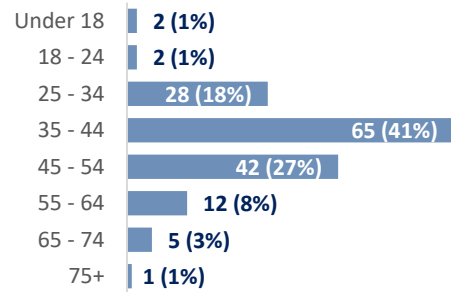
**Total responses** | 177 survey responses  
5 email/letter responses  
182 total

Graphs on this page are labelled as count (percentage)

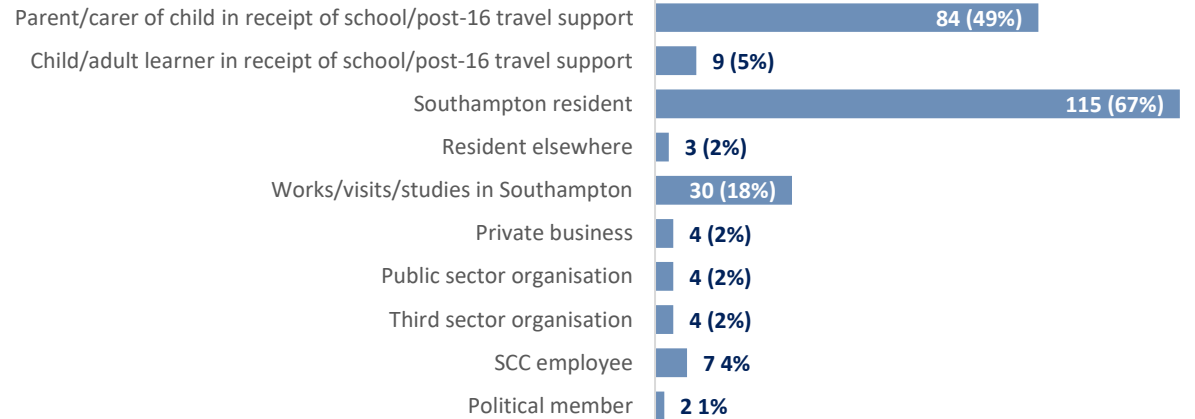
## Sex



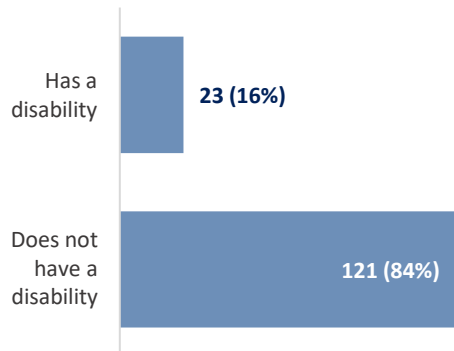
## Age



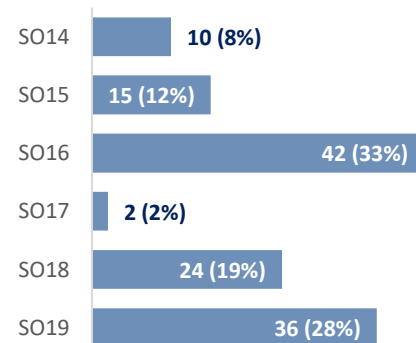
## Interest in the consultation



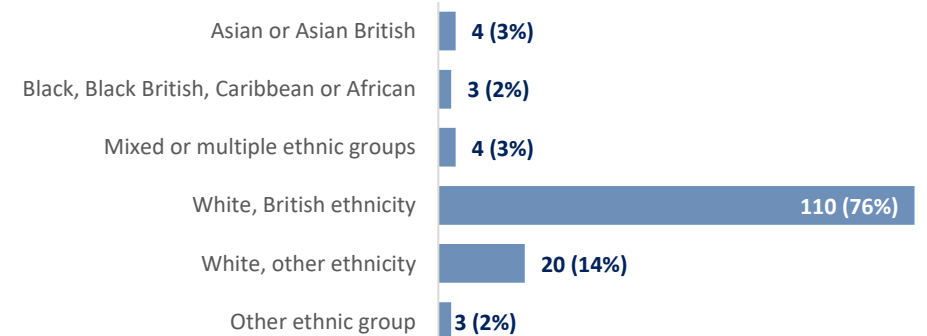
## Disability



## Postcode



## Ethnicity





# The proposals



## ***Updating the appeals process to bring it in line with government guidance***

The appeals process is for disputing whether travel support is offered by Southampton City Council. In line with government guidance, we propose to introduce a two-stage process for appeals: the first stage would be a review by senior officers within 20 working days of receiving an appeal; then, if the appellant wishes to escalate the appeal, the second stage would be a review by an independent panel within 40 working days of the appeal being escalated.

Page 142

## ***Setting out a clear order and hierarchy in which travel options will be considered by the Council***

The aim of this is to improve transparency. This would apply both to new applicants and to those already receiving travel support. If a child/student/adult learner is eligible for travel support, we would consider a range of options, working with pupils, parents and carers pro-actively to establish the most suitable and sustainable approach. Proposed methods of travel support would be considered in a clear order, which is set out on the right:

### Proposed travel options hierarchy

- 1) ***Travel training***  
*Independent travel training gives children, students and adult learners the essential skills needed to travel independently either on foot, by other sustainable travel option, such as bike or scooter, or by public transport.*
- 2) ***Sustainable travel such as bike or scooter***
- 3) ***Bus/rail pass***
- 4) ***Personal Travel Budgets (PTBs)***  
*Only applicable to children and young people with an EHCP. Parents or carers can use PTBs in any reasonable way to get their child to school*
- 5) ***Group pick up/drop off***  
*Where appropriate and reasonable, parents or carers may be expected to take their child to and from a pick-up/drop off point. Pick-up/drop-off points will be within one mile of the child's home address.*
- 6) ***Vehicle (taxi/minibus) provision by other Southampton City Council directorates that have suitable vehicles***
- 7) ***Multi-occupancy transport (transportation for multiple children)***
- 8) ***Single-occupancy transport (e.g. taxi, minibus – transport for a single child)***

## ***Parents/carers listing their nearest school in school application forms when applying for school travel support***

When an application for travel is considered following the normal admissions round, it can be difficult for local authorities to know whether a child could have been admitted to their nearest school if their parent/carer did not list that school as a preference when they applied for a school place. Therefore, Southampton City Council is requesting that parents/carers list their nearest school on their application form if they intend to apply for travel support.

Page 143

## ***Defining the home address, including in cases of dual custody***

We are proposing the following definition:

*“The designated home address will be defined as the address at which the child resides and spends the majority of their time.”*

In cases where a child has a shared living arrangement, such as equal shared custody for separated parents/carers, we would use the address where the recipient of the child benefit lives. If no child benefit is received, we would use the address where the child is registered at their GP surgery.

## ***Changes to the terminology used within the policy to ensure it is consistent and in line with the rebrand from ‘Home to School Transport’ to ‘School Travel Service’***

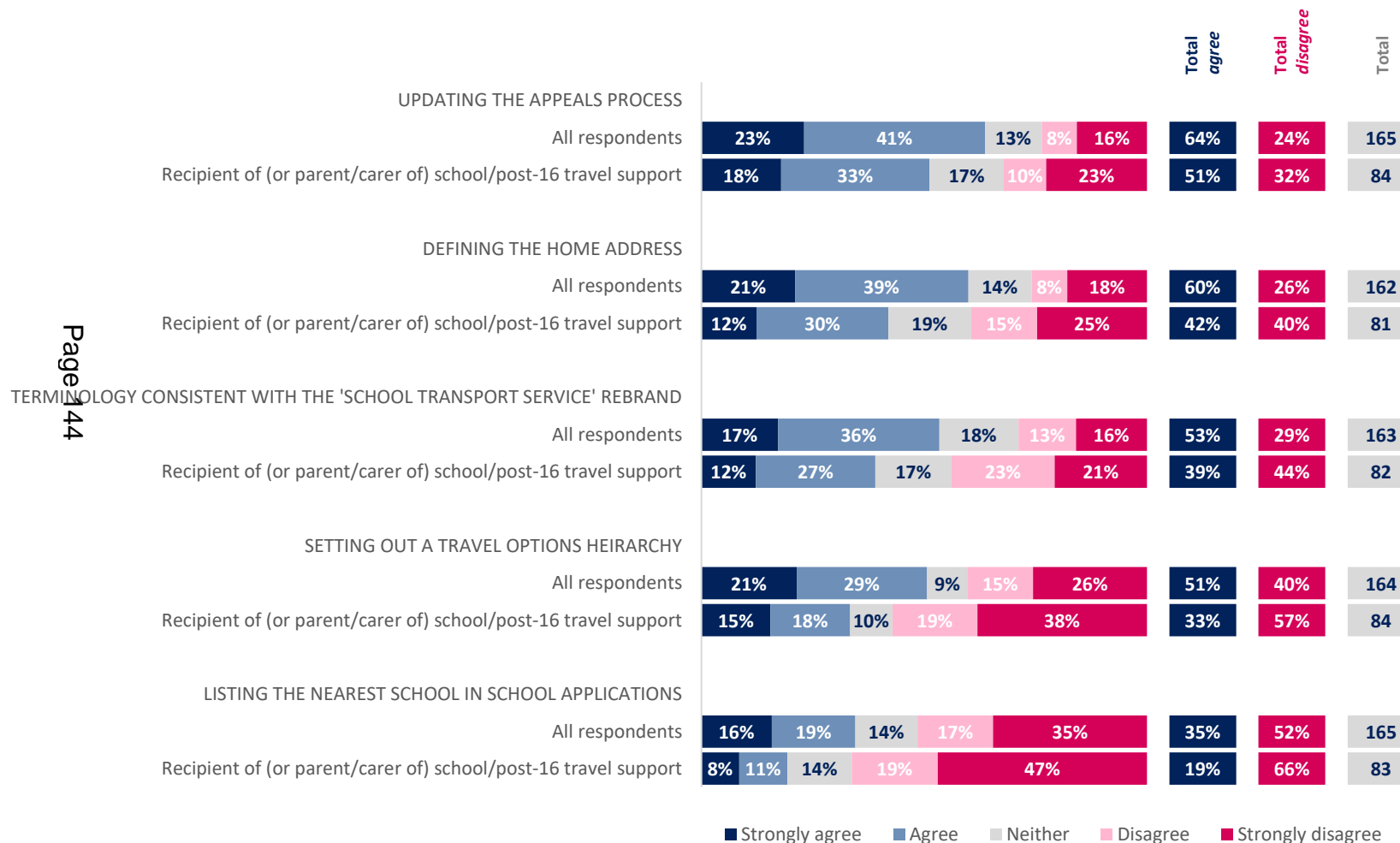
This introduces flexibility to the policy and is a more accurate reflection of the service offer to provide sustainable as well as suitable travel options.

## ***What is NOT being proposed?***

The criteria for entitlement for travel support. This is set out by law. Southampton City Council has a duty under the Education Acts 1996 and 2011 to provide free-of-charge travel support for ‘eligible children’ of compulsory school age.

The Council is also not proposing to introduce charges for post-16 travel support.

## Question 1 | To what extent do you agree or disagree with the proposals?

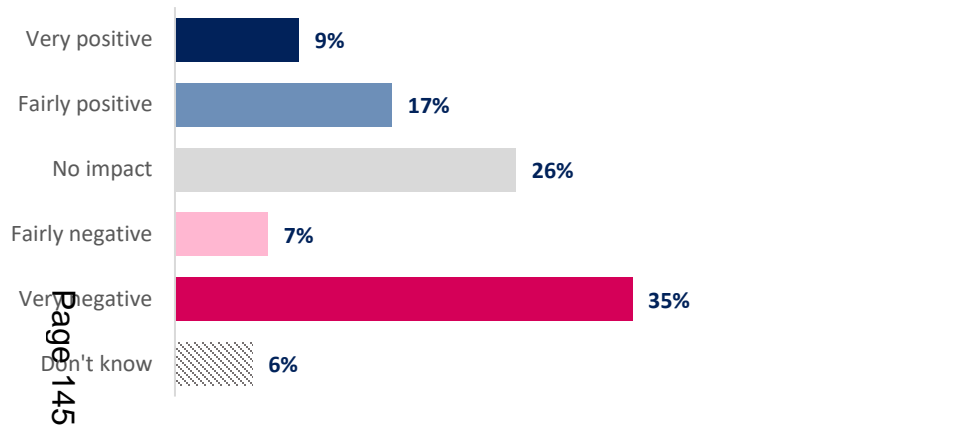


## Key findings

- In all cases, recipients of travel support\* agreed with the proposals to a lesser extent than respondents overall, between 12% and 18% points
- Overall respondents agreed with all of the elements of the proposals by 50% or more, apart from the listing of the nearest school in school applications, where 52% *disagreed*
- Recipients of travel support\* agreed with updating the appeals process at 51%, but disagreed with the proposed travel options hierarchy (57%) and listing the nearest school in school applications (66%)
- Recipients of travel support\* were split on defining the home address and updating terminology with the service rebrand, with neither agree nor disagree receiving more than 50% of responses for this breakdown in either case

## Question 2 | If implemented, what impact do you feel the proposals may have on you, or your family?

### All respondents | 169



**Total positive**  
26% (44 respondents)

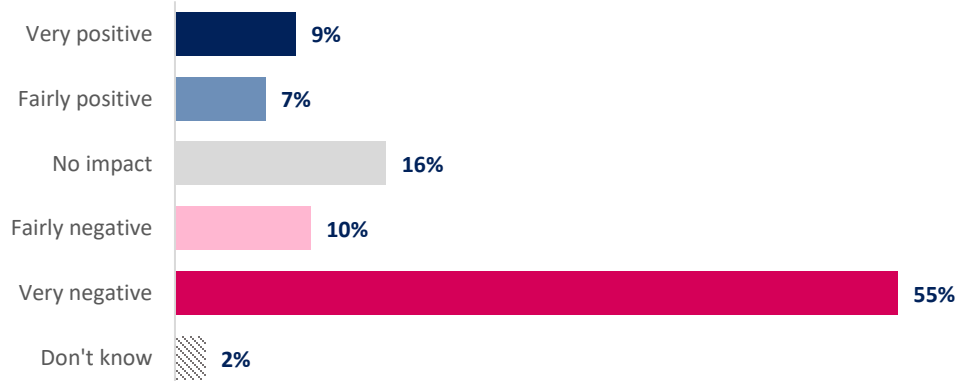
**Total negative**  
42% (71 respondents)

### Key findings

- Respondents overall said that the proposals would have a negative impact to a greater extent than positive 42% to 26%, including 35% that said they would have a *very negative* impact
- 26% also said that the proposals would have no impact at all
- Recipients of travel support\* said that the proposals would have a *very negative* impact at 55%, 13% points more than the total negative responses from respondents overall



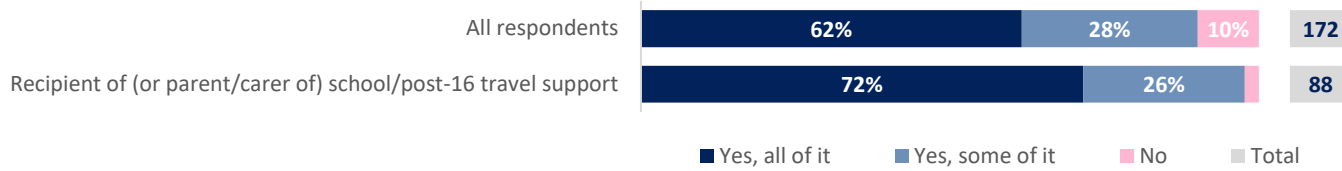
### Recipient of (or parent/carer of) school/post-16 travel support\* | 87



**Total positive**  
16% (14 respondents)

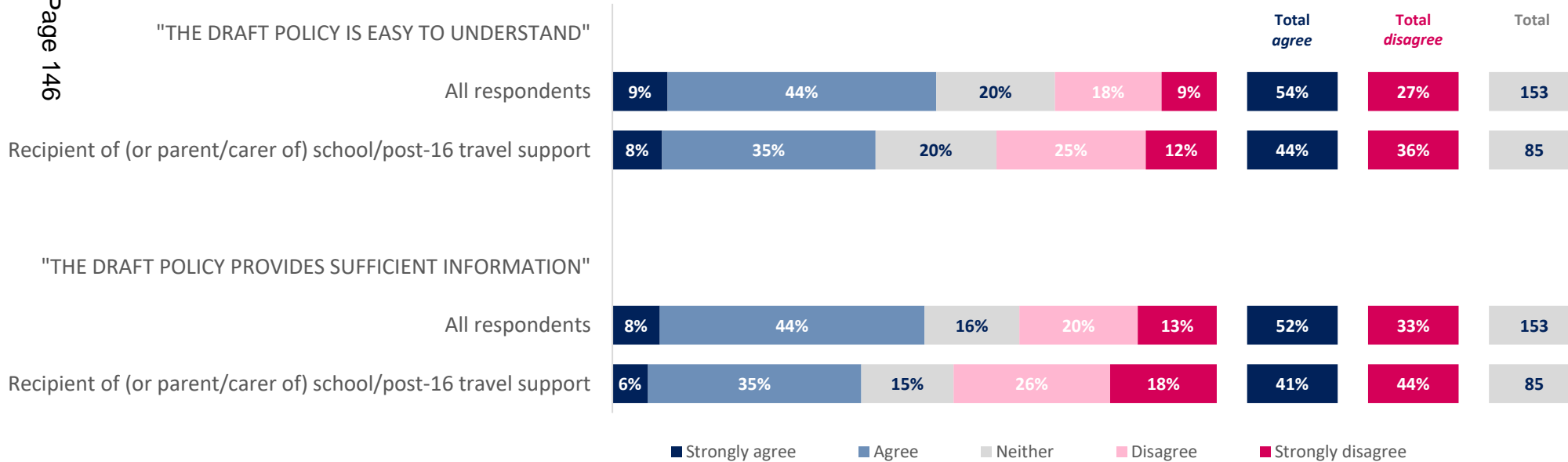
**Total negative**  
66% (57 respondents)

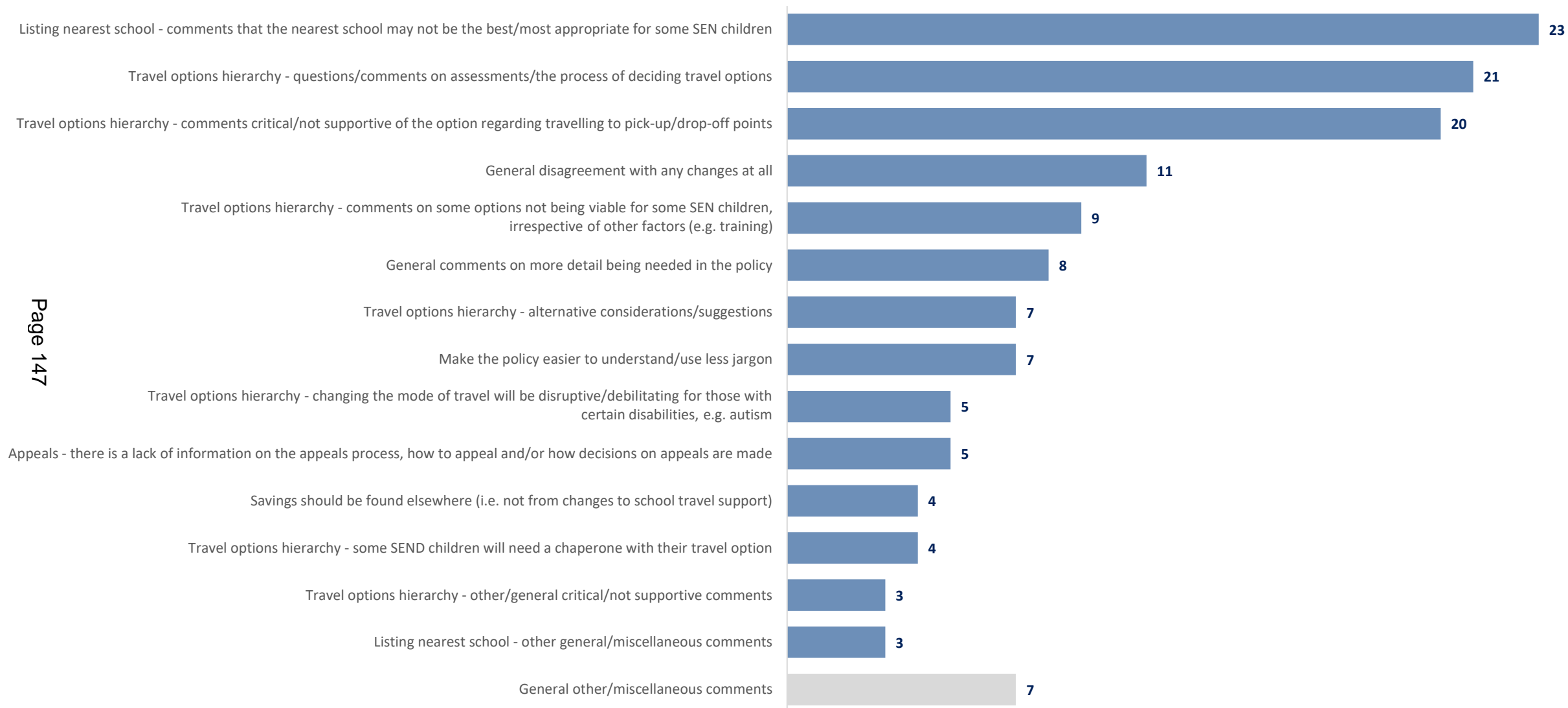
## Question 4 | Have you read the proposed draft policy?



## Question 5 | If you have read the draft policy, to what extent do you agree or disagree with the following statements?

Page 146





\*No. comments per comment theme. Comments from Q3 If you disagree, or have any comments, impacts, suggestions, please provide details and Q6 If there were parts of the draft policy that you did not understand or you feel need more information, please provide further details

This page is intentionally left blank



<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	Toys R Us Development Agreement
<b>DATE OF DECISION:</b>	16 April 2024
<b>REPORT OF:</b>	<b>COUNCILLOR BOGLE, CABINET MEMBER FOR ECONOMIC DEVELOPMENT</b>

<b><u>CONTACT DETAILS</u></b>		
	<b>Title</b>	Chief Executive
	<b>Name:</b>	Andrew Travers
	<b>E-mail:</b>	Andrew.travers@southampton.gov.uk
<b>Author:</b>	<b>Title</b>	Head of Economic Development and Regeneration
	<b>Name:</b>	Nawaz Khan
	<b>E-mail:</b>	Nawaz.khan@southampton.gov.uk

<b>STATEMENT OF CONFIDENTIALITY</b>		
Appendix 1 of this report contains information deemed to be exempt from general publication based on Category 3 of Paragraph 10.4 of the Council's Access to Information Procedure Rules. This includes details of commercial terms which have not yet been agreed between parties and which if disclosed, could put the Council or other parties at a commercial disadvantage.		
<b>BRIEF SUMMARY</b>		
The report advises Cabinet of the proposals to make variations to the Development Agreement held by the leaseholder of the former Toys R Us site. The proposed changes aim to support the delivery of this key regeneration site which has planning permission for new homes, public realm, leisure, and commercial uses within this key city centre location.		
<b>RECOMMENDATIONS:</b>		
	(i)	To approve the proposed changes to the Development Agreement and recommendations set out in Confidential Appendix 1.
	(ii)	To delegate authority to the Chief Executive following consultation with the Leader, Executive Director Corporate Services and Director of Legal & Governance to finalise the detailed terms of the amendments required to the Development Agreement Lease and all other ancillary legal documentation to support the delivery of the scheme.
<b>REASONS FOR REPORT RECOMMENDATIONS</b>		
1.	As freehold landowner, the council wishes to support the delivery of the former Toys R Us site (Plan attached at Appendix 2) for a mix of uses consistent with its ambitions for the good growth of the City.	
2.	Allowing changes to the Development Agreement as recommended in Appendix 1 acknowledges the impacts of macroeconomic challenges faced by	

	<p>construction projects over the past year, gives the developer certainty that the Development Agreement can be extended up to a certain duration, but also allows the council to continue to actively monitor and support progress towards delivery of the scheme.</p>
<p><b>ALTERNATIVE OPTIONS CONSIDERED AND REJECTED</b></p>	
3.	<p>Do nothing. The Development agreement would expire in June 2024. If no changes are made to the existing agreement, it is unlikely the development would be able to progress at all. The construction industry has faced difficulties over the past year which delayed progress towards appointing a contractor. As the current developer is the leaseholder of the site, a new development agreement would need to be negotiated, at significant time and cost, if the current agreement was allowed to expire. The development of the site is subject to the current ownership arrangements and would require the support of all parties having a legal interest in the property.</p>
4.	<p>An unconditional extension of 3 years to the Development Agreement. This would be relatively inflexible and would require any further changes to be brought back to Cabinet for approval, which may add further delay to the delivery of the site. 3 years is longer than the original duration of the Development Agreement and there is a risk the site will remain vacant for this additional duration, which is not in the interests of City regeneration. The only option to end the agreement within the extended 3 years, would be to formally terminate the agreement, which would incur additional costs, time and delay to the Council.</p>
<p><b>DETAIL (Including consultation carried out)</b></p>	
5.	<p>The Council is the freeholder of the former Toys R Us site (see Appendix 2 – Site Plan), which currently comprises a large vacant superstore structure with open surface car parking, located to the south of Southampton Central train station. Following the collapse of Toys R Us in 2018, Packaged Living acquired the leasehold interest of the site in May 2021. There are circa 87 years remaining on the existing lease.</p>
6.	<p>On November 15, 2021, Cabinet approved the key commercial terms of a Development Agreement and new lease to Packaged Living (the Developer). A Development Agreement was signed on the December 23, 2021 between the Council and the Developer. The Development Agreement set out a number of conditions (the ‘Conditions Precedent’) that need to be met before the expiry of the agreement on the 23<sup>rd</sup> June 2024 ( the ‘Long Stop’ date). This Conditions Precedent currently needs to be completed by the Long Stop Date before the new (extended) lease is agreed.</p>
7.	<p>In accordance with the conditions of the Development Agreement, the developer submitted an application for development (ref. 21/01837/FUL) and a decision notice was issued on December 8, 2022 granting permission.</p> <p>The application was for:</p> <p>Hybrid planning permission for a major mixed-use development comprising:</p> <ul style="list-style-type: none"> <li>• Full planning permission for:</li> </ul>

	<ul style="list-style-type: none"> <li>• Demolition of existing buildings and structures.</li> <li>• Construction of 4 buildings (Blocks A, B, C, and D)</li> <li>• Block A: Comprising 6,816 sqm of commercial floorspace (Class E).</li> <li>• Blocks B, C, and D: Comprising 603 residential units (Class C3). Ground floor commercial floorspace (Class E).</li> <li>• Outline planning permission for: <ul style="list-style-type: none"> <li>• Construction of 1 building (Block E).</li> <li>• Up to 8 storeys. Flexible commercial/residential/overnight accommodation (C1/C3/Class E Uses). Co-living (Sui-Generis).</li> </ul> </li> </ul> <p>The permission includes associated access, parking and public realm, including the Maritime Promenade, a new pedestrian link between the station and Harbour Parade.</p> <p>Unless implemented, this permission expires on the December 8, 2025.</p>
8.	Through early 2023 the developer demonstrated commitment to completing the conditions of the Development Agreement. However, in 2023 macroeconomic issues impacted the construction sector nationally and locally, with increased interest rates, inflation on the cost of materials and also the capacity of the local sub-contracting supply chain for projects of this scale in Southampton. This made it increasingly difficult for the developer to meet the conditions of the Development Agreement within the set timescales. The Developer has now advised that due to the limited time remaining on the agreement, they are not in a position to be able to complete the conditions within the Development Agreement by the June 2024 expiry date. The Developer has therefore requested changes to the Development Agreement to provide more flexibility to meet the Conditions required to deliver the development.
9.	Despite the challenges faced to date the Developer maintains that they are committed to the delivery of the project. They have advised that positive trends are emerging through 2024 which will support them in delivering the scheme, such as lower predicted interest rates, reduced inflation, and stabilisation of construction costs.
10.	If no changes are made to the commercial terms, then the Development Agreement will expire in June 2024 and the developer would no longer be able to progress the delivery of the scheme. The council would need to negotiate a new agreement with the same developer, as they are also the leaseholder of the site. This would add more time and cost to the delivery of the scheme if a new agreement has to be prepared and agreed.
<b>RESOURCE IMPLICATIONS</b>	
<b><u>Capital/Revenue</u></b>	
11.	The details of the changes to the commercial terms are set out at Appendix 1.
12.	It would be expected that Packaged Living pay SCC legal/ surveyor fees in relation to facilitating changes to the Commercial terms.
<b><u>Property/Other</u></b>	

13.	The Council will need to closely monitor the project and commercial arrangements related thereto, so a continued 'development management' resource will be needed on this project.
<b>LEGAL IMPLICATIONS</b>	
<b><u>Statutory power to undertake proposals in the report:</u></b>	
14.	The Council powers to promote this development are Section 123 Local Government Act 1972 and Section 1 Localism Act 2011.
15.	
<b><u>Other Legal Implications:</u></b>	
16.	Not applicable.
<b>RISK MANAGEMENT IMPLICATIONS</b>	
17.	The Council is not taking any active participation in the re-development and (apart from timing of the projected revenue & capital receipts) no financial risks are involved. Whilst there is no guarantee that the site will be fully developed out as outlined there are some mitigations included in proposals which are outlined in Appendix 1.
18.	This scheme is subject to uncontrollable economic events which is normal for schemes with a long delivery timetable.
<b>POLICY FRAMEWORK IMPLICATIONS</b>	
19.	The scheme has planning permission ref: 21/01837/FUL demonstrating its compliance with planning policy.
20.	This scheme supports many of the Council's strategic objectives around housing, environment, sustainability, Green City and economic development. The emerging Southampton Renaissance master planning work also recognises this site's potential to contribute to a vision for the City's future prosperity. The development proposals are consistent with the key growth and regeneration ambitions for the City.

<b>KEY DECISION?</b>	<b>Yes</b>
<b>WARDS/COMMUNITIES AFFECTED:</b>	All
<b><u>SUPPORTING DOCUMENTATION</u></b>	
<b>Appendices</b>	
1.	Report on Commercial Terms Amendments (confidential)
2.	Site Plan

#### Documents In Members' Rooms

	None
<b>Equality Impact Assessment</b>	
<b>Do the implications/subject of the report require an Equality and</b>	<b>No</b>

<b>Safety Impact Assessment (ESIA) to be carried out.</b>		
<b>Data Protection Impact Assessment</b>		
<b>Do the implications/subject of the report require a Data Protection Im</b>		<b>No</b>
<b>Assessment (DPIA) to be carried out.</b>		
<b>Other Background Documents</b>		
<b>Other Background documents available for inspection at:</b>		
<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.	<a href="#"><u>Decision - Toys R Us Site Commercial Terms*   Southampton City Council</u></a>	

This page is intentionally left blank

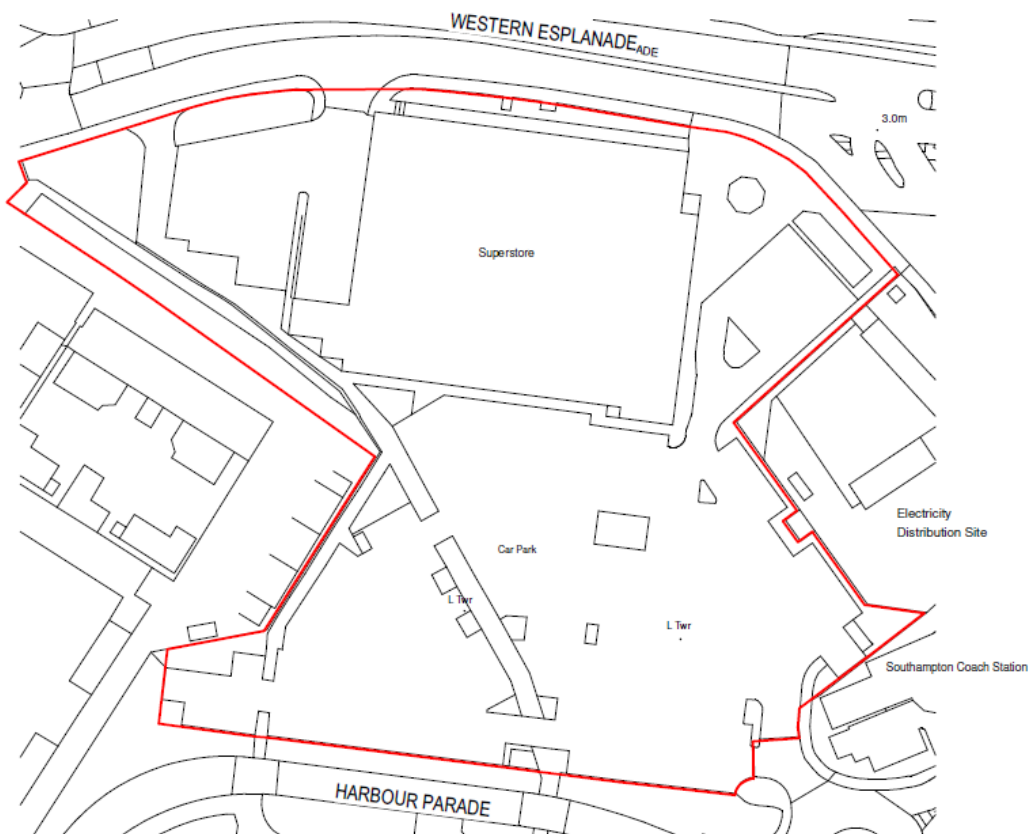
Document is Confidential

This page is intentionally left blank



### APPENDIX 1

### Site Plan



This page is intentionally left blank