

# Cabinet

**Monday, 16<sup>th</sup> January 2012  
at 4.30 pm  
Council Chamber**

This meeting is open to the public

## **Members**

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

(QUORUM – 2)

## **Contacts**

Cabinet Administrator  
Judy Cordell  
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Head of Legal, HR and Democratic Services  
Richard Ivory  
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## **BACKGROUND AND RELEVANT INFORMATION**

### **The Role of the Executive**

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

### **Executive Functions**

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

### **The Forward Plan**

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

### **Key Decisions**

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

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

Decisions to be discussed or taken that are key

### **Implementation of Decisions**

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

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

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

### **Procedure / Public Representations**

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

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

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

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

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

### **Municipal Year Dates (Mondays)**

<b>2011</b>	<b>2012</b>
6 June	16 January
4 July	6 February
1 August	13 February
5 September	12 March
26 September	16 April
24 October	
21 November	
19 December	

## CONDUCT OF MEETING

### TERMS OF REFERENCE

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

### BUSINESS TO BE DISCUSSED

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

### RULES OF PROCEDURE

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

### QUORUM

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

### DISCLOSURE OF INTERESTS

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

### PERSONAL INTERESTS

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

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

A Member must disclose a personal interest.

Cont/...

## **Prejudicial Interests**

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

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

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

There are some limited exceptions.

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

## **Principles of Decision Making**

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

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

In exercising discretion, the decision maker must:

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

## AGENDA

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

### **1 APOLOGIES**

To receive any apologies.

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

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

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

## **TRAFFIC REGULATION ORDERS**

### **3 PROPOSED TRAFFIC REGULATION ORDER - VARIOUS ROADS WAITING RESTRICTIONS (TRO)**

Report of the Senior Manager Streetscene and Community Safety detailing an objection to proposed waiting restrictions at the junction of Langley Road and Regents Park Road, attached.

## **EXECUTIVE BUSINESS**

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

Record of the decision making held on the 19<sup>th</sup> December 2011, 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 STATEMENT FROM THE LEADER**

**8 EXECUTIVE APPOINTMENTS**

To deal with any executive appointments, as required.

**ITEMS FOR DECISION BY CABINET**

**9 FUTURE OPERATION OF KEY MILLBROOK SITE FACILITIES**

Report of the Cabinet Member for Children's Services and Learning seeking approval for the future operation of key facilities at the former Millbrook School site, attached.

**10 SOLENT SKY MUSEUM - VARIATION TO PROPOSED LEASE TERMS**

Report of the Cabinet Member for Resources, Leisure and Culture seeking approval for the variation of the approved terms of the lease of the Solent Sky Museum, attached.

**11 AGREEMENT TO EXTEND LEASE ARRANGEMENTS MAYFIELD NURSERY**

Report of the Cabinet Member for Resources, Leisure and Culture seeking approval for an extension of lease arrangements for Mayfield Nursery, attached.

FRIDAY, 6 JANUARY 2012

HEAD OF LEGAL, HR AND DEMOCRATIC SERVICES

# Agenda Item 3

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	PROPOSED TRAFFIC REGULATION ORDER - VARIOUS ROADS WAITING RESTRICTIONS (TRO)
<b>DATE OF DECISION:</b>	16 JANUARY 2012
<b>REPORT OF:</b>	SENIOR MANAGER STREETSCENE AND COMMUNITY SAFETY
<b>STATEMENT OF CONFIDENTIALITY</b>	
N/A	

## **BRIEF SUMMARY**

Proposals to introduce a waiting restriction at the junction of Langley Road and Regents Park Road were advertised on 13 May 2011, as part of a package of minor proposals in various locations around the City. The reasons for the proposed restriction is to improve visibility for traffic emerging from Langley Road onto Regents Park Road, by preventing parking close to the junction; the issues were raised by local residents and a ward councillor who were concerned that vehicles parking in these areas were obstructing visibility for road users. The proposals attracted three objections; two of the objectors chose not to sustain their objection. The third objector has requested that his objection is considered further.

## **RECOMMENDATIONS:**

- (i) To consider and determine an objection to proposed waiting restrictions at the junction of Langley Road and Regents Park Road.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. To fulfil the Council's obligation to consult upon proposals and consider objections.
2. To enable the scheme to be introduced if the objection is not upheld. The officers' view is that the proposal should be approved to address issues of road safety at this junction.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

3. Do nothing. This would mean that vehicles would continue to be parked close to or on the relevant junctions, where there are already visibility problems for other road users.

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

4. Regents Park Road is a mainly residential "C" class road which runs between Shirley and Millbrook Road. As such, it carries a reasonable volume of traffic; it is also a bus route and a route for vehicles servicing the shops and businesses in Shirley District Centre. It serves a number of minor residential roads, including Langley Road which is a cul-de-sac located towards the southern end of Regents Park Road.
5. Following residents' concerns that visibility for users of the junction is frequently compromised owing to vehicles parked on Langley Road and Regents Park Road right up to the junction; officers proposed a scheme of "No Waiting at any Time" restrictions around the junction shown in the plan in

Appendix 2 attached to this report, as part of a package of minor waiting restrictions in various parts of the City. The proposed Traffic Regulation Order for the scheme was advertised in the in the Daily Echo and on street notices in the vicinity of the affected roads, on 13 May 2011.

6. There were three objections to the proposal. Two of the objectors chose not to sustain their objections. The third objector, Mr Timbrell, has requested that his objection, which included a petition signed by ten residents, is considered by Cabinet. Mr Timbrell's objections are detailed below:
  - parking in the vicinity is already difficult;
  - taxpayers' money should be spent on repairing roads not painting pointless parking restrictions;
  - it is already an offence to park on a street corner causing an obstruction;
  - 10 metres of double yellow lines is too far, five metres would be more than adequate; and
  - the proposal will prevent more than four residents from parking outside their properties.
7. The reason for the proposed restriction is that officers had received complaints that vehicles are often parked on the junction, and although the Langley Road is wide enough, that this does not prevent the passage of vehicles and visibility for motorists turning into or out of Langley Road is compromised by parked vehicles. The issue of vehicles parked on this junction has been borne out by officers' own observations. The Highway Code instructs that vehicles should not be parked closer than 10 metres to a junction. This is for access and safety reasons. Whilst it is appreciated that some residents do not have off-road parking and rely on being able to park their vehicle at the kerbside; the purpose of the public highway is for the passing and re-passing of traffic and it is the duty of the Highway Authority to ensure that this is able to take place as safely as possible. The onus is on vehicle owners to find a safe and legal place to park their vehicle.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

8. Not applicable

### **Property/Other**

9. The costs of the TRO and consultation are met from the Balfour Beatty lump sum payment. The cost of the traffic signs (road markings) as far as they relate to these proposals, is estimated to be £100 which can be met from the Environment and Transport portfolio.

## **LEGAL IMPLICATIONS**

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

10. The proposed changes to the waiting restrictions would be made under the Road Traffic Regulation Act 1984.



**Other Legal Implications:**

- 11. The Council is required to comply with the statutory consultation procedure, laid down by the Local Authorities’ Traffic Orders (Procedure) (England and Wales) Regulations 1996. In considering the objections set out in this report, the Council must have regard to the provisions of Equalities legislation, the Human Rights Act 1998 and section 17 Crime and Disorder Act 1998 (the duty to have regard to the need to remove or reduce crime and disorder in the area). It is considered that the proposals set out in this report are proportionate having regard to the wider needs of the area.

**POLICY FRAMEWORK IMPLICATIONS**

- 12. The proposals in this report are consistent with the Local Transport Plan 2006-2011 policy on promoting safer roads and improving accessibility.

<b>AUTHOR:</b>	Name:	Barbara Thomas	Tel:	023 8079 8064
<b>Barbara Thomas</b>	E-mail:	barbara.thomas@bblivingplaces.com		
<b>KEY DECISION?</b>	No			
<b>WARDS/COMMUNITIES AFFECTED:</b>	Millbrook			

**SUPPORTING DOCUMENTATION**

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

**Appendices**

1.	Correspondence relating to the proposed waiting restriction at the junction of Langley Road and Regents Park Road
2.	Plan showing the proposed waiting restriction at the junction of Langley Road and Regents Park Road
3.	Integrated Impact Assessment document

**Documents In Members’ Rooms**

1.	N/A
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**Integrated Impact Assessment**

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

**Integrated Impact Assessment and Other Background documents available for inspection at:** Appendix 3 to this report

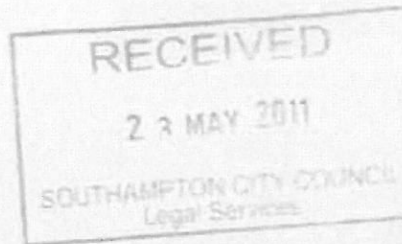
Title of Background Paper(s)      Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)

1.		
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# Agenda Item 3

Appendix 1



Mr M. Timbrell  
17 Regents Park Road  
Regents Park  
Soton, SO15 8PH

Dear Mark R Heath

The content of this letter refers to the double yellow lines you intend to paint down langley road.  
This letter is to object in writing to your plans, reasons as follows:-

- Firstly the parking around regents park road is already strained.
- Secondly you should be spending tax payers money on REPAIRING roads not painting pointless parking restrictions.
- Thirdly it is already an offence to park on a street corner causing an obstruction.
- Fourthly you plan to paint 10METERS down and out which is an absolutely outrageous distance, 5METERS would be more than adequate.
- Lastly you will prevent more than 4 residents from parking out side their own properties!

The following is a list of residents that object to your plans;

NAME	ADDRESS
Maura Timbrell	17 Regents Park Rd
STEVE BULL	19 REGENTS PARK RD
STEVE WILES	21 REGENTS PARK RD
KERRY STARK	30 REGENTS PARK RD
Ananda Barfoot	32 REGENTS PARK RD
MAURICE NOWACKI	15 REGENTS PARK RD
MIKE FIELD	13 REGENTS PARK RD
MRS + MRS MINTHAM	28 REGENTS PARK RD
J. A WICKLAND	26 REGENTS PARK RD
MR + MRS EVANS	11 REGENTS PARK ROAD

Please respond to this letter in writing or via text to inform me you have received it.  
Many thanks, hope to hear from you soon  
Marcus Timbrell

## Highways Service Partnership

City Depot & Recycling Park  
First Avenue  
Southampton  
SO15 0LJ



Please ask for Barbara Thomas  
Direct Dial: (023) 8079 8064  
Barbara.Thomas@bblivingplaces.com

Marcus Timbrell  
17 Regents Park Road  
Southampton  
SO15 8PH

24 October 2011

Dear Mr Timbrell

### **Proposed No Waiting at any Time restriction, Langley Road/Regents Park Road junction**

Thank you for your letter regarding the proposed waiting restrictions at the junction of Langley Road and Regents Park Road. I apologise for the delay in responding to you.

The reason for the proposed restrictions is to improve access and visibility at the junction. We have received complaints about parked vehicles obstructing access, and compromising visibility for road users at this junction. Our own observations have confirmed that vehicles are regularly parked right up to the junction. Section 243 of the Highway Code states: "DO NOT stop or park...opposite or within 10 metres (32 feet) of a junction, except in an authorised parking space". Whilst I am aware that many of the residents in this area rely on kerbside parking, access to the public highway and the safety of road users must take precedence.

**I regret I am unable to uphold your objection and I would advise you that the Council intends to proceed with the waiting restrictions at the junction of Langley Road and Regents Park Road as advertised on 13 May 2011. I hope that you will find this decision acceptable. However, if for any reason you do not, you have a right of appeal against it, provided that you do so in writing and make sure that your letter reaches me no later than 16 November 2011. The matter would then be placed before elected members of the Council for further consideration and decision.**

I trust this information is of assistance to you.  
Yours sincerely

B A Thomas  
Barbara Thomas  
Traffic Engineer

cc Bob Lee, Legal Services

845

RECEIVED

21 NOV 2011

Marcus Timbrell  
17 Regents Park Road  
Southampton  
SO15 8PH

Barbara Thomas  
Balfour Beatty  
Ashwood Park  
Ashwood way  
Basingstoke  
RG23 8BG

Dear Barbara Thomas.

I wrote to you regarding the parking restrictions you intend to install on the corner of Langley Road.

In my previous letter, I attached the rejection signatures of the affected residents. Your reply states that although the majority of property owners in the area object to the unnecessary restrictions you still intent on enforcing it for legal reasons.

Your letter also stated that you have surveyed the road and recorded cars parked illegally.

I have noticed that very rarely visitors to the area do in fact park within 10 metres of the corner. If this is illegal why haven't the police that travel up and down Regents park road on a daily basis ever issued tickets or fines?

I mentioned above the restrictions are unnecessary, my reason for this are as follows.

1. Langley Road is four cars wide meaning, If vehicles are parked along both curb sides two way traffic and emergency services can still pass with no difficulty.
2. When you surveyed the area you would have noticed that road layout of Regents Park Road bares to the right. When pulling out of Langley Road the driver can see up Regents Park road to see if it is clear and safe to manoeuvre. Even if vehicles are parked on the corner.
3. I have lived in the area for 15 years and I have never heard or witnessed any accidents or near misses involving Langley Road T-junction.

I end my letter with a Question from the residents

"Do the residents and council tax payers have any say in the subject dispute or are their opinions discarded by the council members that make these decisions?"

Regards

M.Timbrell  
Resident

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Highways Service  
Partnership

Balfour Beatty  
Workplace



North

**Drawn by:**  
Alex Annunziata  
Traffic Management

**Date:**  
3/3/2011

**Plan Number:**  
ANCC Draft only

**Key**

— Possible additional No Waiting at Any Time restrictions

**Drawing Title**

Map showing possible additional No Waiting at Any Time restrictions in the locality of Langley Road

Alex Annunziata  
Highways Service Partnership  
45 Castle Way  
Southampton SO14 2PD

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# Agenda Item 3

Appendix 3

<b>Integrated Impact Assessment</b>	
Name of initiative:	Objections To Proposed Waiting Restrictions - Langley Road/Regents Park Road
Summary of main aims and expected outcomes:	To facilitate improve road safety at the junction of Langley Road with Regents Park Road
Assessment completed by:	Barbara Thomas
Date:	2 December 2011

## Approval by Level 1 manager

Name:	
Signature:	
Date:	

<b>Assessment Category</b>	<b>Positive Impact</b>	<b>Negative Impact</b>	<b>Reason for predicted impact</b>
Age			No specific impact
Disability	x	x	May limit or facilitate access to properties
Gender Reassignment			No specific impact
Pregnancy and Maternity			No specific impact
Race			No specific impact
Religion or Belief			No specific impact
Sex			No specific impact
Sexual Orientation			No specific impact
Cohesion			No specific impact
Community Safety	x		Improve road safety
Health and Well Being			No specific impact
Poverty & Deprivation			No specific impact
Contribution to local economy			No specific impact
Green Purchasing			No specific impact
Pollution & Air Quality			No specific impact
Natural Environment			No specific impact
Energy & Water Efficiency			No specific impact
Waste Reduction			No specific impact
Climate Change			No specific impact

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## EXECUTIVE DECISION MAKING

### RECORD OF THE DECISION MAKING HELD ON 19 DECEMBER 2011

#### Present:

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

#### 62. STATEMENT FROM THE LEADER

The Leader announced the following change to delegation moving from the Housing Portfolio to Environment and Transport Portfolio:

All statutory responsibilities and policies relating to Private Sector Housing, Houses in Multiple Occupation, unit houses, renovation grants, enforcement action, compulsory purchase and housing advice and welfare rights services.

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

On considering recommendations made by the Overview and Scrutiny Management Committee at its meeting on 15<sup>th</sup> December 2011, Cabinet made the following modification to Executive Decision CAB 11.12 7331 – Southampton City Council's Change Programme, recommendation (ii):

To remove the words 'and implement'

Amended recommendation (ii) to read:

- (ii) To delegate authority to the Chief Executive to develop the Change Programme projects detailed in this report, following consultation with the Leader of the Council.

#### 64. LOCAL SUSTAINABLE TRANSPORT PROGRAMME GRANT APPROVAL

DECISION MADE: (Ref: CAB 11/12 7454)

On consideration of the report of the Cabinet Member for Environment and Transport and having had regard to the provisions of the Community Strategy and being satisfied that the proposals in this report will or are likely to improve the economic, social or environmental well being of the Southampton area, Cabinet approved the following:

- (i) To accept the £3.96m funding package from the Department for Transport (DfT) and to approve the total match funding commitment of £1.7M over the 4 year funding period, principally from SCC Local Transport Plan grant and strategic 'Section 106' developer contributions.
- (ii) To add £230,000 to the 2011/12 revenue estimates and £1,080,000 to the 2012/13 revenue estimates of the Environment and Transport Portfolio funded by the DfT grant (subject to approval of the budget strategy at full Council in February 2012) and to note that further additions of £1,170,000 to the 2013/14 revenue estimates and £1,030,000 to the 2014/15 revenue estimates will be formally made as part of the preparation of those financial years' budgets.
- (iii) To increase by £450,000 the Smarter Travel Choices Capital Scheme within the Environment and Transport Portfolio capital programme, and approve capital expenditure of £450,000, phased £170,000 in 2012/13, £170,000 in 2013/14 and £110,000 in 2014/15.
- (iv) To instruct officers to bring a further report to cabinet in March 2012 detailing the options for governance arrangements and mechanisms for delivery of the programme.

65. HOUSING REVENUE ACCOUNT CAPITAL PROGRAMME PROJECT APPROVAL 2011/12 - PHASE 4

DECISION MADE: (Ref: CAB 11/12 7529)

On consideration of the report of the Cabinet Member for Housing, Cabinet approved the following

- (i) To bring forward to 2011/12 £1,634K of expenditure that was originally scheduled for 2012/13 in the HRA 5 year Capital Plan that was approved by Council on the 16<sup>th</sup> November 2011 as part of the "Reform of Council Housing Finance" paper.
- (ii) To approve in accordance with Financial Procedure Rules spend against schemes in the HRA 5 year Capital Plan as detailed in the table below

	2011/12	2012/13
<b>Modern Facilities</b>	<b>000s</b>	<b>000s</b>
Kitchens	861	3,924
Bathrooms	261	2,196
<b>Total Modern Facilities</b>	<b>1, 122</b>	<b>6,120</b>
<b>Safe Wind &amp; Weather Tight</b>		
Supported Housing walkway repairs	312	722
<b>Well Maintained Communal Facilities</b>		
Communal Works	200	200
<b>TOTAL</b>	<b>1,634</b>	<b>7,042</b>

66. RE-CATEGORISATION OF INVESTMENT PROPERTIES

DECISION MADE: (Ref: CAB 11/12 7537)

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

- (i) To approve the re-categorisation of Investment Property into 'Strategic Investment Property' and 'Managed Investment Property' as set out in Confidential Appendix 2 to this report.
- (ii) To increase the delegated authority to the Head of Property and Procurement to approve any potential disposals from the current limit of £50,000 to £300,000.
- (iii) To increase the delegated authority to the Head of Property and Procurement, following consultation with the Cabinet Member for Resources, Leisure and Culture, to approve any potential disposals from the current limits of £50,000 - £500,000, to new limits of £300,000 - £1,000,000.

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# Agenda Item 9

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	FUTURE OPERATION OF KEY MILLBROOK SITE FACILITIES
<b>DATE OF DECISION:</b>	16 JANUARY 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR CHILDREN'S SERVICES
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

## **BRIEF SUMMARY**

The former Millbrook School site is scheduled to be returned to the Authority in September 2012. This report sets out proposals for the long-term operation and management of those onsite facilities which are not required for utilisation within the Children's Services portfolio. Specifically, the report seeks approval to undertake a procurement exercise to secure an operator for the Sport England funded sports hall (and ancillary facilities), together with approval to lease the onsite farm and motor vehicle workshop.

## **RECOMMENDATIONS:**

Having had regard to the provisions of the Community Strategy:

- (i) To approve the principle of procuring the management and delivery of community leisure facilities in relation to the former Millbrook School Sports Hall, together with such ancillary sports and recreation services as may be appropriate for the site, subject to compliance with Sport England (and their successors) funding conditions and agreements.
- (ii) To delegate authority to the Executive Director of Children's Services and Learning, following consultation with the Heads of Legal, HR and Democratic Services; Property and Procurement, Finance and the Cabinet Member for Children's Services and Learning, to do anything necessary to procure the services set out above, in accordance with UK procurement rules and the Council's Contract Procedure Rules, including but not limited to, determining the method of procurement, selection of a preferred bidder, award of contract and contract completion.
- (iii) To delegate authority to the Executive Director of Children's Services and Learning, following consultation with the Heads of Legal, HR and Democratic Services; Property and Procurement, Finance and the Cabinet Member for Children's Services and Learning, to approve the details and completion of the letting of the Down to Earth Farm and Motor Vehicle Workshop to Oasis Community Learning at the appropriate time, following the vacation of the former Millbrook Community School site by Oasis Community Learning.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. Under the terms of the existing Short Term Lease, the Oasis Academy: Lord's Hill will vacate the Millbrook site upon completion of its new buildings (currently scheduled for September 2012). This will serve as a trigger for the Short Term Lease being terminated and, as such, for the Millbrook site being handed back over to the Authority. On this basis, it is now necessary to make arrangements for the long-term operation and management of the facilities on the Millbrook site. It is anticipated that the vast majority of the buildings will be required for utilisation as Children's Services facilities. However, there are three key facilities that sit outside of this anticipated usage and which, therefore, require independent planning. Specifically, these facilities are:
  - The Sports Hall and Ancillary Facilities;
  - The Down to Earth Farm; and
  - The Motor Vehicle Workshop.
2. This report, therefore, seeks to secure agreement for an approach to delivering a management solution for the facilities in question, with a view to having this in place in time for the handover of the site in September 2012.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

3. The proposals contained within this paper represent the result of several months' worth of detailed discussions within the Authority. These discussions have clarified the fact that the Council itself does not have the resources and/or the in-house capability to deliver services from the aforementioned facilities. As such, the option of not undertaking the proposed actions detailed within this report would result in the Authority being left without a clear means of operating/managing these facilities from September 2012 onwards. This, in turn, would lead to the following deleterious outcomes:
  - Sports Hall and Ancillary Facilities – as these were built under a 21-year agreement with Sport England (dated 1 July 2009), the Authority has an ongoing responsibility to ensure that these facilities remain open and continue to deliver the requisite levels of provision to the local community. Failure to provide this would, in effect, place the Authority in breach of the agreement and as such, would likely serve as a trigger for Sport England seeking to reclaim a substantial part of the original grant (the total value of which was just over £1.5 million). This, naturally, is a situation that the Council should seek to avoid.
  - Down to Earth Farm – as this facility has historically run at a loss, its continued operation by the Council after September 2012 would likely incur a revenue charge that it would currently be hard-pressed to find. As such, a nil-cost option that keeps the facility open is to be preferred.
  - Motor Vehicle Workshop – since the Council presently has no independent use for this facility, failure to put an alternative plan for its use in place would necessitate its either being demolished, or else be retained and maintained. Both of these options would result in a cost being incurred by the Council with, at the same time, no value being derived from the facility itself.

As a consequence of the above reasoning, the "do nothing" option has been rejected.



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

4. As mentioned above, extensive discussions have taken place within the Authority to determine how to resolve the issue of the long-term operation and management of the three facilities in question. These discussions have informed the proposed approach to each facility, as detailed below:

### Sports Hall and Ancillary Facilities

5. As the aforementioned agreement with Sport England is scheduled to run for a further 8 years (after September 2012), provision needs to be made for the management and operation of these facilities for this period at least. With this in mind (and being cognisant of the fact that the operation of these facilities has historically incurred a cost to the Council), it is proposed that a procurement is undertaken to secure a strategic partner to deliver these facilities. In order to deliver best value, this procurement will be run as an open tender exercise. The contract itself will provide for all of the facilities that were built under the Sport England agreement (including the fitness suite, gym and external courts) to be managed for a pre-determined period.

### Down to Earth Farm

6. Although it is appreciated that this facility is a valued community asset, it has historically run at a loss to the Council, the issue of which is further exacerbated by the fact of the economic pressures currently being experienced across the organisation. Bearing this in mind, Oasis Community Learning (OCL) have offered to operate this facility at nil cost to the Council, on the condition that they are provided with a 5-year lease for the farm site, at nil rent (and on the condition that they can hand operations back to the Council within this period, on the provision of sufficient notice). As this offer effectively balances the desire to keep the facility open with the need to ensure rationalised expenditure, it is proposed that this offer is accepted and the necessary arrangements made to lease this element of the site to OCL.

7. Motor Vehicle Workshop

This facility is still heavily utilised by the Oasis Academy: Lord's Hill for specialist education provision. As there will be no similar facility provided at the new Academy site (and since the building is not required for use within the CSL estate), it is proposed that this element of the site be leased to Oasis Community Learning, along with the Down to Earth Farm, at nil rent.

## **RESOURCE IMPLICATIONS**

### Capital/Revenue

8. In 1999, the City Council was awarded a grant by the then English Sports Council (now Sport England) totalling £1,537,545 in order to build a new sports hall at Millbrook School. The grant agreement states that if the facility ceases to be used for the sports purposes approved by the Council within a period of 21 years, the market value of the Facility will be assessed by an independent surveyor and an appropriate proportion of such value (taking account of the period of use) will become payable to Sport England.
9. If an acceptable programme of community use is not being delivered on the site then Sport England could demand clawback of the grant estimated to be approximately £586,000 by September 2012.

10. Currently, the sports facilities at the Millbrook site operate with a small subsidy, paid by the City Council to Oasis Academy: Lord's Hill. Any future contract payments will be met from the Children's Services and Learning portfolio budget.

**Property/Other**

11. All property matters have been dealt with in the main body of the report.

**LEGAL IMPLICATIONS**

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

12. Section 2 of the Local Government Act 2000 permits a Council to do anything likely to improve the economic, social or environmental well being of its area providing it has regard to the provisions of the Community Strategy. It is considered that the proposals set out in this report will meet this statutory test and are in accordance with the provisions of the Community Strategy (see Policy Framework section below).

**Other Legal Implications:**

13. The sports hall and ancillary facilities will be procured in accordance with the Council's Contract procedure Rules. The proposals in this report are consistent with the Council's pervasive duties under the Equalities Act 2010, the Human Rights Act 1998 and the Council's duties under s.17 of the Crime and Disorder Act 1998.

**POLICY FRAMEWORK IMPLICATIONS**

14. The ongoing utilisation of the Millbrook sports facilities for educational purposes will contribute to the outcomes of both the 14-19 Strategy and Children and Young People's Plan, by serving to provide a high-quality learning environment for the relevant pupils. The continued operation of these facilities for community use will also contribute to the Community Strategy and Health and Wellbeing Strategy in a similar manner.

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**KEY DECISION?** Yes/No    Yes

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

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

**Appendices**

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

1.	None
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**Integrated Impact Assessment**

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

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

Title of Background Paper(s)

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

1.	None	
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<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	SOLENT SKY MUSEUM – VARIATION TO PROPOSED LEASE TERMS
<b>DATE OF DECISION:</b>	16 JANUARY 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR RESOURCES, LEISURE AND CULTURE
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

## **BRIEF SUMMARY**

This report seeks approval to the variation of the approved terms of the lease of the Solent Sky Museum at Albert Road South including an extension of the term to 125 years from 2012.

## **RECOMMENDATIONS:**

- (i) To approve an extension of the term of the lease of the Solent Sky Museum to 125 years from 2012.
- (ii) To approve the removal of the condition for the Trustees to pay a profit rent.
- (iii) To approve a variation to the current agreed terms to enable future redevelopment of the Museum either on the existing site or to enable the Trustees to sell their interest in the site for an alternative use to finance the re-location of the Museum to an alternative site in the City.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. To help secure the long term future of Solent Sky Museum.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. Not to permit variations to the lease. However, this would not assist in securing the long term future of the Museum.

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

3. A report was presented to Cabinet on 4 July 2011, concerning the long outstanding matter of the lease for the Solent Sky Museum. Cabinet approved revised terms to enable the lease and under lease to be completed. All parties are currently working to complete the leases by December 2011. A verbal update on the position will be given at the Cabinet meeting.
4. Upon further consideration, the Trustees of the Solent Sky Museum have approached the Council to request amendments to the agreed terms which will help secure the long term future of the Museum.
5. The Trustees of Solent Sky Museum have requested that the term of the head lease be extended to 125 years. The longer term is requested as it will enable the Trustees to invest in the building and facilities in the knowledge that their future is secure for the longer term. Solent Sky is an important element of the City's heritage strategy. With the imminent opening of Sea City, the re-opening of Tudor House and the potential Maritime Heritage

Centre at Trafalgar Dock; Solent Sky completes the picture telling as it does Southampton's extensive aviation history. Although it is the intention that Solent Sky re-locate to Aeronautica at Trafalgar Dock; the cost implications are a real issue and the Trustees of Solent Sky would like to feel that if such a move is not possible, they could rest assured that they were safe with a long term lease at Albert Road South, thus continuing to support the City's Heritage Strategy. A longer term will also give the Museum access to grants, as the conditions imposed by grant administering bodies usually require a longer fixed term than the Museum have at present.

6. The Trustees have also requested if the condition in the lease requiring them to pay to the Council as rent, 65% of any profit made by the Museum, can be removed. Although circumstances to date have meant that the Museum has never made a profit and therefore no profit rent has been paid to the Council; the Museum would like to be in a position whereby any profit made in the future could be re-invested in the Museum and building to produce an improved facility for the City. However, the Basic Rent (currently £1200pa) would continue to be paid under the lease.
7. Finally, given that the current building has a limited expected life; the Trustees would like the current lease terms to be amended to give them the ability to demolish and rebuild the Museum or to sell their leasehold interest in the site for an alternative use to support any potential re-location of the Museum within the City at a future date, subject to the Council's consent, not to be unreasonably withheld.
8. It has been decided not to delay any completion of the leases in their current agreed form, in anticipation of this Cabinet decision, given the prior undertaking of all parties to work to complete the leases by December 2011 (and given the considerable negotiations it has taken to get to this position). If Cabinet approves the amendments proposed within this report, a deed will be required to amend the terms of the head lease if it has already been completed.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

9. Capital – There are no implications for the capital budget.
10. Revenue – The estimated annual rental income forms part of the Resources and Workforce Planning Portfolio Investment Property account and is based on the current rent of £1,200 rather than a potential market rent of £45,000 per annum.

### **Property/Other**

11. The Museum is currently let by the Council for less than market rent at £1200 pa plus a 65% share of any profit made by the Museum. However, the current proposals offer additional benefits to the Museum in granting them a longer term at a low rent and by removing their obligation to pay a profit rent.
12. The estimated rental value of the Museum is £25,000 pa and adjacent SERFCA accommodation is £20,000pa in good repair. These figures could not be achieved by the Council until the currently agreed lease term ends in 2024.

13. The current site value is in the region of £1,000,000 - £1,200,000 for redevelopment purposes. However, given the terms of the current lease this could only be realised by the Council in 12 years time when the current lease term ends. This is a more financially valuable option to the Council than leasing out the building at market rent. The present value of this to the Council is in the region of £400,000 - £480,000.
14. The value forgone in terms of the removal of the right to a profit rent is negligible. The Museum has never to date carried forward a profit and is unlikely to do so on the basis of the existing lease terms.
15. The Museum Trustees have previously agreed to accept full repairing responsibilities for the premises. Whilst they will receive a grant of £240,000 towards the cost of necessary works, the estimated cost of all necessary work is considerably higher. The grant is funded through the advance rent paid by the Ministry of Defence for the occupation by the Air Cadet Corps
16. Enabling the Museum to benefit from the proceeds of any sale of their long leasehold interest in the site achieves the same objectives in helping to secure the future of the Museum. If the Museum decides to re-locate, the Council will have the comfort that any re-development of the current site will be subject to the usual planning and building controls.
17. Appropriate conditions will be incorporated into the lease to ensure any capital receipt from the sale of the Museum's leasehold interest in the site is used for outcomes supporting the Council's aspirations.

## **LEGAL IMPLICATIONS**

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

18. With reference to the proposal to let the Museum at less than market rent - The Local Government Act 1972 General Disposal Consent (England) 2003, enables the Council to dispose of land for less than its full market value where the undervalue (i.e. the value being foregone in the transaction) does not exceed £2 million without the need for obtaining specific consent to the transaction from the Secretary of State. However, in reaching any decision to dispose of land at an undervalue Members must:
  - take into account their general accountability and fiduciary duty to local people;
  - consider that such disposal will help secure the promotion or improvement of the social economic or environmental well being of the area – this disposal will help to secure the future of the Museum and so enhance visitor attractions in the City, thereby encouraging tourism with its associated financial benefits;
  - have regard to the transaction in the context of the Community Strategy – the Museum is an important part of the City's heritage strategy;
  - comply with all normal and prudent commercial practices – the proposal reflects general practices associated with other non-profit making leisure/Museum property transactions;
  - have clear and realistic professional valuation advice available to verify the actual amount of the under value - The estimated undervalue of this transaction is £400,000-£480,000;

- Comply with EU State Aid Rules - For a proposed arrangement of this nature it is necessary to consider the application of the rules relating to State Aid. These are complex but the consequences of infringing them should not be treated lightly. The primary remedy/sanction for infringing the State Aid rules is such that the substance of the risk falls on the recipient, Solent Sky in this case, who would be required to pay back a sum equal to the value of the aid plus interest. Nevertheless, the Council too would be affected by the fall-out from a potential infringement in terms of the additional workload involved in co-operating with any investigation; a potential reputational issue in terms of being associated with wrongdoing and the risk of third parties seeking financial redress against the Council to the extent that they have suffered loss or damage as a result of the Council having breached the State Aid rules.

However, amongst other considerations for finding that a measure is deemed to be State Aid; the benefit conferred must lead to distortion of competition and an effect on trade between member states (the advantage must be able to affect the competitive conditions and cross-border trade within the EU). With that in mind, officers have carefully considered the nature and effect of the proposed arrangement in order to reach a reasoned opinion as to whether in practice it would have such an effect. Accordingly, given the scale of the Museum and its operation, and the fact that it exists to tell the local story of the history of flight in Southampton and its surrounding areas; officers have taken the view that on balance, it is unlikely that the proposal would breach State Aid rules and that consequently, there should be no more than a very small risk of a finding to the contrary.

**Other Legal Implications:**

19. The Council has power to enter into the proposed Lease by virtue of Section 123 Local Government Act 1972.

**POLICY FRAMEWORK IMPLICATIONS**

20. The proposals in this report are consistent with the Council Policy Framework Plans.

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**KEY DECISION?** No

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

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

**Appendices**

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

1.	None
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**Integrated Impact Assessment**

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

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

Title of Background Paper(s)

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

1.	None	
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<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	AGREEMENT TO EXTEND LEASE ARRANGEMENTS – MAYFIELD NURSERY
<b>DATE OF DECISION:</b>	16 JANUARY 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR RESOURCES, LEISURE AND CULTURE

## STATEMENT OF CONFIDENTIALITY

Not applicable

### SUMMARY

Solent Mind has held a lease to Mayfield Nursery since 1994, the lease having been renewed on a rolling basis over this period. The Nursery is within Mayfield Park and formerly operated by the Council. The site requires a number of expensive and essential maintenance upgrades which SCC are not able to fund and Solent Mind, with Council agreement, has been seeking alternative funding. They have been successful in obtaining a grant of £120,000.

The funding body, in order to ensure the grant is deployed for the services proposed, have placed a condition that Solent Mind obtain a 10 year lease on the site and that the funds are spent by 31<sup>st</sup> March 2012. The timescale is achievable if the lease is extended in January 2012.

The Nursery is located on land held under the Public Health Act 1875, and is therefore defined as public open space. Before a lease of open space can be granted the proposal must be advertised with any objections considered by the Council.

### RECOMMENDATIONS:

- (i) In principle, to agree to the disposal of Mayfield Nursery by a lease to Solent Mind for a period of 10 years upon such terms as the Head of Legal, HR and Democratic Services considers reasonable.
- (ii) To authorise the Head of Legal, HR and Democratic Services to advertise the proposed disposal in accordance with Section 123 Local Government Act 1972.
- (iii) Should any objections be received, to refer these objections to Cabinet for determination. If no objections are received, to authorise granting a lease of Mayfield Nursery on the terms set out in this report without further referral to Cabinet.

### REASONS FOR REPORT RECOMMENDATIONS

1. To enable the grant to be spent on improvements to the site, which will ensure the continuation and expansion of a valuable service.
2. To enable works to be undertaken which will protect the value of this site for the City Council.

## **CONSULTATION**

- 3 Consultation has been undertaken with relevant officers in the City Council including Property Services and Parks.
- 4 Some elements of the works require planning permission and this is currently proceeding through the usual planning processes.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- 5 The City Council have been approached to fund some of the required repairs but this has not been prioritised within current budgets. More critically, there is a danger that the boiler will break down irreparably in winter which will cause the closure of the whole service.
- 6 Consideration has been given to delaying repairs and upgrades by undertaking short term repairs. This has become less cost effective and, in relation to an industrial boiler, engineers consider a replacement is essential.
- 7 Applications have been made to other grant bodies but to date this is the only successful application.
- 8 Consideration has been given to closing the whole service if these essential repairs cannot be undertaken. This is not considered a realistic option as it would entail alternative services being provided for current service users.

## **DETAIL**

- 9 Mayfield Nursery provides services for people with serious and enduring mental health problems. It is a sheltered employment scheme which provides work experience and access to qualifications for people who are particularly disadvantaged in terms of returning to work.
- 10 The service provides a range of opportunities which includes all stages of horticulture, marketing and sales, food preparation and service. Through contacts with Sparsholt College people undertake formal qualifications in horticulture and a range of NVQ qualifications are obtained through links with local colleges.
- 11 The service is currently funded through contractual arrangements by Southampton City Council who contribute £17,000 and the PCT who contribute £39,000. In addition, Solent Mind raise approximately £70,000 per year through plant sales and other commercial activities.
- 12 The City Council element of the funding is moving to Individual Budgets in 2012/13, in line with the Putting People First programme. Solent Mind have developed a business plan in relation to these changes which has been agreed with commissioning leads. This includes more flexible services, extending the service to other groups, such as people with learning disabilities, and increasing their commercial activities to increase income.
- 13 There have been considerable advantages to Solent Mind operating from this site. The services provided to people with mental health problems have good outcomes and the income generation makes the service good value for money. In addition, they have maintained the site and made improvements at their own cost over the years. The continued use by Solent Mind has kept Mayfield Nursery in use, protecting the aesthetic of Mayfield Park and preventing further deterioration of its buildings.

- 14 Solent Mind have successfully bid for funds to carry out essential maintenance. This includes replacement of a boiler at an approximate cost of £89,000, demolition, and suitable replacement of a wall which is in a dangerous condition, at an approximate cost of £28,000 (which otherwise would be the responsibility of the Council).
- 15 Solent Mind also wishes to slightly extend the area leased from the Council in order to improve the service and increase activities on site. Part of the grant will be spent on these improvements. The Plan attached to this report shows the current demise shaded grey with the additional land to be incorporated into the lease hatched black”
- 16 The extension and suitable replacement for the wall is subject to planning permission and this is currently proceeding through normal channels.

## **FINANCIAL/RESOURCE IMPLICATIONS**

### **Capital**

- 17 The building and maintenance works will be managed and commissioned directly by Solent Mind using the grant allocated and will therefore not form part of the Council Capital Programme.

### **Revenue**

- 18 Apart from the small costs of advertising, the proposal and officer time there are no revenue implications of this proposal. The rental income to the Council will not change from the current nominal charge of £1 pa.

### **Property**

- 19 Solent Mind requires a new lease for 10 years with no landlord break clauses in order to comply with the grant conditions. This new lease will be at a nominal rent of £1 per annum. This is deemed to be market value in view of the benefit to the Council of the investment by Solent Mind in the infrastructure, which enhances the Council’s asset in the long term. This transaction is therefore not considered to be below best consideration according with Section 123 of the Local Government Act 1972.
- 20 Solent Mind will have full repairing and insuring responsibilities for the premises as they do under their current lease.
- 21 Once a new wall has been erected, the Council will retain repairing responsibilities for this as they have at present.

### **Other**

- 22 Not applicable

## **LEGAL IMPLICATIONS**

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

- 23 The Council is required to advertise proposed disposals of open space land under section 123(2A) of the Local Government Act 1972 in a local newspaper for 2 consecutive weeks and any objections considered. A disposal constitutes anything longer than a short tenancy not exceeding 7 years.

**Other Legal Implications:**

24 The Council will be required to consider any objections received to the proposed disposal. If objections are made, a further report will be presented to Cabinet setting out these objections with further recommendations.

**POLICY FRAMEWORK IMPLICATIONS**

25 None

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**SUPPORTING DOCUMENTATION**

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

**Appendices**

1.	Plan showing the extent of the area subject to the disposal
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**Documents In Members' Rooms**

1.	None
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**Background Documents**

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

1.	None	
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**Background documents available for inspection at:** N/A

**KEY DECISION** No **WARDS/COMMUNITIES AFFECTED:** Sholing, Woolston