

CABINET

**Tuesday, 29th January, 2013
at 5.00 pm**

Council Chamber - Civic Centre

This meeting is open to the public

Members

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

(QUORUM – 3)

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BACKGROUND AND RELEVANT INFORMATION

The Role of the Executive

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

Executive Functions

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

The Forward Plan

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

Key Decisions

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

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

Decisions to be discussed or taken that are key

Implementation of Decisions

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

Southampton City Council's Seven Priorities

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

Procedure / Public Representations

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

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

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

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

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

Municipal Year Dates (Tuesdays)

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

CONDUCT OF MEETING

TERMS OF REFERENCE

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

RULES OF PROCEDURE

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

DISCLOSURE OF INTERESTS

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

DISCLOSABLE PERSONAL INTERESTS

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

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

(ii) Sponsorship:

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

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

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

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

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

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

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

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

Other Interests

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

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

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

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

Principles of Decision Making

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

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

In exercising discretion, the decision maker must:

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

AGENDA

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

1 APOLOGIES

To receive any apologies.

2 DISCLOSURE OF PERSONAL AND PECUNIARY INTERESTS

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

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

EXECUTIVE BUSINESS

3 STATEMENT FROM THE LEADER

4 PROPOSED CUTS TO YOUTH AND PLAY SERVICES

To receive a request by a member of the public to address Cabinet on the proposed cuts to Youth and Play Services.

5 RECORD OF THE PREVIOUS DECISION MAKING

Record of the decision making held on 18 December 2012 and 15 January 2013, attached.

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

There are no matters referred for reconsideration.

7 REPORTS FROM OVERVIEW AND SCRUTINY COMMITTEES (IF ANY)

There are no items for consideration

8 EXECUTIVE APPOINTMENTS

To deal with any executive appointments, as required.

ITEMS FOR DECISION BY CABINET

9 REVISIONS TO THE ADULT SOCIAL CARE NON-RESIDENTIAL SERVICES POLICY

Report of the Cabinet Member for Adult Services, seeking to revise the Adult Social Care Non-Residential Services Policy, attached.

10 POOLED BUDGETS FOR STRATEGIC INVESTMENT IN COMMUNITIES

Report of the Cabinet Member for Communities, outlining a proposal to pool multi-agency budgets to support learning, skills and employment of Southampton residents, and seeking authority for Southampton City Council to be Lead Accountable Body for the administration and allocation of the funds, attached.

11 THE CITY OF SOUTHAMPTON (ITCHEN BRIDGE TOLLS) ORDER 2012

The report of Senior Manager, Regulatory Services relating to unresolved objections to The City of Southampton (Itchen Bridge Tolls) Order 2012, attached.

12 LOW CARBON CITY STRATEGY ANNUAL PROGRESS REPORT

Report of the Leader of the Council, outlining the progress being made in delivering the actions in the Low Carbon Strategy's Delivery Plan, attached.

13 PROGRESSING THE NEW ARTS COMPLEX PROJECT

Report of the Leader of the Council detailing the necessary steps to conclude the organisational arrangements/ required to set up and manage the arts complex, attached.

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

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

Appendix 1 is not for publication by virtue of category 3 (financial and business affairs) of paragraph 10.4 of the Access to Information procedure Rules as contained in the Constitution. It is not in the public interest to disclose this information because it comprises financial information that if made public would prejudice the Council's ability to operate in a commercial environment.

15 *ACQUISITION OF LAND- PAN HANDLE CAR PARK, EASTERN DOCK

Report of the Cabinet Member for Resources seeking approval to delegate authority to Senior Manager Property Procurement and Contract Management to approve the final detailed terms of purchase, attached.

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

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

Appendix 1 is confidential, the confidentiality of which is based on category 3 of paragraph 10.4 of the Council's Access to Information Procedure Rules. It is not in the public interest to disclose this because doing so would prejudice the authority's ability to achieve best consideration for the disposal of land (the identity of the preferred developer and the figures associated with the land transaction are commercially sensitive).

17 *PROPOSED DISPOSAL OF MARLAND HOUSE

Report of the Cabinet Member for Resources in consultation with the Leader of the Council, seeking approval to the disposal of Marland House subject to the Council's continued use of the offices for an agreed period, attached.

ITEMS FOR DECISION BY CABINET MEMBER

18 EARLY YEARS PROVISION IMPROVEMENT STRATEGY

Report of the Senior Manager Children and Young People Strategic Commissioning, Education and Inclusion seeking approval of an Early Years Improvement Strategy, attached.

19 PRIMARY SCHOOL DEVELOPMENT

Report of the Senior Manager Children and Young People Strategic Commissioning, Education and Inclusion seeking permission to commence six weeks of pre-statutory consultation on proposals to close three schools out of the following six – Bitterne Park Infant & Junior, Tanners Brook Infant & Junior and Oakwood Infant & Junior and create three all through primary schools, attached.

Monday, 21 January 2013

Head of Legal, HR and Democratic Services

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Agenda Item 5

SOUTHAMPTON CITY COUNCIL EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 18 DECEMBER 2012

Present:

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

83. PROPOSED MOVEMENT REGULATION CHANGES FOR THE "PLATFORM FOR PROSPERITY" ROAD IMPROVEMENT SCHEME (TRO)

DECISION MADE: (Ref: CAB 12/13 9252)

On consideration of the report of the Senior Manager – Planning, Transport and Sustainability, Cabinet agreed to approve the proposed movement regulation changes to the Platform for Prosperity Traffic Regulation Order (TRO) as advertised.

Cabinet further directs officers to approach ABP again to determine if a solution to the parking issues at Admiralty House and access to the Rex Development land for residents' parking can be negotiated on their behalf. Cabinet recognises it cannot direct or enforce the co-operation of ABP in this regard but would wish to offer one further opportunity to try to find a mutually acceptable way forward in this regard.

84. EXECUTIVE APPOINTMENTS

To replace Councillor Kaur with Councillor Shields as the City Council's representative on the Southern Cultural Development Trust.

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

Cabinet noted that at its meeting on 3rd December 2012, the Overview and Scrutiny Management Committee decided not to call in the decision made at the Cabinet meeting on 13th November 2012 relating to the Townhill Park Regeneration Framework.

86. TENANCY STRATEGY CONSULTATION RESULTS AND FINAL APPROVAL

DECISION MADE: (Ref: CAB 12/13 9163)

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

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

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

DECISION MADE: (Ref: CAB 12/13 9366)

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

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

Table 1

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

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

88. PROPOSED LEASE OF PART OF MANSEL PARK TO BUSH HILL FC -
CONSIDERATION OF OBJECTIONS RECEIVED

DECISION MADE: (Ref: CAB 12/13 9467)

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

- (i) To not uphold the objections in relation to the proposed disposal of part of Mansel Park by lease to Bush Hill Football Club;
- (ii) To authorise the grant of a lease of part of Mansel Park (as set out on the plan at Appendix 1) for a period of 10 years subject to planning permission being granted for the proposed use; and
- (iii) To delegate authority to the Senior Manager: Property, Procurement and Contract Management to determine the terms and conditions to be applied to the lease approved at recommendation (ii) above, subject to remaining within the overall proposals for the lease as set out within this report.

89. COMMUNITY RIGHT TO BID - DECISION MAKING & GOVERNANCE

DECISION MADE: (Ref: CAB 12/13 9413)

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

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

part of the annual review of the Council's Constitution, and recommend any amendments as necessary.

NOTE:

Cabinet agreed to accept the recommendation of the Overview and Scrutiny Management Committee that the Cabinet Member for Resources ensure that Ward Councillors are kept apprised of the process throughout any potential community bid.

90. STRATEGIC CITY WIDE APPROACH TO ENERGY

DECISION MADE: (Ref: CAB 12/13 9495)

On consideration of the report of the Leader of the Council, Cabinet agreed to approve the development of a strategic action plan for the delivery of low carbon and renewable energy for the Council, the City of Southampton and the Solent region.

SOUTHAMPTON CITY COUNCIL
EXECUTIVE DECISION MAKING

RECORD OF THE DECISION MAKING HELD ON 15 JANUARY 2013

Present:

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

Apologies: Councillors Rayment and Letts

91. DISCOUNTS AND EXEMPTIONS FOR SECOND HOMES AND EMPTY PROPERTIES

DECISION MADE: (Ref: CAB 12/13 9636)

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

- (i) Recommends that Full Council
 - (a) Approves the policy that the empty homes discount is left at 100% for Class C empty properties but that the discount is reduced from six months to one month from 1 April 2013.
 - (b) Approves the policy that the empty homes discount is reduced from 100% to 50% for Class A empty properties from 1 April 2013.
 - (c) Approves the introduction of a long term empty properties premium set at 50% from 1 April 2013.
 - (d) Approves the removal of the second home discount so that Council Tax will be payable in full on these properties from 1 April 2013.
 - (e) Approves the introduction of discretionary hardship support under section 13A of the Local Government Finance Act 1992 with effect from 1 April 2013 as set out in Appendix 1.
 - (f) Delegate authority to the Chief Financial Officer (CFO) following consultation with the Cabinet Member for Resources to approve the NNDR 1 return for the City Council from 2013/14 and for future years.

NOTE: Councillor Williams declared a disclosable pecuniary interest as a multiple home owner and remained at the meeting.

92. COUNCIL TAX DISCOUNTS FOR PERSONS OVER THE AGE OF 65 AND SPECIAL CONSTABLES

DECISION MADE: (Ref: CAB 12/13 9637)

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

- (i) Considers the issues set out in this report and determines whether or not they wish to update the current discretionary Council Tax reduction scheme which is in place under S13A of the Local Government Finance Act 1992.
- (ii) Recommends that Full Council:
 - (a) Notes and considers the responses from the consultation process and the Equalities Impact Assessment as set out in paragraphs 7 to 13 and Appendix 1.
 - (b) Applies any changes resulting from an update of the Council Tax reduction scheme in respect of the “pensioners” element of the Scheme, to all persons who meet the current qualifying criteria which is that it is available to persons who are:-
 - a) liable to pay Council Tax either jointly or in their own right, by being an owner occupier or a tenant of a dwelling within Southampton, which is their sole or main residence;
 - b) aged 65 or over and all other residents of the household are 65 or over; and
 - c) not in receipt of Council Tax Benefit.
 - c) Applies any changes resulting from an update of the Council Tax reduction scheme in respect of the “Special Constable” element of the Scheme, to all persons who meet the current qualifying criteria which is that it is available to persons who are:-
 - (a) Special Constables: and
 - (c) reside in a property within Southampton where there is a liability for Council Tax and serve as a Special Constable within Southampton.
 - d) Updates the current discretionary Council Tax reduction scheme and reduces the level of reduction in respect of the “pensioners” element to zero.
 - e) Updates the current discretionary Council Tax reduction scheme and reduces the level of reduction in respect of the “Special Constable” element to zero.
 - f) Authorises the Chief Financial Officer (CFO) to take any further action necessary to give effect to the recommendations in this report.

Agenda Item 9

DECISION-MAKER:	CABINET		
SUBJECT:	REVISIONS TO THE ADULT SOCIAL CARE NON-RESIDENTIAL SERVICES POLICY		
DATE OF DECISION:	29 JANUARY 2013		
REPORT OF:	CABINET MEMBER FOR ADULT SERVICES		
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY

NA

BRIEF SUMMARY

The report outlines the proposals for change made by an officer led review group to the non residential care (NRC) charging policy for adult social care, details the public consultation exercise undertaken, reports on the outcome of the consultation, considers the cumulative impact of the proposals and proposed changes to a range of benefits and recommends changes to the policy.

RECOMMENDATIONS:

- (i) To approve changes to the non residential care contributions policy for adult social care as set out in Appendix 1.
- (ii) To delegate authority to the Senior Manager: Safeguarding Adults, following consultation with the Cabinet Member for Adult Care and the Head of Legal, HR and Democratic Services to review the format and content of the current non-residential care contributions policy for adult social care, to make any textual, formatting or administrative or other minor changes required to update the policy, give effect to recommendation 1 above and ensure it is fit for purpose for 2013 and beyond.
- (iii) To delegate authority to the Executive Director for Adult Social Care to determine which 'one off' services should be included within the Policy as chargeable services and to determine the scale of fees and charges to be applied for these services (Proposal 10 in Appendix 1 – changes to Policy)
- (iv) To note that recommendation 2 above does not extend to making any major or substantive changes to either the services to be provided under the policy or the charges to be applied to any such service, Such matters would require reference to Cabinet for determination following appropriate public consultation

REASONS FOR REPORT RECOMMENDATIONS

1. The changes will
 - Ensure the policy meets national guidance.
 - Support the development of personalisation in adult social care.
 - Ensure equity and fairness in the application of the policy.
 - Maximise income from those who can afford it to support the Council to meet the costs of providing for increased demand due to demographic changes.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. To take no action would mean the policy was unable to meet national guidance, would not be applied equitably and would not support the development of personalised social care.
3. Respondents to the consultation asked the City Council to consider the long term impact of the proposed changes. They suggested that if individuals felt they could not afford services they would wait till crisis point and require higher cost services such as residential care. They felt this was counter intuitive to prevention and health and well-being agendas and therefore the changes should not be taken forward.

This proposal was rejected since;

- The Council as a whole is addressing the prevention and health and well being agendas, this is not solely the role of social care.
- No one will ever be asked to contribute more than they can afford
- Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances.
- If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.

4. Respondents to the consultation asked that the Council consider leaving the maximum contribution level at 95% of the figure the individual is assessed as being able to afford rather than the proposed 100% since this was felt to negatively impact on service users quality of life.

This proposal was rejected since;

- To take 100% of the contribution which the individual is assessed as being able to contribute leaves service users with 25% above nationally set minimum income levels.
- A 100% contribution meets national guidance, which was set in recognition of the fact that social care users are likely to have additional expenditure related to their needs.
- Individual circumstances can be taken into account in assessing contributions and in particular any disability related expenditure must be considered.
- If the Council does not take forward the proposals there will be a need to

consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.

5. Respondents suggested that the specific rent allowance that the Council is proposing to end funds additional daily living expenses for people with severe learning disabilities. It was thought that stopping this payment will have a significant impact on these service users' quality of life.

This proposal was rejected since;

- To treat a specific customer group differently would be inequitable, would not meet national guidance and could lead to judicial challenge.
- There is no rationale for the rent allowance since the policy takes account of day to day living expenses. In addition householders who qualify for housing benefit have this reduced when there is a non dependant living in the home and this is taken account of as rent when calculating social care contributions.
- If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.

6. The proposal to change the policy so that users with more than £23,250 would organise their own care raised concern that this placed an inappropriate burden on carers. There was also concern raised about the need to handle any changes to individual arrangements sensitively.

The removal of the proposal was rejected since;

- Setting this limit brings the NRC policy in line with the national residential care charging policy and is felt to be fair and equitable.
- A range of support will be offered to those requiring to commission their own arrangements including; continued right to social care assessment; support with care planning both from the Council and via services set up by the Council; those who do not have capacity and do not have family carer support will continue to have their arrangements managed by the Council; work will be undertaken throughout the year to support those already receiving services to set up their own arrangements.

7. The results from the telephone helpline showed that paying full cost for care was a key concern. Callers expressed the opinion they are already "charged a lot" for services and contributions should not be raised.

This proposal was rejected since;

- No one will ever pay more than they are assessed as being able to afford.
- Individual circumstances can be taken into account and charges waived or reduced for welfare reasons.

- If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.
8. The proposal to ask for contributions toward the cost of two carers raised concerns that this might increase the burden on service users and family carers who might try to cope without a second carer on the basis of cost. There was also a concern that this might be inequitable. To remove this proposal was rejected since;
- No one will ever pay more than they are assessed as being able to afford.
 - Carers needs are assessed as part of the assessment process and Individual circumstances can be taken into account and charges waived or reduced for welfare reasons.
 - If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.
 - Legal advice suggests that since the policy is based on ability to contribute and takes individual circumstances into account it is equitable.
9. Tenants of Extra Care Housing were concerned that they would be charged for overnight care services which they currently did not need and suggested only charging those who used night time care. This proposal was rejected since;
- Individuals make the decision to move to extra care to ensure access to immediate support should they need it. It would therefore be inequitable to charge only those who receive hands on care when all tenants are benefitting from the service.
 - If the Council does not take forward the proposals there will be a need to consider alternative service reductions which are likely to have an impact on residents or to consider restricting social care to those with critical needs only, which would significantly reduce the numbers of individuals receiving support.

DETAIL (Including consultation carried out)

Background

10. The Council has discretionary power to levy contributions towards the costs of NRC provided these are in line with national guidance. The NRC policy was reviewed in 2008. A further review was completed in October 2012. This was undertaken to ensure the policy met revised national guidance, supported the development of personalisation in adult social care, and was equitable and fair and maximised income from those assessed as being able to afford to pay to ensure future sustainability of services given the increasing demands due to demographic changes. The proposals from the initial officer led review

update to outline the impact of changes to the original proposals, the assessed impact on those using services in August 2012 and the results of a benchmarking exercise are attached in Appendix 2 and 3.

11. **Consultation process**

An extensive consultation exercise has been undertaken led by a facilitator commissioned by the Council. This commenced on 8th October 2012 and included the development of a website, helpline, letter to current users of social care services and their appointees, meetings with customer groups potentially affected by specific proposals and with advocacy organisations and commissioning 2 DVDs which were used to ensure older people attending day services and people with learning disabilities were able to comment on the proposals. A full report on the consultation approach is attached in Appendix 4 and 5.

12. **Consultation response**

Issues highlighted in the consultation included

- There was general understanding that the City Council needs to fairly and equitably source funding to help meet the increasing costs of Adult Social Care services.
- There was recognition that people who can afford to do so should contribute towards the cost of their care.
- There was consensus that people paying more for day services should have their increased contributions phased in to allow time for adjustment.
- It was felt the Council should provide proactive additional support for those most affected by the proposed changes.
- Respondents asked the Council to consider the long term impact of the proposed changes which were felt to be counter intuitive to prevention and health and well-being agendas.
- Respondents felt increasing the Net Disposable Income taken into account from 95% to 100% would be a “grossly unfair”, “harsh,” “regressive” or “draconian” measure. Although it was acknowledged that this leaves the service user with 25% over the Government’s minimum income levels, it was thought that this would still negatively impact on service users’ quality of life. It was said that the 25% above minimum income meets expenditure most people would think of as essential and is not enough for individuals’ to save towards purchasing essential items (such as disability related equipment) or covering additional disability related living costs.
- The meeting to discuss the rent allowance and the People’s Panel highlighted that the specific rent allowance that the Council is proposing to stop helps fund additional daily living expenses for people with severe learning disabilities. It was thought that stopping this payment will have a significant impact on these service users’ quality of life.
- On charging the full cost for Day Care and Home Care, there was some concern that this would result in individuals not accessing these services and ultimately lead to more people being placed in residential care leading to higher net costs for the Council.

- There was also concern that the day care charges proposals would result in reduced accessing of carers respite.
- The results from the telephone helpline showed that paying full cost for care was a key concern, with callers expressing their opinion that they are already “charged a lot”.
- The proposal to change the policy so that service users with more than £23,250 would organise their own care was called “regressive”. There was also a concern that this placed an inappropriate burden on carers. However others thought that the proposed limit was set too low.
- The proposal to ask for contributions toward the cost of two carers raised concerns that this might have a significant impact and increase the burden on service users and family carers who might try to cope without a second carer on the basis of cost. There was also a concern that this might be inequitable.

Appendix 6 fully reports on all key consultation themes and officer responses to these.

13. **Cumulative Impact of proposed changes to NRC policy and benefit changes**

It is recognised that the proposed changes to the NRC policy is being proposed at the same time as changes to the Benefits system, Council Tax and Housing Benefit are being developed. A review has been undertaken of these changes and the impact for social care users. Consideration has been given to the cumulative impact and proposed approaches to minimise this have been developed. Appendix 7 details the impact and the actions required to ameliorate the cumulative impact.

14. **Proposals**

As a result of the consultation a change is suggested to the original proposals. It was recognised during the consultation that the proposal to ask those who can afford to do so to contribute up to the full economic costs of day care services including an element of overheads would have a significant impact on attendance at day services. Such a reduction would destabilise individual care arrangements and increase pressure on carers and would affect the stability of the day services market. In addition the Joint Commissioning Team in Adult Social Care will be reviewing day service contracts with a view to developing personalised approaches, This is expected to change models of provision and reduce costs.

It is therefore proposed that maximum contribution rates are raised over 2 years with an increase in 2013/14 to £22 and to £42.57 in 2014/15. This increases the maximum contribution by approximately 50% in 2013/2014 and taking it to approximately half the current economic cost of the service. This proposal reduces the expected income by approximately £125,000.

A Local Authority Circular; Charging for Residential Accommodation and Non Residential Care Services was received on 15th October 2012, after the consultation had commenced. This gives guidance on setting the level of charges. The circular states:

“Councils should take account of no more than the full cost of providing the service, excluding costs associated with the purchasing

function and the costs of operating the charging system.”

The proposal to include overhead costs when calculating the maximum contribution for services has therefore been removed.

The amended proposals are attached in Appendix 1

RESOURCE IMPLICATIONS

Capital/Revenue

15. The proposed Non Residential Charging Policy, after amendments arising from the consultation, is estimated to increase income to the council by £285,000 assuming a 1st April implementation date. Of this sum £135,000 has been included within the 2013/14 savings submission from Adult Services, whilst £150,000 had been submitted in a previous budget round.
16. The calculation of this level of additional income was achieved through a model comprising of live client data as at August 2012. Therefore it is possible, due to changes in clients etc that the actual impact regarding achievable income and client numbers affected may vary. To acknowledge this and mitigate risk a 5% margin of error has been applied to the income assessed as being achievable.
17. There are five key recommendations that impact materially on the achievement of this income. These are shown in Table 1 on Appendix 8 along with the additional income that has been estimated for each. Please note that the proposed changes to the full cost rates and the level of Net Disposable income have an impact on the level of income estimated under the other three key financial recommendations.
18. The proposal to phase in the full cost rate for Day Care has reduced the potential income in 2013/14 by £125,000. In 14/15, once fully implemented, this income will be achievable.
19. Proposed benefit changes in conjunction with these proposals to change the Non Residential Charging Policy may have a significant adverse impact on some clients. Where this occurs and there is no other form of mitigation to the client to prevent falling into hardship it is proposed that some or part of the additional social care charge is waived. It is not possible to predict accurately with current information what the call on this is likely to be. It is estimated that a reasonable provision would be £150,000. If this sum is not required in full in 2013/14 it will be offered as a saving in later budget rounds.
20. It should be noted that all figures are quoted at 12/13 rates and will be subject to an annual uplifting in April 2013, in line with increases in rates paid to providers. This uplifting will be subject to a separate approval by the Executive Director under Delegated Authority.

Property/Other No implications

21. There are no implications in relation to property or other assets.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

22. Section 17 of the Health and Social Services and Social Security Adjudications Act 1983 (HASSASSA Act 1983) gives the Council discretionary power to charge adult recipients of non-residential services. The Council may recover such charges as are reasonable in respect of relevant services
23. Section 7 of the Local Authority Social Services Act 1970 allowed the Secretary of State to issue guidance to Councils on the exercise of their social services functions, including those which are exercised under discretionary powers. In exercising those functions, Councils must have regard to guidance issued under section 7.
24. In 2003, The Department of Health issued guidance entitled 'Fairer Charging Policies for Home Care and other non-residential Social Services. In 2010 guidance entitled "Fairer Contributions Guidance: Calculating an individual's contribution towards their personal budget" was also issued. The proposed policy changes comply with the relevant provisions of the guidance documents.
25. Local Authorities may also charge for services provided directly to carers under the provisions of the Carers and Disabled Children's Act 2000.
26. Where the 'Fairer Charging Policies for Home Care and other non-residential Social Services does not provide clarity in a general area, the Council also observes the Department of Health's Charging for Residential Accommodation Guide (CRAG) and the Guidance for Council's with Social Services Responsibilities published in October 2012 for fairness, clarity and consistency reasons.

Other Legal Implications:

27. The proposals in the report are compliant with the requirements of both the Human Rights Act 1998 and the Equalities Act 2010. Consideration of the impact of the proposed changes under these Acts has been carried out as part of the preparatory work and ongoing consultation process and, taking the overall changes into account, the Council is satisfied that the proposals are necessary and proportionate in terms of individual impact having regard to the needs of the wider community and the need to target available resources at the most vulnerable. Detailed consideration of the impacts of the proposals are as set out in the report and appendices.

POLICY FRAMEWORK IMPLICATIONS

28. The proposals in this report are wholly in accordance with the Council's budget and policy framework.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

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

Appendices

1. NRC Charging Policy Review – Proposals to Cabinet
2. NRC Charging Policy Review - Officer led review recommendations
3. NRC Charging Policy - Benchmarking exercise (information used in Officer led review)
4. NRC Charging Policy Review - Consultation Process
5. NRC Charging Policy Review – detailed timeline of consultation exercise
6. NRC Charging Policy Review - Consultation response
7. NRC Charging Policy Review - Benefit changes and Charging Policy – Cumulative impact
8. NRC Charging Policy Review – Estimated levels of income - Summary Table

Documents In Members’ Rooms

1.	None
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Equality Impact Assessment

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

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

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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Local Authority Circular – Charging for Residential Accommodation and Non Residential Care Services

Impact Assessments:

1.	Equality Impact Assessment AS10	Overarching
2.	Equality Impact Assessment AS10	Capital
3.	Equality Impact Assessment AS10	NDI Increase
4.	Equality Impact Assessment AS10	Domiciliary and Day Care
5.	Equality Impact Assessment AS10	Overnight Care

6.	Equality Impact Assessment AS10	2 Carer Packages
7.	Equality Impact Assessment AS10	Rent Allowance

Proposed Changes to the Non Residential Adult Social Care Charging Policy

Introduction

The Council has discretionary power to levy contributions towards the costs of non residential care provided these are in line with national guidance. An officer led review of the current policy was completed in October 2012. This was undertaken to ensure the policy met revised national guidance, supported the development of personalisation in adult social care, was equitable and fair and maximised income from those assessed as being able to afford to pay to ensure future sustainability of services given the increasing demands due to demographic changes.

An extensive consultation exercise has been undertaken led by an independent facilitator. This commenced on 8th October 2012 and ended on 11th January 2013.

As a result of the consultation one change is suggested to the original proposals. It was recognised during the consultation that the proposal to ask those who can afford to do so to contribute up to the full economic costs of day care services would have a significant impact on attendance at day services. It is therefore proposed that maximum contribution rates are raised over 2 years with an increase in 2103/2014 to £22.

The final proposals after consultation are detailed below;

1. To change the title of the policy to “non residential care contributions policy”.
2. To offer annualised Individual Budgets as required.
3. To introduce a capital limit in line with Charging for Residential Accommodation Guidance (CRAG) excluding capital in the home the individual is currently resident.
4. To take 100% of disposable income into account in determining individual contributions towards the costs of non residential care.
5. To require a contribution of up to the actual cost of providing domiciliary care (Note this will not increase contributions as the current maximum contribution equated to the actual cost of provision)
6. To require a contribution of up to £22 for day services in 2013/2014 and to increase this to the actual cost of providing day care in 2014/2015.
7. To require a contribution of up to the actual cost of overnight care and 24 hour care.

Appendix 1 NRC Charging Policy Review – Proposal to Cabinet

8. To take benefits related to night time care into account in the financial assessment of individuals receiving overnight care.
9. To require a contribution of up to the actual cost of 2 carer packages of care.
10. To delegate to the Executive Director for Adult Social Care the authority to determine which one off services should be included in charging and the scale of fees for these services.
11. To treat services directly accessed by carers as non chargeable.
12. To remove the rent allowance previously given to a small number of individuals living at home.
13. To assess individuals arranging their own residential respite under the NRC policy.
14. To ratify the current approach of annualising contributions for day services commissioned by the Council taking account of the level of closure for public holiday.
15. To ratify the current practice of offering a choice of financial assessment as a couple or individual.
16. To discontinue the collection of income in situations where the individual is assessed as regularly requiring to contribute less than £3 per month.
17. To backdate changes to contributions to the date the individuals assessed contribution changes.
18. After individual review of care arrangements to ensure best value and equity in spend to take account of the additional contributions individuals receiving Independent Living Fund are required to make when setting individual contributions.
19. To ratify the current approach of requiring those receiving care and support under a Guardianship Order to contribute towards the costs of their care.
20. To work with other Councils to maximise contributions from those awarded compensation to meet care needs.
21. To end the practice of taking debt into account when determining contributions.
22. To endorse the current policy on allowances for Disability Related Expenses.

Southampton City Council Non Residential Care Contributions Policy Officer Led Review – Proposals for change

1. Introduction

A report was prepared in August 2012 to detail the outcomes of the officer led review of the current non residential care (NRC) charging policy for adult social care provision and the impact for service users. This has been updated to reflect the changes to original proposals related to day services and revised national guidance published in October 2012. It should be noted that all figures are quoted at 12/13 rates and will be subject to an annual uplifting in April 2013 in line with increases in rates paid to providers.

2. Background

2.1 The Council has discretionary power to levy contributions towards the costs of NRC, provided these are in line with national guidance. This differs from residential care where contributions are nationally prescribed under Charging for Residential Accommodation Guidance (CRAG) regulations. The Council's NRC policy was last reviewed in 2008. A further review was undertaken to consider the policy's application in supporting the development of the Personalisation agenda, ensuring equity, fairness and fit with recently revised national guidance and considering maximisation of income for those who can afford to pay to meet the costs of providing for increased demand due to demographic changes.

The review was informed by the following;

- A benchmarking exercise undertaken with other Councils.
- A review of national guidance.
- Discussion with staff teams about current practice issues.

2.2 The current policy operates in the following way;

- The assessment of an individual's contribution towards the costs of their NRC services considers 3 areas.
- Income - the majority of benefits are taken into account, as are private pensions and other income. Notional income from all capital over £14,250 (excluding the home the individual is occupying) is taken into account at a rate of £1 per £250.
- Expenditure –national guidance ensures Councils offer Dept of Works and Pension minimum income levels plus an additional 25% in recognition of the increased expenditure needed to meet additional needs resulting from frailty or ill health. In Southampton at the present time an additional 30% is allowed. In addition to this all Local Authorities must have regard to individual circumstances and

Appendix 2 – NRC Charging Policy Review –Officer Led Review Recommendations

Southampton's policy allows additional expenses, often related to disability.

- The costs of the provision - in Southampton at the present time individuals are asked to contribute a maximum of £13.69 per hour of domiciliary care or day of day service provision no matter the real costs of the service.
- The contribution the individual pays is the lesser of the net disposable income (expenditure minus income) or the notional cost levied for the service.
- No one with a FACS eligible need will ever be refused a service because they cannot afford it. There is delegated authority to waive charges in situations where this is important for the welfare of the customer, e.g. when a person has no insight into their needs due to mental health issues and would refuse to pay for services.

2.3 It is not proposed to significantly change the current approach to calculating an individual's contribution towards the cost of their services. There are however specific areas where changes to the current policy are recommended.

3. Policy Review

3.1 Personalisation –“contributions” rather than “charges”

To promote choice and control, individuals with social care needs are now offered an Individual Budget (IB) and helped to determine how they will use this and other resources available to them to develop individualised support packages to meet their desired outcomes in a more holistic way. This differs from the previous approach which largely arranged services from a defined range to meet social care need. The language of “charging” is therefore no longer relevant and the recent national review of NRC guidance suggests “contributions” should be used.

3.1.1 Recommendation

- To re-name the NRC Charging Policy the NRC Contributions Policy.

3.2 Personalisation –weekly/annualised Individual Budgets

Weekly IB allocations are now offered. However, there will be times when an individual's spend will increase in some weeks e.g. if the person requires a respite arrangement. To offer maximum flexibility in the use of IB it is proposed that the IB can be annualised where required.

3.2.1 Recommendation

- To agree annualised IB sums when required.

3.3 Capital Limits

Appendix 2 – NRC Charging Policy Review –Officer Led Review Recommendations

In national CRAG guidance, when an individual has capital over £23,250 they are expected to commission and fund their own care home placement, whilst still being entitled to assessment of their social care needs and signposting to services to meet these needs.

Southampton's NRC policy has no capital limit beyond which an individual is expected to commission their own services. This has the effect of drawing individuals into a full assessment process to find at the end of the process they can often commission services themselves at similar or lower costs. This is a negative experience from the consumer's view point; it promotes a dependency culture and does not make best use of staff resources.

The benchmarking exercise undertaken showed that all Councils NRC policies had capital limits, beyond which individuals are expected to commission and to fund 100% of their care costs. Two Councils cap these costs, one at £900 per week and the other at £334.50.

An audit undertaken in August 2012 demonstrated there were 313 individuals receiving non residential services with capital over the proposed limit who would be required to fully fund and commission their own services. There would be no impact on income, however this approach could impact on the workload of the service in the longer term.

3.3.1 Recommendation

- To introduce a capital limit, in line with CRAG, excluding the capital in the home where the individual is currently resident.

3.4 Net Disposable Income

Following the 2008 review, which showed the Council to be more generous than its comparators, the Council made the decision to increase the chargeable factor of the net disposable income (income minus expenditure) to 85% in 2010 and 95% in 2011. In the recent benchmarking exercise the Council was again shown to be more generous. 75% of councils indicated they take 100% of net disposable income into account.

The reduction of the net disposable income adds to the NRC policy's complexity and potentially makes it less transparent for our customers. In addition it does not maximise income from those who can afford to pay.

A detailed review of those in NRC charging at August 2012 showed that of the 2,109 people in NRC charging 798 would be affected by this proposal, none of whom currently contribute at full cost due to capital or refusal to disclose their financial arrangements. The range of annual contributions increase for the 798 would be between 52p and £2,600 with average increase of £121 per annum. In total this exercise has indicated that the proposal will raise an additional £96,200 income.

3.4.1 Recommendation

- When determining NRC contributions to take 100% of net disposable income into account.

3.5 Charging full unit costs for day and domiciliary care

The current maximum contribution towards the costs of services directly commissioned by the Council is calculated at £13.69 per hour of domiciliary care or day of day service provision. When actual costs paid to providers (based on full occupancy in day services and market average costs in domiciliary care) are taken into account the real cost of day service provision is higher whilst the maximum contribution for domiciliary care meets actual costs of the service.

Provision	Current charge	Actual average direct cost
Domiciliary care	£13.69	£13.69
Day care	£13.69	£42.57

The proposals made in August 2012 had suggested taking overheads related to paying providers and billing service users into account, however national guidance published in October 2012 has shown that this is not possible. For this reason the proposals have been amended and whilst the principle of requiring a maximum contribution of the actual cost of domiciliary care is suggested no increases to the unit cost of domiciliary care would result from this.

In terms of day services the Council is more generous than the majority of Councils. One Council charged a lower rate of £9.60 per day but was about to consult on charging the actual cost of the service. Another did not charge for any in house service. Some charged for transport and meals separately in day services. The maximum charge was £98 per day.

Changing the approach to contributions for day services would ensure equity between individuals who are offered Direct Payments (DP) and those who rely on the Council to manage their IB. At the present time those receiving DP contribute towards the full cost of their services, whilst those who are receiving care commissioned by the Council contribute only towards the full notional cost. This could have the effect of discouraging the uptake of DP when the policy drivers are to increase its use because studies show that the use of DP increases the individual's control over their support. It is likely that the numbers taking up DP will be part of the revised national performance indicator set for social care.

Discussion with day service providers highlighted that to increase costs from £13.36 to £42.57 in a single year is likely to result in a significant number of individuals ending their day service. This would destabilise current care arrangements and increase strain on carers. In addition, the Joint Commissioning Team is planning to review day service contracts to develop personalised approaches. This is likely to change models of provision and to reduce costs. For these reasons the original proposal has been amended and it is now proposed to increase the maximum

Appendix 2 – NRC Charging Policy Review –Officer Led Review Recommendations

contribution over 2 years, increasing the maximum contribution to £22 in 2013/2014, an increase of around 50% from the current charge of £13.69 per day.

A review of service users in August 2012 was reviewed based on raising contributions to £22. This has demonstrated that in addition to the proposal at point 3.4 raising the full cost rates for day care would generate a further £120,700. 527 individuals received day services and 203 would be affected by the proposal. The range of annual increase for clients would be from £7.50 to £2,166 and the average additional contribution would be £594.69 per annum.

It should be noted that if a decision is made to introduce a capital limit this could reduce the numbers affected and income generated by this proposal.

3.5.1 Recommendation

- To charge up to the actual full cost of providing Domiciliary and Day care.
- To phase the increased contributions in Day care over 2 years, increasing the maximum contribution to £22 in 2013/2014, then £42.57 from 14/15.

3.6 Charging for 24 hour live in care/ sleep in care/waking night care/Extra Care overnight care

There is no coherent approach to charging for some of the services detailed above. At the present time the Council provides sleep in cover in 2 of its 3 Extra Care facilities and waking cover in the 3rd. There are no charges set for these services whilst those who do not live in Extra Care do not contribute towards these costs those in their own homes do so, although no scale of charges has currently been formally set.. This could be considered inequitable in terms of applying the national guidance. It is therefore important that the Council clarifies its charging policy in this area.

In August 2102, a review of those in services showed very few people had their needs met in this way; in charging there were 19 individuals who received live in care, sleep-in night care, or waking night care and 71 people receiving care lived in Extra Care Sheltered Housing. However, the Council is committed to developing further Extra Care and other Supported Housing solutions many of which will offer overnight support. In addition as personalisation allows an individual to have more control over their support it is likely that individuals who currently move to residential care will increasingly consider 24 hour support in their own homes. Administering a contributions policy based on a weekly allocation of funds which can be used to buy a wide range of support services when some services are chargeable and others are not would be confusing and lacking in transparency for our customers, time consuming for staff and impede the development of personalisation.

Benchmarking showed the majority of Councils apply full cost for these services. Two organisations apply ceiling limits, one of £900 per week and the other £334.50.

Appendix 2 – NRC Charging Policy Review –Officer Led Review Recommendations

Additional benefits can be claimed when there are overnight care needs e.g. higher rate attendance allowance. These benefits are given to meet additional care costs but are not currently taken into account in the NRC charging policy. To ensure equity it is appropriate that they are taken into account in determining contributions for packages which include an element of overnight care.

The costs of the extra care services in Southampton are £95 for night sleep in and £106 per night waking cover. Using current numbers receiving the service the unit cost would be £29.18 per week. However there is capacity to increase numbers of residents without increasing the overheads and taking this into account the proposed maximum contribution for this service is £19.52 per week.

Current and proposed future contributions are detailed below

	Sleep in (per night)	Waking Night	Extra Care(per week)	24 hour waking care (per hour)
Current	£10.63	£55 per night	£0	£13.69
Proposed	£16.42	£13.69 per hour	£19.52	£13.69

The changes proposed to 24 hour, waking and sleep in case are based on average real costs for these services and would generate no additional income nor would they impact on individuals receiving these services in August 2012.

Of the 90 individuals receiving services in August 2012, 71 individuals in Extra Care would be affected by this proposal of whom 7 contribute at the current maximum cost. The annual increase in contributions would range from £491.68 to £1,334.78 with the average client increase being £1,182.06. The proposal would generate £63,700 in additional income.

3.6.1 Recommendation

- To charge up to the full unit cost for Extra Care, 24 hour care, sleep in and waking night care.
- To take benefits related to night time care into account in the financial assessment.

3.7 Charging for two carer packages

Increasingly there is a need for 2 carers to be in attendance for the provision of domiciliary care. This is largely to ensure safe moving and handling but can also be to ensure the safety of the carer, e.g. in the case of individuals who, due to their impaired cognitive abilities, display aggressive behaviour. Currently the Council charges on the basis of 1 carer being present, although the real costs charged by providers are for 2 staff members' attendance.

Benchmarking shows that the majority of the Councils in the sample applied charges for a second carer. Some applied criteria such as not charging if the second carer is

Appendix 2 – NRC Charging Policy Review –Officer Led Review Recommendations

required for external health and safety reasons such as visiting an area which may be dangerous after dark.

At August 2012, 105 individuals in charging received 2 carer packages and 1 individual received a 3 carer package. In addition to the proposals at point 3.4 and 3.5 above the analysis showed that a total of 24 individuals would be affected by changes to 2 carer contributions. Of those, 18 individuals contribute full cost due to capital or refusal to disclose income. The average client increase would be £5,498.47 per annum and the range of increase is £33.89 to £12,701.30. Total additional contributions from this element of the proposals would be £132,000.

It should be noted that if a decision is made to introduce a capital limit this will reduce the numbers affected and income generated by this proposal.

3.7.1 Recommendation

- To charge for the full costs of a two carer package based on charges outlined in 3.5 above.

3.8 One off services

There is a lack of clarity locally on contributions for one off services such as the provision of pet care in an emergency or a deep clean of a home. Funding for these one off services will in future be a part of an Individual Budget. Administering a contributions policy based on a weekly allocation of funds which can be used to buy a wide range of support services when some services are chargeable and others are not would be confusing and lacking in transparency for our customers, time consuming for staff and impede the development of personalisation.

Although 66 % of Councils stated they do not charge for 1 off services the range of services they consider as non chargeable varies, with charging for some of these services being proscribed by legislation e.g. Occupational Therapy aids to daily living.

3.8.1 Recommendation

- To bring the majority of services into charging and to clarify which services should not be included when determining an individual's contribution.

3.9 Charging for Services provided to informal carers

At the present time the Council has no policy on whether services directly provided to support carers are chargeable, although in custom and practice terms no charges are levied. In the majority of cases the service benefits both the direct customer and their carer and in these cases the customer's ability to pay is assessed. There are however increasing numbers of situations when the service is provided solely for the benefit of the carer and when carers are being offered their own IB.

Benchmarking shows that the majority of Councils do not ask carers to contribute towards the costs of their services. One applies a low key "self assessment" where

Appendix 2 – NRC Charging Policy Review –Officer Led Review Recommendations

those declaring they have over £23,250 pay the full cost whilst those who sign to say they have less than this amount pay no contribution.

3.9.1 Recommendation

- To treat carers support as non chargeable.
- To continue to charge the customer for services when they are the direct recipient, e.g. respite, sitting and day services.

3.10 Rent Allowance

A small group of individuals who have a learning disability and live in parental/family homes have historically been given rent allowance of £40 per week. This longstanding arrangement has only recently been recognised.

Due to this inequitable approach the current operation of the policy does not meet national guidance and exposes the Council to potential challenge. The Council therefore requires to either apply this allowance to all those living in parental homes or to remove the allowance.

There is no rationale to applying a £40 allowance. The current system of applying a weekly allowance takes account of day to day living expenses. In addition parents who are on a low income and qualify for Housing Benefit are deducted £11.45 per week Housing Benefit when the service user lives at home. This is currently allowed for as rent when calculating the service user's social care contribution.

The benchmarking exercise showed all but 1 Council made no allowances for rent, assuming this was catered for from other benefits unless there was evidence to show otherwise. One Council allowed £9.40 per week but had clear guidelines to ensure there is no opportunity to receive Housing Benefit and rent allowances and guidance on what rent allowance is expected to pay for. Two Councils ask for proof of a rent book and tenancy agreement before making an allowance and finds it rarely offers an allowance.

A review of the impact in August 2012 suggests the removal of the rent allowance for these specific clients could generate a maximum additional income of £150,800 based on applying proposals at 3.4 and 3.5 above first. The removal of rent allowance will affect 92 individuals, of the total 108 individuals receiving this allowance, of whom 61 will contribute towards their costs for the first time. The average additional client contribution will be £1,639.17 per annum, with the minimum additional contribution being £245.58 and the maximum £2,085.60.

3.10.1 Recommendation

- To remove the rent allowance for the small group of current users who receive it.

3.11 Charging regime for respite care

Appendix 2 – NRC Charging Policy Review –Officer Led Review Recommendations

Clarification is required on charging for respite care when customers take their Individual Budget in the form of a Direct Payment which they use to directly commission their own services.

In the past residential respite care has been assessed using the national CRAG regulations. Benchmarking showed that, in common with Southampton, 66% of Councils now allow Direct Payment users to be charged under NRC guidance when they commission their own residential respite care. The other Councils are reviewing their approach with a view to updating the policy.

3.11.1 Recommendation

- To assess Direct Payment recipients, arranging their own residential care, under NRC policy.
- To continue to assess individuals where the Council has arranged residential respite under CRAG policy.

3.12 Charging for day services

Day services directly commissioned by the Council are subject to closures for public holidays throughout the year. To minimise the administrative burden on the Council no reduction in charges has been made for these closures, the rationale being that the charges were annualised.

3.12.1 Recommendation

- To ratify the policy of annualising day service contributions, taking account of the level of closure for public holidays.

3.13 Couple's contribution

There is a lack of clarity in the current policy about the approach to the contributions paid by couples. Local practice to date has been to assess both individually and as a couple and to use the most favourable figures for the customer. In most cases the individual NRC assessment is a lower figure than the couple's assessment. Benchmarking demonstrates a variety of practices across Councils. 33% of Councils opted for a joint assessment.

3.13.1 Recommendation

- To ratify the current practice, offering the choice of NRC assessment as an individual or a couple.

3.14 Thresholds for contributions

The Council has no minimum contribution below which it will not invoice customers who are receiving directly commissioned services. Transaction costs in producing and sending invoices and collecting income is such that it is not economically

Appendix 2 – NRC Charging Policy Review –Officer Led Review Recommendations

efficient to collect contributions below a specified sum. All other Councils have a threshold below which they will not collect income.

An initial analysis of the impact of setting a threshold are detailed below, this is based on using 100% net disposable income and proposed increased full cost rates as detailed earlier in this report. This exercise has also been undertaken based on the existing charging policy and the difference is negligible.

Lower threshold amount per month	Estimated number of individuals affected	Income reduction per annum
£2	0 - 5	£50
£3	6 - 10	£110
£4	10 - 15	£200

3.14.1 Recommendation

- To discontinue the collection of income of assessed contribution of less than £3 per month.

3.15 Backdating contributions

The Council does not enforce a policy of backdating contributions when an individual's income has increased and they fail to inform the Council of this. This could be viewed as inequitable. It does however backdate decreases in contributions when it is informed of reduced income. Southampton is the most generous Council in the bench marking group. All other Councils backdate charges, usually allowing a period of up to 6 weeks for the service user to inform the Council of the change. All other Councils backdate to the date the increased income was received.

It is not possible to estimate the numbers of individuals who would be affected or the income maximised by this approach.

3.15.1 Recommendation

- That the Council backdates changes to contributions to the date the individual's income changes.

3.16 Independent Living Fund

In the past when an individual's contribution towards the cost of social care services was calculated ILF adjusted their payment to take account of this contribution. However, ILF will no longer make any adjustments to payments and if an individual's contribution increases this is not being allowed for.

If the package of care remains the same, the client requires to fund the difference in the care package costs from their own resources, in effect paying a higher contribution than other customers towards their social care costs. Some individuals will be unable to afford this additional sum and this could jeopardise their care package.

3.16.1 Recommendation

Appendix 2 – NRC Charging Policy Review –Officer Led Review Recommendations

- After individual review of the support arrangements to ensure best value and equity in spend to take account of the additional contribution the individual is required to make when setting contribution rates.

3.17 Guardianship

The current policy lacks clarity with regard to charging individuals on Guardianship orders for their services although in practise individuals are asked to contribute. Bench marking shows 44% of comparator authorities ask individuals to contribute towards the costs of these services and 22% were also unclear about their policy. There are currently 7 people on Guardianship orders and all are being charged for their services.

3.17.1 Recommendation

- To require those on Guardianship orders to contribute towards the costs of their services.

3.18 Compensation and future care

The Council has no clear policy or guidance on contributions to be made by individuals who have received compensation following an injury. A recent case has shown the need for clarity nationally and for the Association of Directors of Adult Social Services (ADASS) to discuss the approach now being taken in Courts and by Trust Fund Managers with Government.

Bench marking has demonstrated that many other Local Authorities have no clear policy. One Council treats interest from compensation awards as income but refuses to allow disability related expenses. Two councils take the level of care which would be needed had the accident not occurred into account and applies charging to this but not to services provided for the needs for which compensation has been paid.

The numbers of cases where compensation is paid is very small and therefore will not have an impact on income. However, given the sums paid in compensation individual contributions could be significant.

3.18.1 Recommendation

- To maximise contributions from those who have been awarded compensation.
- To work with other Councils and ADASS to develop a coherent policy.

3.19 Debt

The Council currently allows personal debt to be considered at the point the first assessment of contributions is made as part of the individual's allowances. This could be viewed as inequitable. No other Council has taken this approach apart from Hertfordshire which allows debt related to the purchase of disability related equipment to be taken into account. Many Councils have systems where referral to and support from money management services is offered.

Appendix 2 – NRC Charging Policy Review –Officer Led Review Recommendations

Officer time taken in managing bad debt will increase if the approach taken in other Councils is adopted.

3.19.1 Recommendation

- To develop clear pathways to debt management services.
- To end the practice of allowing debt to be taken into account in determining contributions.

3.20 Disability Related Expenses

In Southampton disability related expenses are determined on an individual basis using National Association of Financial Assessment Officers guidance in conjunction with advice from a Care Manager involved with the individual. A review of this policy was undertaken and has determined that it is equitable and robust.

3.20.1 Recommendation

- To endorse the current policy.

Appendix 2a NRC Charging Policy Review – Benchmarking exercise (information used in Officer led review)

NRC Comparison Table

Areas	BRIGHTON	BOURNMOUTH	DERBY	HAMPSHIRE	HERTFORD SHIRE	LUTON	PORTSMOUTH	SUFFOLK	WILTSHIRE
% of Disposable Income Level	100% (However, do allow the highest PC+25% allowance for ALL age groups.)	100%	100% - no subsidy	95%	100%	100%	100%	90%	80%
Lower Threshold for contribution	£3.00 per week is lowest charge	£2.50 per week due to administration costs	£2	£3.00	£1	£2.50	£1	£1	£2 per week
Does this apply to DP users	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Rent Allowance	Unless HB applies, we always assume these costs are paid from the living allowance and no further allowance is given.	No, this would be covered by the personal allowance	No, this would be covered by the personal allowance	Only where it can be evidenced-rear in practice	No	Yes – living with parents £9.40 pw for rent	No – however we allow non-dependant deduction rate for HB to cover all housing costs	No	Would need to see evidence for this and must meet housing benefit regulations
What do you expect the rent allowance to be used for						Not what HB allows for can not be used for food Bedroom provision. But can be used for lodging area, bedroom furnishing and insurance			

Appendix 2a NRC Charging Policy Review – Benchmarking exercise (information used in Officer led review)

Areas	BRIGHTON	BOURNMOUTH	DERBY	HAMPSHIRE	HERTFORD SHIRE	LUTON	PORTSMOUTH	SUFFOLK	WILTSHIRE
Do you back date charges?	Yes, the assessment applies from the date the extra income applies.	We backdate the charge to the date the increase in benefit was allowed. We make this clear in all our letters to SU re charging	yes but each case is based on individual circumstance The assessment is backdated reflecting the changes to the income/capital and re-invoiced	SU made aware this increase may be taken into account at a later date	No	Depends but not normally, if informed within reasonable time period (usually 4 – 6 weeks). But if not informed yes we will backdate as recent case we backdated charges for 3yrs	Yes – 6 months or beginning of financial year which ever is in the clients favour. Fairer Charging.	Yes, letters to SU ask them to let us know about any increase in their income or savings and calculate on individual basis.	Encouraged to apply for all benefits entitlement, if deliberately avoiding than backdate to start of care
Personal Debts				Not ordinarily	No, unless debt relates directly to disability – e.g. loan to buy disability equipment not covered by DFG			It depends what they are for. We also offer debt advice to the customer	
Under Guardianship is Contribution paid	Yes			Yes	Not Sure	No	Yes	Yes	Not Sure
Independent Living Fund – New Policy	Not yet	Not yet	Not yet	Cases looked at on an individual basis if financial assessment disputed	Not yet	Not yet	Client will be supported in budgeting skills to meet any shortfall – LA does not accept responsibility	Not yet	Not yet

Appendix 2a NRC Charging Policy Review – Benchmarking exercise (information used in Officer led review)

Areas	BRIGHTON	BOURNMOUTH	DERBY	HAMPSHIRE	HERTFORD SHIRE	LUTON	PORTSMOUTH	SUFFOLK	WILTSHIRE
Respite Care	CRAG for residential placements. NRC if part of general care package and non-registered breaks or home care.	CRAG for residential home then we charge. If we give a DP and are not sure when and where the respite will take place it is done under FC	Under review at present. CRAG for residential home DP NRC	From 9/4/12 the NRC calculation contribution	FC	CRAG flat rate of £84 pw than after 8 weeks – full financial assessment completed	CRAG	Currently CRAG, although looking at changing some to Fairer Charging	CRAG for residential NRC for DP
Does this apply to DP users?	Yes	Yes	Yes – assessed under NRC	Yes	Yes	Yes	YES	No. Direct Payments are always assessed under Fairer Charging	NRC if non residential - same as DP
Day Care Rates	From April 2012 Day Care Max Charge is £23.50 per day (no reductions for half day etc.) Meals at DC (where applicable) Fixed Price Charge @ £3.10 per day Transport for DC (where applicable) Fixed Charge @ £2.15 per return	We currently charge £9.60 per day but are about to go out to consultation with the actual cost of the Day Care	Older person day care - £41.24 per day. Learning Disabilities - £38 - £98 per day, dependent on level	Varies. Its Rate actual cost of purchased or provided services.	£39.34	£14.50 per day and looking to review this	Charges against actual cost of service up to a maximum of £40.00 per week (capped rated following customer consultation	The maximum charge is the cost of the service	Do not charge for in-house services

Appendix 2a NRC Charging Policy Review – Benchmarking exercise (information used in Officer led review)

Areas	BRIGHTON	BOURNMOUTH	DERBY	HAMPSHIRE	HERTFORD SHIRE	LUTON	PORTSMOUTH	SUFFOLK	WILTSHIRE
Is Day Care Credit given	Yes, we only charge when people actually attend	We only charge for actual attendance	Yes, we only charge for actual attendance/service delivery unless short notice by the customer	No, an alternative day is offered if unplanned	Yes	Yes, maximum of 14.50 for 3 weeks and only if higher than assessed contribution	Yes – charge against actual service provided – unless due to client non-attendance. We require 24 hours notice to be given, if not we still charge		Do no Charge for in-house services
Classification of One-Off Services			If the budget is taken as a direct payment, insurance, equipment, CRB checks are one-off payments. Also respite		Equipment DPU	Pet care only for respite care/ not hospital	Equipment purchases, emergency child care, emergency pet care	counselling if not ongoing	Do no Charge for in-house services
Do individuals contribute towards one-off services			Above, yes, Equipment, no.		No	No	NO	Yes, depending on financial assessment	NO
Hospital Stay do individuals continue to pay	Only DP Users	<i>Only DP Users</i>	No	Only for break in service for 5 days or more,	No	no	No	No	Not for 7 days
Does this apply to DP Users	Yes	Yes	Yes	Yes					

Appendix 2a NRC Charging Policy Review – Benchmarking exercise (information used in Officer led review)

Areas	BRIGHTON	BOURNMOUTH	DERBY	HAMPSHIRE	HERTFORD SHIRE	LUTON	PORTSMOUTH	SUFFOLK	WILTSHIRE
Sleep in / waking Night what is max contribution?	Full cost capped at £900	£12.95 for Sleep in t	Full cost	No Cap	Sleep in is of £14.50 per hour = waking night is £145 per night	Full cost	Full cost	Full Cost	unsure
Live in what is max amount an individual can pay?	Full cost capped at £900	Full cost	Full cost	No Cap	Capped at £334 per week	Full cost	Full cost	Full cost	Full Cost
Two carer packages – is 2nd carer charged for?	YES	No	No– if for H&S reasons	No	No tried to introduce it last year but councillors did not want it. Will try again this year 2 nd carer for health & safety only	Yes if this is carer related (e.g. use of hoist etc) no if provider health and safety reason (e.g. internal policies to visit in pairs in certain areas after dark).	Yes	Yes	yes
Backdating charges – when do you charge from if individuals fails to notify you?	Backdate to start of service or date capital acquired if later	Letter to SU states if there is a change in financial situation they must contact us we would look closely at whether or not to backdate a charge	Customers can opt for an individual or couples assessment. Couples income is added together to determine contribution. Normally better off as single	Monday following notification of their max weekly contribution	Joint and single assessment choose most favourable. Single assessment use ½ couple threshold as IS+25	If both receiving services calculated on single persons rate as are better off usually	If there is PC/IS entitlement we complete a couple assessment as per Fairer charging.		Assess individually

Appendix 2a NRC Charging Policy Review – Benchmarking exercise (information used in Officer led review)

			assessment						
Areas	BRIGHTON	BOURNMOUTH	DERBY	HAMPSHIRE	HERTFORD SHIRE	LUTON	PORTSMOUTH	SUFFOLK	WILTSHIRE
Couples contribution	Treat as couple initially unless specific request to treat individually	Take into accounts both parties income and capital less PC/IS + 25% to give disposable income	Customers can opt for an individual or couples assessment. Couples income is added together to determine contribution. Normally better off as single assessment	Based on 50% of household income/ capital & 100 of Benefits & DRE specific to the service user	Joint and single assessment choose most favourable. Single assessment use ½ couple threshold as IS+25	If both receiving services calculated on single persons rate as are better off usually	If there is PC/IS entitlement we complete a couples assessment as per Fairer charging.		Assess individually
Self funders	100% capped at £900	100%	100%	100%	100%	Capped at £334.50	100%	100%	100%
Compensation	We will always charge where the rules allow but you must follow CRAG for capital inclusions. You don't have to follow CRAG for income, so we will always charge on income from disregarded capital.	We are looking into developing a policy re personal injury claims and future awards re care	Take any interest from the compensation as income but disregard the capital amount. Do not allow the customer to claim DRE as the compensation money would	Have consulted on this and now take compensation into account where lawful to do so.	Depends on how held – check CRAG. Not had one yet.	Underlying issue is what is not to do with the accident, the council picks up this cost the rest is made up of the compensation award. The compensation award is	Yes – not experienced in few years	Currently, we disregard compensation	Depends on how the compensation award & what level of award is for care and what element of the support package is for the care award, which is than calculated against the care package, in terms of what element of the care would be

Appendix 2a NRC Charging Policy Review – Benchmarking exercise (information used in Officer led review)

			be used for disability related expenditure.			only used for services cost towards the accident			needed if the compensation was not needed / or incident did not occur
Areas	BRIGHTON	BOURNMOUTH	DERBY	HAMPSHIRE	HERTFORD SHIRE	LUTON	PORTSMOUTH	SUFFOLK	WILTSHIRE
Carers services	No	No	No	No	No	No	No	No	No
Online matrix system	No	No	No	No	No	No	No	No	No
Good practice			With the move to direct payments, it is important that Visiting Officers do not include expenditure which is being used from the direct payments i.e. respite care. On review, the VO should be asking about DRE to ensure it was not used from direct payments.	FAB visits are initially booked a.m. or p.m. by an Admin team and confirmed day before visit					

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Non-Residential Charging Policy for Adult Social Care: Public Consultation Process

1. Summary

On the 8th October 2012 the City Council launched a consultation on proposed changes to the current Non-Residential Charging Policy for Adult Social Care. An officer led review undertaken to ensure the policy supported the development of personalisation in Adult Social Care, met revised national guidance, was equitable and fair and maximised income from those assessed as being able to afford to pay to ensure the sustainability of services in the future having made 21 proposed changes to the policy.

Service users, their representatives and family carers were contacted by letter and asked to comment and take part in the consultation, as were key advocate organisations and Day Care providers in the City. Specific service user and carer group meetings for people living in Extra Care, attending Older People's Day Care facilities, for individuals with Learning Disabilities and their carers and for those receiving a specific rent allowance, a meeting of advocacy groups and a People's Panel took place. In recognition of the complexity of the consultation, the City Council invested in an infrastructure including a telephone helpline, website page and dedicated e-mail and postal addresses and the production of 2 DVDs.

The City Council Compact Code of Practice says that a consultation must run 12 weeks, therefore the consultation should have closed on the 21st December 2012. However, in recognition of the complexity of the consultation, and because of Christmas period, it was agreed to extend the end of the consultation period to the 11th January 2013.

2. The Consultation Process

The consultation process is detailed below

2a. City Council Consultation Website

On the 8th October 2012 the Council began by launching the consultation on its website. The site opened the consultation on the policy and included a fact sheet with all 21 proposed changes, and other key information such as the telephone number and opening hours for the helpline, dedicated e-mail and postal addresses and how to volunteer to be part of the People's Panel. Equality Impact Assessment information was added at a later date within the consultation period, on 27th November 2012. The consultation website has had 117 views.

2b. Telephone Helpline

On the 8th October the telephone helpline went live. The Council felt that because of the complex nature of the consultation a telephone helpline was

Appendix 3 NRC Charging Policy Review – Public Consultation

required from the beginning of the public consultation process. The helpline was run by staff who had undergone training on the proposed changes to the charging policy. This was run by Capita Contact Centre. The helpline was open from 8.30am to 6.00pm Monday to Friday. The function of the helpline was to ensure any of the 21 proposed changes could be clearly explained to a caller, and to act as a means by which a caller could leave a comment on the proposed changes or volunteer to be part of the People's Panel. If staff working on the helpline did not know an answer to a caller's question then a procedure was in place to escalate that question to a nominated adult social care or financial assessment officer to answer and feedback. This was also used as a means to alert social care staff to service users who may need reassurance or support because of anxiety caused by the consultation. . The helpline received 160 telephone calls between October and the end of December 2012.

2c. Letters to Service Users or Representatives

City Council letters were posted to 2,388 service users or their representatives with similar information to that on the main narrative of the website and enclosing the fact sheet. The letters were posted to service users or their representatives on:

Letter Type	Date posted
General	9-10 th October 2012
Extra Care	11 th -18 th October 2012 Rosebrook posted 18 th December.
Rent Allowance	13 th November 2012
Additional Rent Allowance (6 individuals who were later identified as also receiving this allowance)	23 rd November 2012
Day Care	24 th -25 th October 2012

2d. Dedicated E-Mail and Postal Addresses

The City Council set-up dedicated e-mail and postal addresses as methods through which people could respond to the consultation. There were 2 letters and 50 e-mails received.

2e. Advocate Organisations

Key advocate organisations in the City were alerted to the consultation by e-mail on or around the 24th September 2012 and most were individually visited to ask them to formally engage in the consultation. These organisations were Carers Together, Solent Mind, Age Concern, Southampton Centre for Independent Living, Mencap and Choices Advocacy. All of these organisations were invited to send representatives to an Advocate Meeting on the 20th December 2012. At this meeting they were able to give their considered views on the proposed changes directly to the City Council to both the Cabinet Member and the Senior Officer leading the process.

2f. People's Panel

A People's Panel (Citizen's Jury) is suggested in the Council Compact as a way of engaging service users and carers in a consultation process, so that a more meaningful and detailed examination of the proposed changes can be made by them.

The aim was for the People's Panel to be made-up of 12 service users and/or carers supported by an independent facilitator. The invitation to join the People's Panel went out to 2,388 service users or to their representatives. 13 people volunteered to be part of the Panel, however 9 people actually attended the meetings (not all attending each meeting).

On the 19th December 2012 the Panel had the opportunity to interview the City Council officer leading the consultation.

The Panel examined the 21 proposed changes over four workshops on the 4th, 6th, 11th and 19th of December 2012:

Workshop	Business Done
4th December	<ul style="list-style-type: none"> • Understanding the role of the Panel. • General introductions and exploring issues. • Formulating initial questions for the City Council to get a better understanding of the 21 proposed changes. • Beginning to write the questions for 19th December meeting.
6th December	<ul style="list-style-type: none"> • Looking at City Council's response to the initial questions. • Continuing to write the questions.
11th December	<ul style="list-style-type: none"> • Completing the questions.
19th December	<ul style="list-style-type: none"> • Interviewing the Senior Officer. • Drafting the Panel's final response.

2g. Extra Care Meetings

Extra Care meetings took place to specifically discuss those proposed changes to the charging policy including those about 24hr and overnight care on the following dates:

Extra Care Facility	Date of meeting
Manston	15 th October 2012
Rozel	29 th October 2012
Rosebrook	2 nd November 2012

Approximately 40 individuals took part in these meetings including residents, their families and staff supporting residents at the complexes.

2h. Day Care Meetings and DVD

Providers of older people's day services were contacted on 15th November 2012 and asked to engage with their customers specifically on the proposed Day Care changes. The Day Care providers engaged in the process were SCA and Age Concern. To aid engagement in the consultation a simple DVD was produced, specifically focusing on the day care changes. Over a two week period the DVD was shown to individuals attending the day care sessions in the city.

2i Individuals with a learning disability DVD and meeting

A DVD was produced to explain the changes to individuals with a learning disability. This was used by Mencap, who hosted 2 meetings involving 67 individuals with learning disability and their carers.

Choices Advocacy met with 6 service users and publicised the proposals to individuals as widely as possible throughout the period from the 27th November to the end of December 2012. The self advocacy worker shared the DVD with 8 customers during this period

2j. Rent Allowance Meeting

A meeting took place in the Council Chamber on the 21st November 2012 to discuss the proposal to stop providing a special rent allowance for a small group and to look at other changes proposed in the consultation. 114 letters of invite were sent. The meeting was attended by 15 people and their representatives and was Chaired by the Cabinet Member and the Senior Officer involved in the project.

2k. Learning Disability Partnership Board (LDPB)

A presentation was given to the LDPB on 10th December 2012. This Board has representation from service users, carers and services supporting individuals with learning disabilities.

Agenda Item 9

Appendix 3a NRC Charging Policy Review – Detailed timeline of consultation exercise

Appendix 5

Date	Type	Event
08/10/12	Helpline	Line went live.
08/10/12	Website	Website went live; http://www.southampton.gov.uk/council-partners/consult/current/chargingpolicy.aspx
09/10/12	Letter - General	General letters merged 9 th October and posted in batches from 9 th -10 th October 2012 enclosing Fact Sheet. <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  AHoS12-676 NRC General letter FINALC </div> <div style="text-align: center;">  Fact Sheet FINAL </div> </div>
10/10/12 – 11/10/12	Letter – General Representative	General Representative letters merged 10 th October and posted in batches from 10 th -11 th October 2012 enclosing Fact Sheet. <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  AHoS12-684 General Rep Letter FINAL08.1 </div> <div style="text-align: center;">  Fact Sheet FINAL </div> </div>
11/10/12	Letter – Extra Care	Manston Court Extra Care letters hand delivered to facility on 11 th October. 1) Letter re proposed changes to Charging Policy Extra Care 2) Letter providing details of meeting at Extra Care facility on 15/10/12 3) Fact Sheet 4) Visually Impaired version of Extra Care letter <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  AHoS12-688 Extra Care Letter FINAL08.1 </div> <div style="text-align: center;">  AHoS12-698 Extra Care Letter Meeting 1 </div> <div style="text-align: center;">  Fact Sheet FINAL </div> <div style="text-align: center;">  AHoS12-688 Extra Care Letter FINAL 08 </div> </div>
15/10/12	Meeting – Extra Care	Manston Court Extra care facility meeting with customers. <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  AHoS12-703 - Presentation NRC Pol </div> <div style="text-align: center;">  Fact Sheet FINAL </div> </div>
17/10/12	Letter – Extra Care	Rosel Court Extra care letters posted 17 th October. 1) Letter re proposed changes to Charging Policy Extra Care 2) Letter providing details of meeting at Extra Care facility on 29/10/12 3) Fact Sheet 4) Visually Impaired version of Extra Care letter <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  AHoS12-688 Extra Care Letter FINAL08.1 </div> <div style="text-align: center;">  AHoS12-700 Extra Care Letter Meeting 2 </div> <div style="text-align: center;">  Fact Sheet FINAL </div> <div style="text-align: center;">  AHoS12-688 Extra Care Letter FINAL 08 </div> </div>
18/10/12	Letter – Extra Care	Rosebrook Court Extra Care facility letters posted 18 th October. 1) Letter re proposed changes to Charging Policy Extra Care 2) Letter providing details of meeting at Extra Care facility on 02/11/12

		<p>3) Fact Sheet 4) Visually Impaired version of Extra Care letter</p> <p>   </p> <p>AHoS12-688 Extra Care Letter FINAL 08 AHoS12-701 Extra Care Letter meeting 1 Fact Sheet FINAL AHoS12-688 Extra Care Letter FINAL 08</p>
24/10/12 – 25/10/12	Letter – Day Care	<p>Day care letters merged 24th Oct and posted 24th and 25th enclosing Fact Sheet.</p> <p> </p> <p>AHoS12-683 Day Care Letter FINAL 08 Fact Sheet FINAL</p>
25/10/12	Letter – Visual Impairment General and Day Care letters	<p>Visual Impairment General and Day care letters merged 25th Oct – posted 25th.</p> <p> </p> <p>AHoS12-676 (VI) NRC General letter FI AHoS12-683 (VI) Day Care Letter FINA</p>
29/10/12	Meeting – Extra Care	<p>Rosel Court Extra Care facility meeting with customers.</p> <p> </p> <p>AHoS12-703 - Presentation NRC Pol Fact Sheet FINAL</p>
02/11/12	Meeting – Extra Care	<p>Rosebrook Court Extra Care facility meeting with customers.</p> <p> </p> <p>AHoS12-703 - Presentation NRC Pol Fact Sheet FINAL</p>
13/11/12	Letter – LD clients and reps	<p>Letters posted to LD clients and LD client reps enc Fact Sheet</p> <p>  </p> <p>AHoS12-778 LD Rent Allowance FINAL 13.1 AHoS12-779 LD Rep letter FINAL 13.11.12 Fact Sheet FINAL</p>
15/11/12	DVD	<p>Day care DVD final version received.</p>
21/11/12	Meeting - Consultation	<p>Consultation with LD clients re rent allowance.</p> <p> </p> <p>AHoS12-757 - Presentation contribu Fact Sheet FINAL</p>
21/11/12	Meeting - Advocates	<p>Independent Facilitator / Senior Staff Member Choices Advocacy</p>
22/11/12	Meeting - Advocates	<p>Independent Facilitator / Senior Staff Member Age Concern</p>
26/11/12	DVD	<p>LD DVD final version received.</p>
26/11/12	Meeting – Day Services	<p>Day Care DVD shown to Day Care organisations and copies provided.</p>
Week commencing 26/11/12	Day Care DVD	<p>Age Concern Day Care meetings at Day Centre to show DVD. Day Care organisation posted copies of DVD to families of attendees.</p>

26/11/12	Meeting – Benefit Changes	Senior Managers Adult Social Care and Housing.
27/11/12	Meeting - Advocates	Independent Facilitator / Senior Staff member Solent Mind
27/11/12	Meeting – Briefing Advocates	Senior Manager Adult Social Care and Choices/Mencap briefing meetings DVD Day Care and Learning Disability DVD given to Mencap.
27/11/12 – 21/12/12	Meetings - Advocate	During the period 27/11/12 to 21/12/12 Choices Advocacy met with 6 service users regarding the changes, and publicised the proposals to customers wherever possible. The DVD was shared at a meeting with 8 customers by the Self- Advocacy worker.
28/11/12	Meeting	Senior Manager Adult Social Care/Independent Facilitator re consultation issues to date.
30/11/12	Meeting	Independent Facilitator/CIr /Carer's Together Senior Staff member and Opposition Spokesperson for Adult Social Care re Charging Equality Impact Assessments
Week commencing 03/12/12	Day Care DVD	Age Concern meeting at Padwell Day Centre to show DVD. Advocate posted copies of DVD to families of attendees.
03/12/12	Day Care DVD	SCA organisation showed DVD to 18 people at The Brook Day Care centre.
04/12/12	Meeting - Consultation	People's Panel 1 (facilitated by Independent Facilitator).  Fact Sheet FINAL  AHoS12-616 SCC Non Residential Care  NRC Comparison Table  AHoS12-757 - Presentation contribu
04/12/12	Meeting - Consultation	Choices Advocacy supported a service user and their carer to attend the People's Panel.
06/12/12	Meeting - Consultation	People's Panel 2 (facilitated by Independent Facilitator).
06/12/12	Meeting - Consultation	Choices Advocacy supported a service user and their carer to attend the People's Panel.
10/12/12	Meeting	Charging proposals were discussed by an officer at the Learning Disability Partnership Board (formerly Valuing People Board). Choices Advocacy supported 12 people to attend this board.
11/12/12	Meeting – Day Services	Day Services feedback meeting (facilitated by Independent Facilitator with Senior Adult Social Care Officer in attendance).
11/12/12	Meeting - Consultation	People's Panel 3 (facilitated by Independent Facilitator).
11/12/12	Meeting - Consultation	Choices Advocacy supported a service user and their carer to attend the People's Panel.
17/12/12	Meeting – Extra Care	Extra Care meeting at Rosebrook Court Extra Care facility arranged for this date but did not take place
17/12/12	Meeting - Advocates	Mencap meeting –the LD DVD was shown to 29 carers on 17 th December 2012.
18/12/12	Letter – Extra Care	Letters to Rosebrook Court Extra care clients re second meeting on 8 th February - all posted to Extra Care facility care of co-ordinator on 18/12/12 <ul style="list-style-type: none"> Informed that this further meeting on 08/02/13 will not be included as is outside consultation period. Facility have agreed this.

18/12/12	Letter – Extra Care Representatives	Letter to Rosebrook Court Extra Care customer representatives re second meeting on 8 th February.
19/12/12	Meeting - Consultation	Final People's Panel (facilitated by Independent Facilitator with Senior Officer Adult Social Care and Cabinet Member for Adult Social Care)
19/12/12	Meeting - Consultation	Choices Advocacy supported a service user and their carer to attend the People's Panel.
20/12/12	Meeting - Advocates	Feedback with Advocates and Cabinet Member for Adult Social Care.
20/12/12	Meeting – rearranged to 10/01/13	Cabinet Member for Adult Social Care/Age Concern Senior staff member re policy changes.
07/01/13	Meeting	Adult Social Care Housing, Welfare Benefits and Advice service, Financial Assessment and Benefits services representatives – meeting re Welfare changes.
08/01/13	Meeting	Senior Officer Adult Social Care and Council Tax Benefit Senior Staff member re Benefit changes.
09/01/13	Meeting - Advocate	Senior Officer Adult Social Care - Mencap Carer's lunch where 38 carers shown LD DVD and discussion on charging policy.
10/01/13	Meeting	Cabinet Member for Adult Social Care and Senior Staff member Carer's Together re policy changes.

Consultation on Changes to the Non-Residential Charging Policy for Adult Social Care: Findings from the Public Consultation

1. Summary

On the 8th October 2012 the Council launched a consultation on 21 proposed changes to the current Non-Residential Adult Social Care Charging Policy. The proposed changes are outlined in the Cabinet report. Service users or their representatives were contacted and asked to comment and take part in the consultation, as were key advocate organisations and Day Care providers in the City. Specific service user and carer group meetings for people living in Extra Care and attending Day Care facilities, a People's Panel, and an event for individuals receiving a specific rent allowance also took place. The City Council invested in an infrastructure to support the consultation including a telephone helpline, website page, production of DVDs targeted at older people in day services and at those with a learning disability and dedicated e-mail and postal addresses. Full details of the consultation process are outlined in Appendix 2.

2. The Consultation Findings

The headline findings on the impact of the proposed 21 changes to the Charging Policy are:

- There was a degree of recognition in the meetings held that the City Council needs to fairly and equitably source funding to help pay towards the cost of Adult Social Care services.
- There was also recognition in the meetings that people who can 'truly' afford to do so should contribute towards the cost of their care.
- There was some consensus that people paying more for day care should have their increased contributions phased in to allow time for adjustment and that the Council should provide proactive additional support for those most affected.
- Respondents asked the City Council to consider the long term impact of the proposed changes – i.e. if people feel they cannot afford services will they do without until they are in crisis and then need higher cost services such as residential care. This, they said, feels counter intuitive to prevention and health and well-being agenda.
- Respondents thought that for the Council to take 100% Net Disposable Income would be a “grossly unfair”, “harsh,” “regressive” or “draconian” measure. Although it was acknowledged that this leaves the service user with 25% over the Government’s minimum income levels, it was thought that this would still negatively impact on a service user’s quality of life. It was said that the 25% above minimum income is used to meet expenditure most people would think of as essential and is not enough for

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people to save towards purchasing essential items (such as disability related equipment) or covering additional disability related living costs.

- The meeting to discuss the rent allowance and the People's Panel highlighted that the specific rent allowance that the Council is proposing to stop paying helps towards funding these additional daily living expenses for people with severe learning disabilities. It was thought that stopping this payment will have a significant impact on these service users' quality of life.
- On charging the full cost for Day Care and Home Care, there was some concern that this would mean people not accessing these services and, as highlighted above, ultimately lead to more people being placed in residential care leading to higher net costs for the Council.
- There was also concern that the day care charges proposals would mean carers going without respite.
- The results from the telephone helpline showed that paying full cost for care was a key concern, with callers expressing their opinion that they are already "charged a lot".
- The proposal to change the policy so that users with more than £23,250 would organise their own care was called "regressive". There was also a concern that this placed an inappropriate burden on carers. However others thought that the proposed limit was set too low.
- The proposal to ask for contributions toward the cost of two carers raised concerns that this might have a significant impact and increase the burden on service users and family carers who might try to cope without a second carer on the basis of cost. There was also a concern that this might be inequitable.

Findings of the consultation and responses to the issues raised are set out in more detail below and in table 1.

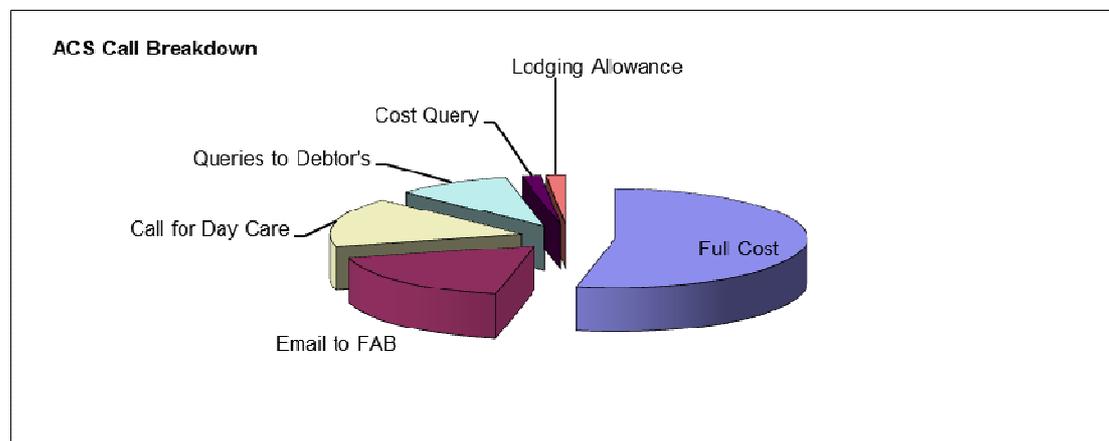
2a. City Council Consultation Website

On the 8th October 2012 the Council launched the consultation on its website. The site highlighted that a consultation on the policy was taking place and included a fact sheet with all 21 proposed changes, and other key information such as the telephone number and opening hours for the helpline, dedicated e-mail and postal addresses and how to volunteer to be part of the People's Panel. Equality Impact Assessment information was added at a later date. There were 117 views of the site. Comments from individuals are set out in the emails/letters section below and under the same heading in table 1.

2b. Telephone Helpline

On the 8th October the telephone helpline went live.

Comments from the helpline are detailed in Table 1 below. Highlight findings are set out below:



The chart above represents responses from 62 calls to the telephone helpline from October till the end of December. The majority of the other callers were requesting further information about the proposals or were misdirected calls related to other adult social care and billing issues. The biggest single issue was about the proposed changes that would mean users paying more or the full cost of their services – i.e. for Home Care and Day Care. This represents 52% of calls received. The main type of comment received from callers was related to paying higher contributions.

In the main, the remainder of the data illustrated in the chart represents actions that followed from these and other phone calls to the helpline, e.g. e-mails sent to the Financial Assessment of Benefits Team or query to Debtor's Team.

2c. Dedicated E-Mail and Postal Addresses

The main findings from the letters and from the e-mail box are summarised in Table 1. The majority of correspondence was about asking for more information. However, 7 people made more detailed responses to the consultation. Some examples are set out below:

- The consultation proposes changing the charging policy so that where a user has capital of more than £23,250 they will organise their own care. This proposal was said by one respondent as “regressive”, and should only be implemented if the council can set up a system whereby persons who are privately funding their care are regularly reassessed by the council to see if they now meet the test for financial support.

3 respondents disagreed with the proposal to move to 100% Net Disposable Income. To take 100% of a user's net disposable income was

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thought to be “harsh and regressive”, with the current policy on this being “severe enough”.

On charging the full cost for Day Care and Home Care, 2 respondents were concerned that this would mean people not accessing these services and ultimately leading to more people “being placed in residential care” leading to higher net costs for the Council. Therefore it was thought by one respondent that it is in the “...council's interests to subsidise this care heavily, and the correct move is for the council to rationalise the subsidy such that both those with Direct Payments / Individual Budgets also “...receive a subsidised care service”.

- Another respondent wrote: “I feel very strongly that disabled people and old age pensioners on a limited income should not be paying for care in the community. Compared to the cost of residential care, the Council are saving a great deal of money by having people looked after in the community. You should be looking after the vulnerable people in this City – they are the least able to object to your taking contributions for their care.”
- There was a concern that charging people in Extra Care Sheltered Housing for overnight care, 24 hour care, sleep in and waking night care would result in more “residential placements”. 1 respondent proposed that “...the council should develop a policy which selects persons for whom some element of subsidy is useful and necessary. So for example a young disabled person who is working but in need of sleep in or waking night care, could be rationally supported by the council with a subsidy since they are a) contributing to the GDP of the city, b) living relatively independently, and c) placing them in care would be cruel and regressive.”

2d. Advocate Organisations

Individual meetings with Advocacy groups culminated in a meeting on the 20th December 2012. At this meeting advocate organisations were able to give their considered views on the proposed changes directly to the Council. Feedback meeting is set-out in Table 1. Example findings from that meeting are set out below:

- The advocates thought that the Council should have considered co-producing the consultation with service users.
- They asked the Council to consider the long term impact of the proposed changes – i.e. if people feel they cannot afford services will they do without until they are in crisis and then need higher cost services such as residential care. This feels counter intuitive to prevention and health and well-being agenda.
- To take 100% Net Disposable Income was said to be a “draconian” measure. Although this leaves the individual with 25% over government

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minimum income levels it will impact on quality of life. The 25% above minimum income is used to meet expenditure most people would think is essential.

- They were concerned that the proposed increases in contribution for those attending Day Care will mean less people using these services and therefore remove low level preventative support.
- In terms of carers' services, it was said that there was a need for more clarity on when services will be charged for as part of package for cared for person and when they would be free to carers. Carers are not usually the direct recipients of services.
- They felt it should be noted that if carers are asked to do more the care arrangements are more likely to collapse, which will impact on health as well as social care services.
- It was also noted that ageing carers can rely on the income of the cared for person and may reduce service provision as a result of the proposed changes to the charging policy.

Solent Mind was unable to attend the Advocate Meeting. However, an example response from an earlier initial meeting proposed that:

- People with Mental Health problems, who will pay more under the new policy, will need to be given additional support to understand this and to help them get used to the new payments. Simply sending them a letter will not be enough or appropriate.

2e. People's Panel

A People's Panel (Citizen's Jury) is suggested in the Council Compact as a way of engaging service users and carers in a consultation process, so that a more meaningful and detailed examination of the proposed changes can be made by them.

The final response from the Panel is set-out in Table 1. Below are some example responses:

- The People's Panel recognised that the current Non-Residential Adult Social Care Charging Policy has inconsistencies that need addressing.
- The panel also recognised that people who can 'truly' afford to do so should contribute towards the cost of their care.
- However, the Panel believed that taking 100% of a service user's Net Disposable Income (NDI) is unfair when applied to people with severe learning disabilities or other severe long term conditions (including people

in these groups in their later years/pensioners). This is because people needing social care, but who are able to work, can top-up their income giving them an opportunity to save towards purchasing items they need to improve their quality of life. People with severe learning disabilities and severe long term conditions often cannot do this, yet they are treated in the same way. The Panel believed this to be an inequality of opportunity. If the proposal goes through without this proviso then it will mean that 'the greater a service user's needs the less money they will have because of those needs'.

- The Panel also proposed that the Council's new policy recognises Disability Living Allowance and Attendance Allowance as funds needed to support quality of life for the people in these groups.
- Following on from this, the Panel recognised that the Government sets a protected income guarantee of 25% above minimum income rates. The 25% is meant to support any extra living costs over the amount the service user needs to cover their daily living costs. However, people with severe disabilities often have higher daily living costs. This means that the 25% is often used to pay for these higher costs leaving no 'additional' funds as would be the case for some other service user groups. The Panel believe that this was recognised in the past by the City Council and that is why the Council did not take 100% NDI. This was also seen as a reason for why a special allowance (badged as rent allowance) was given to some service users with severe learning disabilities. This meant that if the service user is living at home the 'rent allowance' was used to help pay towards these higher costs. The Panel proposes that this needs to be seen as another disability related inequality and that the Council should automatically take higher living costs for these groups into account as part of disability related expenses.

2f. Extra Care Meetings

Meetings took place in the three Extra Care Facilities in the City.

The main comments from Extra Care service users were from users' families. Two key findings arose:

- The proposed cut-off point of £23,250 after which users have to commission their own care is too low, but also needs to be sensitively handled.
- In Extra Care, there was concern that long-term residents may be charged for overnight cover, when they have been living there for some years, or where the need for overnight care may not yet be an issue.

2g. Day Care Meetings and DVD

Day Care providers were contacted in November 2012 and asked to engage with their customers specifically on the proposed Day Care changes. To aid engagement in the consultation a simple DVD was produced, specifically focusing on the day care changes. Over a two week period the DVD was shown to 333 people in Southampton Care Association day care provision across the city, including to people with dementia and has been shown to approximately 80 to 100 in Age Concern services.

At a meeting set up with Day Care providers to brief them on the DVD there was strong representation made that to increase maximum contributions in 1 year would result in significant numbers of individuals leaving these services. This would not only destabilise care and increase carer strain but would jeopardise the viability of services.

The feedback to the City Council demonstrated one key finding:

- The day care staff engaged users, but it was clear that those who expressed any ideas were of the belief that they did not fall into the group of people who are likely to be charged more. Those users did not make any further comment.

2h. Rent Allowance Meetings

A meeting took place in the Council Chamber on the 21st November 2012 to which all those who were receiving a specific additional allowance for rent were invited. Findings from this meeting are in Table 1. Examples of these findings are set out below:

- Taking 100% NDI was thought “grossly unfair” and people felt “cheated”. People with Learning Disabilities often have higher living costs. Therefore the protected income guarantee of minimum income rate plus 25% is often not enough to pay for these additional costs or leave enough disposable income to save. That is why there is a ‘rent allowance’ to help pay for these additional costs.
- There was a need for clearer information about what can be counted as a Disability Related Expense and on the protocol guiding the Financial Assessment of Benefits Team when they conduct financial assessments.
- There is not enough information about which advocacy organisations to go to for independent financial advice and support.
- There was support for the Council’s proposal to top-up Independent Living Fund payments.

2i. Individuals with a Learning Disability DVD and meeting

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A DVD was produced to explain the changes to individuals with a Learning Disability. This was used by Mencap, who hosted 2 meetings involving approximately 67 individuals with learning disability and their carers. The findings and queries from these meetings are in Table 1. Examples of these findings are set out below:

- Carers are generally confused by exactly which benefits will be taken into account, which elements of DLA are counted, and how disposable income will be calculated in order to be assessed for a contribution to care.
- Concerns were raised about the stoppage of the £40 rent allowance. It is difficult for clients with a learning disability to understand that there is now a need for them to contribute to costs for the home.
- The Mencap Carers meeting felt the proposed changes are a forgone conclusion and that they will happen regardless of the fact that it's a 'consultation'
- Concerns were expressed about the quality of life for clients with LD whose disposable income will no longer exist as a result of their assessed contributions.

2j. Learning Disability Partnership Board

An officer attended the Learning Disability Partnership Board on 10th December 2012 for information only. This Board has representation from service users, carers and services supporting individuals with Learning Disabilities.

TABLE 1: FINDINGS FROM THE CONSULTATION AND THE OFFICER RESPONSE

Consultation Respondent Findings	City Council Officer Comment
Telephone Helpline	
<p>6 callers told the helpline that they or a relative already paid enough for care. 1 caller thought it “unfair [as] is already paying a lot for care”.</p> <p>Another caller wasn't happy that “anything is changing as her mother has already been charged a lot.”</p> <p>Another said they were “Worried about paying for care because they have limited amount of money. “Has to save in a jar.”</p>	<ul style="list-style-type: none"> • No one will ever be asked to pay more than they are assessed as being able to contribute. Contributions are be individually assessed and based on the individual’s income and expenditure. • Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances for welfare reasons. • No one will ever be refused a service due to inability to contribute towards the costs. • If the Council does not take forward these proposals other service reductions which are likely to have an impact on residents would need to be considered or the Council would need to consider restricting social care services to those with the highest level of need.
<p>4 callers thought that the letters were too complex leaving them feeling “confused” or concerned that a family member had received them: “mother has dementia and...it's completely wrong to send it to her because she won't understand.”</p>	<p>It is acknowledged that the changes are complex. For this reason a number of approaches were taken;</p> <ul style="list-style-type: none"> • When it was known that a financial appointee was acting for the individual or a carer had been nominated as the contact point letters were sent to them. • A helpline was set up to allow individuals to be given more information about the proposed changes. • Meetings were held with some groups who were specifically affected. • DVDs were produced targeted on older people in day services and

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	individuals with a learning disability.
E-Mails and Letters	
2 respondents to the consultation wrote that the letters and fact sheet were complex and not in plain English.	Lessons will be learnt from this and the implementation plan will address this. However, the letters met the purpose of informing individuals that a consultation was taking place, the subject and reason for that consultation and how to engage with the Council about this and to find out more.
<p>3 respondents thought that charging for care made things difficult for those wanting to have a viable Individual Budget, a particular issue being people with Mental Health problems.</p> <p>1 respondent wrote that: "...it is vital to ensure that the Individual Budget process is managed in such a way that persons who have significant mental disabilities, or who are for other reasons unable to manage their own care are properly supported."</p>	The proposed changes to the policy will not change the approach to social care assessment and support planning.
<p>The consultation proposes changing the charging policy so that where a user has capital of more than £23,250 they will need to organise their own care.</p> <p>3 respondents disagreed with this change.</p> <p>This proposal was said by one respondent as "regressive", and should only be implemented if the council can set up a system whereby persons who are privately funding their care are regularly reassessed by the council to see if they now meet the test for financial support. Otherwise it was felt that "...many persons who may not be fully aware of the financial support thresholds may expend money on care when the council has an obligation in part to be supporting them."</p> <p>Another respondent was concerned that people with dementia will not be able to do this and therefore the task of organising care, etc, will fall to family members, some of whom may not live locally and will not be able to provide "day-to-day</p>	<ul style="list-style-type: none"> • The current process whereby individuals with over £23,250 who are entering residential care are given clear information about capital depletion and how to inform the Council of this will be extended to those managing their own non residential care if the proposals are accepted. • The Council will continue to have a duty to undertake an assessment of anyone who may have social care needs and to offer support in planning care to meet these needs. The change will be that the individual will commission the services directly. • Individuals who do not have capacity to manage their own arrangements and do not have family carers will continue to be supported in setting up their care by the Council. • The Council is setting up services to support individuals to be able to manage their own care

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<p>supervision” in the same way as a Southampton City Council care manager. For example, the respondent writes: “[how do I deal] with the situation where a day centre is closed at short notice due to snow or staff sickness. I am not aware that such supervisory services are available at affordable cost in Southampton and, even if they become available as a result of this change, the impact on the quality of life of a vulnerable person during the transition is likely to be significant.” The respondent writes: “you therefore seem to be putting additional burdens on to those having power of attorney.”</p>	<p>arrangements (e.g. Care with Confidence website) and this will be available to those who have capital over the proposed limits.</p> <ul style="list-style-type: none"> • All care plans should detail how emergencies should be dealt with e.g. in the case of day care it is often the day care provider who arranges the alternative support in emergency. • Work will be undertaken throughout 2013/2014 to set up new arrangements with those individuals who would be affected who currently receive services.
<p>3 respondents disagreed with the proposal to move to 100% Net Disposable Income.</p> <p>To take 100% of a user's net disposable income was thought to be “harsh and regressive”, with the current policy on this being “severe enough”.</p> <p>1 respondent proposed that the “...council should consider the proportion of adult health and social care users who are 'young adult disabled' and consider the life of penury that they are condemning these people to by not allowing them any disposable income which is not removed to pay for care costs.”</p> <p>Another respondent wrote: “I hope the level of disposable income will be set at a reasonable level so that both people on direct payments and those whose budgets are managed by the council are not thrown into a poverty trap.</p> <p>Another wrote: “...I do not believe it should be any lower than 50% above the minimum income levels as it fails to take account of all disability related costs.”</p> <p>Another wrote: “I believe that care costs (like health costs) should be free at the point of delivery for everyone, and covered by increasing taxes...I think the proposed changes are using ‘fairness and equity’ as a smokescreen for cost-cutting, which will place vulnerable people at risk.</p>	<ul style="list-style-type: none"> • The proposal increases the contribution from the net disposable income from 95% to 100%. The average increase as calculated in August 2012 was around £2.00 per week. • The proposal is in line with national guidance and leaves everyone with 25% over national minimum income levels. This was set in recognition of the fact that individuals in receipt of social care are likely to have additional expenditure related to their needs. • To treat specific customer groups differently would be inequitable, would not meet national guidance and could lead to judicial challenge. • No one will ever be asked to pay more than they are assessed as being able to contribute. Contributions are be individually assessed and based on the individual's income and expenditure. • Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances for welfare reasons. • National guidance allows disability related benefits to be taken into account and the majority of Councils do so, given these benefits are awarded to meet the

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	<p>care needs of the individual.</p> <ul style="list-style-type: none"> • If the Council does not take forward these proposals other service reductions which are likely to have an impact on residents would need to be considered or the Council would need to consider restricting social care services to those with the highest level of need.
<p>1 respondent wrote: “I also think that the disposable income assessment should disregard the amounts of disabled living allowance that is put aside to help people with severe mental health problems attend to their personal hygiene and organising food.”</p>	<ul style="list-style-type: none"> • Personal care and nutrition needs would be considered as eligible social care needs and a budget offered to meet these needs if they were considered to be “critical” or “substantial” as defined in the Fair Access to Care guidance. • National guidance allows disability related benefits to be taken into account and the majority of Councils do so, given these benefits are awarded to meet the care needs of the individual.
<p>1 respondent wrote that they were concerned that charging people in Extra Care Sheltered Housing for overnight care, 24 hour care, sleep in and waking night care would result in more “residential placements”.</p> <p>They continued by proposing that “...the council should develop a policy which selects persons for whom some element of subsidy is useful and necessary. So for example a young disabled person who is working but in need of sleep in or waking night care, could be rationally supported by the council with a subsidy since they are a) contributing to the GDP of the city, b) living relatively independently, and c) placing them in care would be cruel and regressive.”</p>	<ul style="list-style-type: none"> • The contributions individuals who are in residential care make are nationally set and are generally significantly higher than those made for sleeping night care and the proposed rate for Extra Care.. In addition the capital in the individual’s home is not taken into account in the non residential care policy but is taken into account in the national residential care charging policy. • Contributions towards the costs of 24 hour care or waking night care may be higher but it is likely that individuals would prefer to remain in their own homes. • To treat specific customer groups differently would be inequitable, would not meet national guidance and could lead to judicial challenge.
<p>3 respondents disagreed with paying the full amount for two carer packages. 1 respondent wrote that since “...transition to double up care may well occur in crisis situations, I consider that the council as a</p>	<ul style="list-style-type: none"> • At any point where there is a significant change in functioning service users are offered a free rehabilitation or reablement services to ensure their

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<p>minimum should subsidise the care for a short time, perhaps six weeks to six months to ensure that the service user has time to adjust their budgeting to account for the greatly increased cost of care.”</p> <p>However, another respondent wrote: “...your proposed change to charge the full cost of the second carer will seriously impact on our quality of life. In effect, I shall be forced to manage with one carer and do the second carer's role myself, which won't be easy at my age but will be necessary.”</p>	<p>independence is maximised prior to any revised care arrangements being set up.</p> <ul style="list-style-type: none"> • No one will ever be asked to pay more than they are assessed as being able to contribute. Contributions are be individually assessed and based on the individual's income and expenditure. • Carers needs are assessed as part of any social care assessment. Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances for welfare reasons. • If the Council does not take forward these proposals other service reductions which are likely to have an impact on residents would need to be considered or the Council would need to consider restricting social care services to those with the highest level of need.
<p>On charging the full cost for Day Care and Home Care, 2 respondents were concerned that this would mean people not accessing these services and ultimately leading to more people “being placed in residential care” leading to higher net costs for the Council. Therefore it was by one respondent that it is in the “...council's interests to subsidise this care heavily, and the correct move is for the council to rationalise the subsidy such that both those with Direct Payments / Individual Budgets also “...receive a subsidised care service”.</p>	<ul style="list-style-type: none"> • It was recognised during the consultation that this proposal is likely to have a significant impact on numbers attending day care and therefore on the viability of current care arrangements, increasing strain on carers and reducing the stability of services. • In addition the Joint Commissioning team will be reviewing day care contracts in the next year, to allow more personalised approaches. It is expected that this will change the models of provision and reduce costs. • A revised proposal is therefore suggested, increasing the costs over 2 years, with an increase to £22 in 2013/2014. This increases the maximum change by approximately 50% and to half to full current economic change for the service. • If the Council does not take forward these proposals other service reductions which are likely to have an impact on residents

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	would need to be considered or the Council would need to consider restricting social care services to those with the highest level of need.
1 respondent wrote: “I feel very strongly that disabled people and old age pensioners on a limited income should not be paying for care in the community. Compared to the cost of residential care, the Council are saving a great deal of money by having people looked after in the community. You should be looking after the vulnerable people in this City – they are the least able to object to your taking contributions for their care.	<ul style="list-style-type: none"> • If the Council does not take forward these proposals other service reductions which are likely to have an impact on residents would need to be considered or the Council would need to consider restricting social care services to those with the highest level of need.
1 respondent supported the City Council proposal to ensure carers support remains non-chargeable.	
<p>It was said that the proposed change to the policy to bring clarity to the charging of people with Direct Payments when it comes to paying for residential respite services they arrange for themselves, by charging them under the conditions set out in the non-residential charging policy, should not be to the detriment of service users.</p> <p>1 respondent wrote that they felt that if “... [people with Direct Payments] wish to negotiate with a care home more advantageous arrangements they should be permitted to do so.”</p>	<ul style="list-style-type: none"> • It was recognised during the consultation that for some individuals contributing under the non residential policy would be disadvantageous. It is therefore proposed to set up arrangements to inform the individual of the most advantageous approach at financial assessments. • Individuals with a Direct Payment can, as now, negotiate the rate for their service directly with the provider.
1 respondent felt that deep cleans should be non-chargeable.	<ul style="list-style-type: none"> • To have non chargeable services would impede the operation of Individual Budgets, given contributions in the future will be assessed on a sum of money not individual services.
On backdating charges to the date an individual’s income changes, 1 respondent wrote “I agree with the proviso that the council must make provision for such backdating to be applied in a tapered way to allow for persons to adjust their budgeting.”	<ul style="list-style-type: none"> • As at present the Council will enter into arrangements with individuals who have outstanding invoices to allow payment over a period of time.
2 respondents disagreed with the proposal about ensuring appropriate contributions	Noted. However this will require national consideration

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<p>from those who have been awarded compensation payments.</p> <p>1 respondent wrote that the Council should carry out further consultation and should account for both lump sum compensation, and payment of war pensions and their successor benefits (AFCS).</p> <p>They continued by writing that the “... guiding rule should in my view be whether the judicial or statutory body awarding the compensation anticipated that the compensation should be used for the funding of private or other care, and in the event that it did not the compensation should be disregarded at a 100% rate.”</p> <p>Another respondent wrote the following about his son’s compensation award: “I need to protect his capital to ensure that he has sufficient funds for his lifetime”.</p>	
<p>On developing clear pathways to debt management services and ending the practice of allowing debt to be taken into account in determining contributions, 1 respondent said that the “level of debt associated with an individual should be subtracted from their non-property assets and the residual assets used for assessment of charging purposes. In the event that there are no assets, the level of debt interest payments should be viewed as necessary expenditure.”</p>	<ul style="list-style-type: none"> • To treat some customers differently would be inequitable, would not meet national guidance and could lead to judicial challenge. • Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances for welfare reasons.
<p>1 respondent put forward an alternative approach to those set-out in the consultation. The respondent wrote: “I do realise that you need to find more money from somewhere, but perhaps service users could be charged for the time they actually receive, as opposed to the time they are allocated. That would be a much fairer system. The carers phone into their call centre when they arrive and phone in again when they leave, so the time they spend with a service user is monitored. At the weekend, the carers are overstretched and on average, my husband receives only half of his allocated time. I understand the carers problem, so make allowances for them having to rush. My concern is this. If all weekend work is being charged to the council by time</p>	<ul style="list-style-type: none"> • Given care is only offered to meet needs assessed as critical or substantial no provider should reduce the package of care without agreement from the individual and the Care Manager. Any reductions in care should be reported to the individual’s Care Manager.

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<p>allocated as opposed to time received, who is getting the financial benefit? Not the service users, not the carers. I'm sure you would save an awful lot of money if you only paid the agencies for the time service users received.</p>	
<p>Advocate Meetings</p>	
<p>The advocates thought that the Council should have considered co-producing the consultation with service users.</p>	<p>This is noted.</p>
<p>It was suggested that a “key message” from the charging policy proposed changes seems to be ‘if you save you will be asked to pay more for services.’ This could be a disincentive to younger people.</p>	<p>It has always been the case that the individual as well as the state is responsible for their care and support. This message is being reinforced by government policy.</p>
<p>The advocates asked officers to consider the long term impact of the proposed changes – i.e. if people feel they cannot afford services will they do without till they are in crisis and then need higher cost services such as residential care. This feels counter intuitive to prevention and health and well-being agenda.</p>	<ul style="list-style-type: none"> • The Council as a whole is committed to addressing the prevention and health and well being agendas through all of its services. • No one will ever be asked to pay more than they are assessed as being able to contribute. Contributions are be individually assessed and based on the individual’s income and expenditure. • Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances for welfare reasons. • If the Council does not take forward these proposals other service reductions which are likely to have an impact on residents would need to be considered or the Council would need to consider restricting social care services to those with the highest level of need.
<p>Will these proposals be a disincentive to individuals using social care leading to more use of informal and unregulated care and higher risk of abuse.</p>	<ul style="list-style-type: none"> • As more people make their own arrangements the Council is developing services such as the Care with Confidence website to signpost people to good quality services. • The Safeguarding Board is working to ensure the wider

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	<p>community is aware of safeguarding issues since “Safeguarding is Everybody’s Business” and the Council alone cannot ensure safety of vulnerable residents.</p> <ul style="list-style-type: none"> • The Safeguarding Board is also working to increase the ability of vulnerable individuals to keep themselves safe.
<p>This is hitting those with least. The Council should protect them and look for other ways to meet its financial challenges e.g. Council tax increases, take away single person’s allowance.</p>	<ul style="list-style-type: none"> • The Council is currently consulting on a range of cost cutting measures including changes to the Council Tax scheme which proposes the removal of the pensioners discount Despite this if the Council does not take forward these proposals other service reductions which are likely to have an impact on residents would need to be considered or the Council would need to consider restricting social care services to those with the highest level of need.
<p>In terms of carers’ services, it was said that there was a need for more clarity on when services will be charged for as part of package for cared for person and when they would be free to carers. Carers are not usually the direct recipients of services.</p> <p>It was felt to be a breach of carers Human Rights not to provide free respite care.</p> <p>It should be noted that if carers are asked to do more the care arrangements are more likely to collapse, which will impact on health as well as social care services.</p> <p>Also ageing carers who are relying on the income of the cared for person and who may reduce service provision as a result of these changes.</p>	<ul style="list-style-type: none"> • This proposal ratifies current charging process and mirrors many Councils policies. • Charging will continue depend on who is the direct recipient of the service since service users are also benefitting from the service they receive. • Advice has been received from legal services that the proposals being put forward are compliant with the Human Rights Act. • No one will ever be asked to pay more than they are assessed as being able to contribute. Contributions are be individually assessed and based on the individual’s income and expenditure. • Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances for welfare reasons. • If the Council does not take forward these proposals other service reductions which are likely to have an impact on residents

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	<p>would need to be considered or the Council would need to consider restricting social care services to those with the highest level of need.</p>
<p>On pay for both carers in a two carer package, it was said that this would prove to be inequitable. It was stated that Hampshire County Council withdrew the policy on basis of equity.</p>	<p>Legal advice suggests that since the policy is based on ability to pay and individual circumstances can be taken into account in exceptional cases there is unlikely to be an equity issue.</p>
<p>To take 100% Net Disposable Income was said to be a “draconian” measure. Although this leaves the individual with 25% over government minimum income levels it will impact on quality of life. The 25% above minimum income is used to meet expenditure most people would think is essential. The Equality Impact Assessment should take account of this.</p>	<ul style="list-style-type: none"> • The proposal increases the contribution from the net disposable income from 95% to 100%. The average increase as calculated in August 2012 was around £2.20 per week. • The proposal is in line with national guidance and leaves everyone with 25% over national minimum income levels. This was set in recognition of the fact that individuals in receipt of social care are likely to have additional expenditure related to their needs. • No one will ever be asked to pay more than they are assessed as being able to contribute. Contributions are be individually assessed and based on the individual’s income and expenditure. • Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances for welfare reasons. • If the Council does not take forward these proposals other service reductions which are likely to have an impact on residents would need to be considered or the Council would need to consider restricting social care services to those with the highest level of need.
<p>The advocates agreed those most affected by the proposed changes to rent allowance should be involved in discussing this.</p>	<p>A separate meeting has been held for those affected.</p>

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<p>The advocates were concerned that the proposed increases in contribution for those attending Day Care will mean less people using these services and therefore remove low level preventative support.</p>	<ul style="list-style-type: none"> • It was recognised during the consultation that this proposal is likely to have a significant impact on numbers attending day care and therefore on the viability of current care arrangements, increasing strain on carers and reducing the stability of services. • In addition the Joint Commissioning team will be reviewing day care contracts in the next year, to allow more personalised approaches. It is expected that this will change the models of provision and reduce costs. • A revised proposal is therefore suggested, increasing the costs over 2 years, with an increase to £22 in 2013/2014. This increases the maximum change by approximately 50% and to half to full current economic change for the service.
<p>The advocates wanted assurance that the Cumulative Impact of Benefit, Council Tax and Housing Benefit changes will be taken into account.</p> <p>They also wanted to know why there are two separate consultations on Council Tax and Charging when they could have a cumulative impact.</p>	<ul style="list-style-type: none"> • This is being considered and will inform final cumulative impact assessments and final proposals. • Consideration was given to one process but it was decided that the target groups were different and the information to be considered complex in both cases.
<p>The advocates wanted debt management support be offered external to Care Manager service.</p> <p>Southampton Centre for Independent Living (SCIL) have a proposal for debt management support service.</p>	<ul style="list-style-type: none"> • The Council financially supports a range of Advice and Information agencies including CAB and the in house Welfare Rights and Money Advice team. Work has already been undertaken to develop links between these services and the Financial Assessment and Benefits team. Care Managers sign post to advice services since they understand this is a specialist area of work. • The SCIL proposal will be fed into any future advice and information review.
<p>The advocates wanted clarity if Disability Related Expenses will remain.</p>	<p>These will remain as at present.</p>

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<p>Advocates were concerned that the Council limits choice to the types of provision available to people on Individual Budgets on the grounds of cost. This is against National guidance.</p>	<p>Recent legal cases have clarified that Councils have the right to consider their resources when meeting need. This involves setting “usual rates” (which will always be varied to meet individual circumstances if required) for the meeting of specific levels of need. This ensures equity and ensures the Council can manage demand.</p>
<p>People with Mental Health problems, who will pay more under the new policy, will need to be given additional support to understand this and to help them get used to the new payments. Simply sending them a letter will not be enough or appropriate.</p>	<p>This is noted and will be taken account of in the implementation plan if the proposals are accepted.</p>
<p>People with Mental Health problems are often blocked from receiving an Individual Budget by care managers. This is a cultural and training issue that the City Council needs to address.</p>	<p>All those with eligible social care needs are now offered an Individual Budget. This to be addressed separately.</p>
<p>People with Mental Health problems on average earn less and have less opportunity to earn higher wages. It might be equitable to consider different charging policies for different care groups.</p>	<ul style="list-style-type: none"> • To treat specific customer groups differently would be inequitable, would not meet national guidance and could lead to judicial challenge.
<p>People’s Panel</p>	
<p>The People's Panel recognised that the current Non-Residential Adult Social Care Charging Policy has inconsistencies that need addressing.</p>	
<p>The People’s Panel recognises that people who can 'truly' afford to do so should contribute towards the cost of their care</p>	
<p>However, the Panel believe that taking 100% of a service user's Net Disposable Income (NDI) is unfair when applied to people with severe learning disabilities or other severe long term conditions (including people in these groups in their later years/pensioners). This is because people needing social care, but who are able to work, can top-up their income giving them an opportunity to save towards purchasing items (such as</p>	<ul style="list-style-type: none"> • To treat specific customer groups differently would be inequitable, would not meet national guidance and could lead to judicial challenge. • No one will ever be asked to pay more than they are assessed as being able to contribute. Contributions are be individually assessed and based on the

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<p>specific disability related equipment) that they need to improve their quality of life. People with severe learning disabilities and severe long term conditions often cannot do this, yet they are treated in the same way. This means that they will be unable to save towards buying items that they need, and this may mean they go without or that a debt is incurred in purchasing these items. The Panel believes this to be an inequality of opportunity and that the City Council and their new contributions policy should take this into account. If the proposal goes through without this proviso then it will mean that 'the greater a service user's needs the less money they will have because of those needs'.</p>	<p>individual's income and expenditure.</p> <ul style="list-style-type: none"> • Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances for welfare reasons. • There is an ability to take disability related expenses into account in determining an individual's contribution.
<p>The Panel also proposes that the Council's new policy recognises Disability Living Allowance and Attendance Allowance as funds needed to support quality of life for the people in these groups</p>	<ul style="list-style-type: none"> • National guidance allows disability related benefits to be taken into account and the majority of Councils do so, given these benefits are awarded to meet the care needs of the individual.
<p>Following on from this, the Panel recognises that the Government sets a protected income guarantee of Income Support rate plus 25%. The 25% is meant to support any extra living costs over the amount the service user needs to cover their daily living costs. However, people with severe disabilities often have higher daily living costs. This means that the 25% is often used to pay for these higher costs leaving no 'additional' funds as would be the case for some other service user groups. The Panel believe that this was recognised in the past by the City Council and that is why the Council did not take 100% NDI. This was also seen as a reason for why a special allowance (badged as rent allowance) was given to some service users with severe learning disabilities. This meant that if the service user is living at home the 'rent allowance' was used to help pay towards these higher costs. The Panel proposes that this needs to be seen as another disability related inequality and that the Council should automatically take higher living costs for these groups into account as part</p>	<ul style="list-style-type: none"> • The proposal is in line with national guidance and leaves everyone with 25% over national minimum income levels. This was set in recognition of the fact that individuals in receipt of social care are likely to have additional expenditure related to their needs. • To treat specific customer groups differently by offering a rent allowance or assessing specific groups under different rules is inequitable, does not meet national guidance and could lead to judicial challenge. • No one will ever be asked to pay more than they are assessed as being able to contribute. Contributions are be individually assessed and based on the individual's income and expenditure. • Individual circumstances can be taken into account and the Council can waive or reduce charges in

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<p>of disability related expenses.</p> <p>The Panel also suggests that the Council look at Herefordshire's policy, because their adult social care charging policy allows the rent allowance for this reason.</p>	<p>exceptional circumstances for welfare reasons.</p> <ul style="list-style-type: none"> • There is no rational to applying a £40 rent allowance. The current weekly allowance takes account of day to day living expenses/board and lodgings costs. In addition parents who are on a low income and qualify for Housing Benefit are given an allowance of £11.45 per week Housing Benefit when the service user lives at home. This is currently allowed for when calculating the service user's contribution. • If the Council does not take forward these proposals other service reductions which are likely to have an impact on residents would need to be considered or the Council would need to consider restricting social care services to those with the highest level of need.
<p>The Panel believes that service users are often unaware of what can be counted as a disability related expense. There needs to be better information for users and representatives and there needs to be better communication from care managers.</p>	<p>This will be addressed in the implementation plan should the proposals be accepted.</p>
<p>The Panel does not oppose the Council phasing in increases to day care contributions for those who can truly afford to pay more. Phasing in the increase is good, because bringing in additional contributions too quickly is likely to mean people deciding to go without day care and carers not getting the respite they need.</p> <p>However, the Panel understands that some people will be asked to pay much more than they are now. The Panel proposes that the Council should identify those people who are going to pay the highest amounts and think carefully about how these changes are going to impact on them.</p> <p>Then the Council should consider whether</p>	<ul style="list-style-type: none"> • It was recognised during the consultation that this proposal is likely to have a significant impact on numbers attending day care and therefore on the viability of current care arrangements, increasing strain on carers and reducing the stability of services. • In addition the Joint Commissioning team will be reviewing day care contracts in the next year, to allow more personalised approaches. It is expected that this will change the models of provision and reduce costs. • A revised proposal is therefore suggested, increasing the costs over 2 years, with an increase to £22 in 2013/2014. This increases

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<p>to phase increases over 3 years rather than 2 years. This will give these people the time they need to adjust.</p>	<p>the maximum change by approximately 50% and to half to full current economic change for the service.</p> <ul style="list-style-type: none"> • Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances for welfare reasons. • If the Council does not take forward these proposals in a reasonable timescale other service reductions which are likely to have an impact on residents would need to be considered or the Council would need to consider restricting social care services to those with the highest level of need.
<p>The Council are also looking to maximise their income through charging more for home care. The Panel therefore suggest that the Council should consider phasing in charging where the cost of a care 'package' has significantly increased.</p>	<ul style="list-style-type: none"> • To set up a system which treats specific customer groups differently would be inequitable, would not meet national guidance and could lead to judicial challenge. • However individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances for welfare reasons.
<p>The Panel also highlighted a problem with the assessment, advice and information infrastructure for adult social care in the City. For instance, the way the various departments work and communicate with each other - i.e. the Financial Assessment of Benefits Team, Finance at the Council and Care Managers - needs to improve. For the policy changes to run smoothly all of these departments need to have a true understanding of a service user's needs when making the decision about how much support a service user requires, including being able to identify 'hard-to-see' or hidden expenses and to ensure these are written into the care plan.</p> <p>There is also an urgent need to improve brokerage services for those people who self-manage their Individual Budgets and for those people who will be self-funding because of the new capital limit (£23,250)</p>	<ul style="list-style-type: none"> • The service recognises that there is a need to review the process for assessing care needs and financial circumstances and plans are in place to do so in the near future. • The Joint Commissioning Team are working to put in place the supports individuals need to manage their own care e.g. the Care with Confidence website is in place, services to support those

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<p>The Panel acknowledged the important role of advocate organisations in the City and propose that the Council work closely with them to better co-ordinate the advice and information resources that they provide.</p> <p>Also, by getting the infrastructure right, this will release more care management time to concentrate on the growing number of complex care cases in the City.</p>	<p>using Direct Payments are being retendered.</p> <ul style="list-style-type: none"> • The Council will continue to work with advocacy organisations in this area. • It is recognised that as more people manage their own support there will be a need to review the Care Management service.
<p>Letters about the consultation were sent to service users when they should have been sent to their representatives. The Panel would like the Council to learn from this and put a way of working in place that will ensure this does not happen again in future consultations.</p>	<p>Where it was known that an individual had a financial appointee or had nominated a family carer to receive letters on their behalf the information was sent to those individuals. It is recognised there is a need to update care records to ensure this information is clear.</p>
<p>Extra Care</p>	
<p>The proposed cut-off point of £23,250 (after which users have to resolve their own care needs) is too low, but also needs to be sensitively handled.</p>	<ul style="list-style-type: none"> • The limit was set using the limits in the national policy for residential care charging. It is felt to set a different limit would be inequitable and confusing for service users. • The current process whereby individuals with over £23,250 who are entering residential care are given clear information about capital depletion and how to inform the Council of this will be extended to those managing their own non residential care if the proposals are accepted. • The Council will continue to have a duty to undertake an assessment of anyone who may have social care needs and to offer support in planning care to meet these needs. The change will be that the individual will commission the services directly. • Individuals who do not have capacity to manage their own arrangements and do not have family carers will continue to be supported in setting up their care by the Council. • The Council is setting up services to support individuals to be able to manage their own care

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	<p>arrangements (e.g. Care with Confidence website) and this will be available to those who have capital over the proposed limits.</p> <ul style="list-style-type: none"> • All care plans should detail how emergencies should be dealt with e.g. in the case of day care it is often the day care provider who arranges the alternative support in emergency. • Work will be undertaken throughout 2013/2014 to set up new arrangements with those individuals who would be affected who currently receive services.
<p>In Extra Care, there was concern that long-term residents may be charged for overnight cover, when they have been living there for some years, or where the need for overnight care may not yet be an issue.</p>	<ul style="list-style-type: none"> • Individuals usually make the decision to move to Extra Care to ensure they have help on hand should they need even if the need for care is not immediate. • It would be inequitable to charge only those who have a need for hands on overnight care when all tenants are benefitting from the service • To treat one group of customers who are receiving overnight support in extra care differently from those who receive the support in other tenancy types would be inequitable, would not meet national guidance and could lead to judicial challenge. • If the Council does not take forward these proposals other service reductions which are likely to have an impact on residents would need to be considered or the Council would need to consider restricting social care services to those with the highest level of need.
<p>Day Care</p>	
<p>The day care staff engaged users, but it was clear that those who expressed any ideas were of the belief that they did not fall into the group of people who are likely to be charged more. Therefore those users did not make any further comment.</p>	<ul style="list-style-type: none"> • It was recognised during the consultation that this proposal is likely to have a significant impact on numbers attending day care and therefore on the viability of current care arrangements, increasing strain on carers and

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<p>Day Care Providers expressed the opinion that to increase costs in a single year would lead to significant levels of withdrawal from services</p>	<p>reducing the stability of services.</p> <ul style="list-style-type: none"> • In addition the Joint Commissioning team will be reviewing day care contracts in the next year, to allow more personalised approaches. It is expected that this will change the models of provision and reduce costs. • A revised proposal is therefore suggested, increasing the costs over 2 years, with an increase to £22 in 2013/2014. This increases the maximum change by approximately 50% and to half to full current economic change for the service. • If the Council does not take forward these proposals other service reductions which are likely to have an impact on residents would need to be considered or the Council would need to consider restricting social care services to those with the highest level of need.
<p>Learning Disabilities</p>	
<p>There was a concern expressed by attendees of the rent allowance meeting that the proposed Charging Policy changes were a “foregone conclusion” and that the consultation was a tick-box exercise.</p>	<ul style="list-style-type: none"> • This is a political decision. The consultation responses will be fully reported to Cabinet to ensure they are taken account of in decision making.
<p>Taking 100% NDI was thought “grossly unfair” and people felt “cheated”. People with Learning Disabilities often have higher living costs. Therefore the protected income guarantee of Income Support rate plus 25% is often not enough to pay for these additional costs or leave enough disposable income to save. That is why there is a ‘rent allowance’ to help pay for these additional costs. This might warrant a legal challenge.</p> <p>These higher costs should also therefore be seen as Disability Related Expenditure and discounted from Net Disposable Income when calculating how much this person should pay.</p>	<ul style="list-style-type: none"> • The proposal is in line with national guidance and leaves everyone with 25% over national minimum income levels. This was set in recognition of the fact that individuals in receipt of social care are likely to have additional expenditure related to their needs. • To treat specific customer groups differently by offering a rent allowance or assessing specific groups under different rules would be inequitable, would not meet national guidance and could lead to judicial challenge. • There is no rationale to applying a £40 rent allowance. The current

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	<p>weekly allowance takes account of day to day living expenses. In addition parents who are on a low income and qualify for Housing Benefit are given an allowance of £11.45 per week Housing Benefit when the service user lives at home. This is currently allowed for when calculating the service user's contribution.</p> <ul style="list-style-type: none"> • If the Council does not take forward these proposals other service reductions which are likely to have an impact on residents would need to be considered or the Council would need to consider restricting social care services to those with the highest level of need.
The point was made the any NHS funding available does not cover the costs of a person with Learning Disabilities additional daily living expenses.	
<p>There was a need for clearer information about what can be counted as a Disability Related Expense and on the protocol guiding the Financial Assessment of Benefits Team when they conduct financial assessments.</p> <p>Also there is not enough information about which advocacy organisations to go to for independent financial advice and support.</p>	These issues will be addressed in the implementation plan should the proposals be accepted.
It was said that compensation awards should only be counted as chargeable income if the award was specifically to fund the provision of social care.	Noted.
There was support for the Council's proposal to top-up Independent Living Fund payments.	
There was a concern that changing the way respite care is charged for could create a new administrative burden.	The proposal will reduce the administrative burden as individuals will not require a financial reassessment each time they go into residential respite care.
There was a concern that key benefits designed to support wider quality of life are taken into account when deciding how much Net Disposable Income a person has. These benefits are therefore only spent on care provision.	National guidance allows disability benefits to be taken into account and the majority of Councils do so, given these benefits are awarded to meet the care needs of the individual.
They wanted the Council to confirm that if	Financial assessments take account of the

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<p>other benefit decrease will this mean that those people affected would have their care costs decrease accordingly.</p>	<p>individual's income and if this changes a further assessment would be undertaken.</p>
<p>They welcomed that the Council were able to present the proposed changes to the Charging Policy in a meeting, with a presentation and supported by expert speakers. It was felt that the letter and factsheet were overly complex and inadequate on their own – i.e. sensitivity is called for. Some of these letters were also sent to the users directly rather than to their representatives.</p>	<p>It is acknowledged that the changes are complex. For this reason a number of approaches were taken;</p> <ul style="list-style-type: none"> • When it was known that a financial appointee was acting for the individual or a carer had been nominated as the contact point letters were sent to them. • A helpline was set up to allow individuals to be given more information about the proposed changes. • Meetings were held with some groups who were specifically affected. • DVDs were produced targeted an older people in day services and individuals with a learning disability. • Where it was known that an individual had a financial appointee or had nominated a family carer to receive letters on their behalf the information was sent to those individuals. It is recognised there is a need to update care records to ensure this information is clear.
<p>Carers Meeting at Southampton Mencap</p>	
<p>Carers are concerned that their relative will have no spare income after charges are made – this will impact on leisure activities, holidays, etc. which are important for people's health and well-being.</p>	<p>The proposals leave individuals with income of 25% above government set minimum income levels.</p>
<p>Carers would like the opportunity to challenge decisions and would like support to do so</p>	<p>Anyone can ask that their financial assessment is reviewed if they do not feel it is fair. Carers can ask for support from Advice and Information or from Advocacy services which the Council funds.</p>
<p>Carers are concerned that their relatives will have to pay a significant amount of money if he/she is receiving a service for 5 days a week; transport/mileage will be an additional cost.</p>	<ul style="list-style-type: none"> • No one will ever be asked to pay more than they are assessed as being able to contribute. Contributions are be individually assessed and based on the individual's income and

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	<p>expenditure.</p> <ul style="list-style-type: none"> • Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances for welfare reasons. • There is an ability to take disability related expenses into account in determining an individual's contribution. • If the individual has disability benefits related to transport then it is expected this will be used to meet appropriate travel costs.
<p>How will the amount of money calculated for day services allow people to have more choice and control as to what they do during the day? This will restrict choice as it is not comparable to the market rate for private providers.</p>	<ul style="list-style-type: none"> • In recent court cases it has been shown that the Council can take its resources into account when meeting need .This involves setting a “usual rate” to meet specific levels of need (which will always be varied to meet individual circumstances if required).This ensures equity and ensures the Council can manage demand. As would happen in managing a household there is a need to budget and if more expensive services are to be used that the individual will either accept that they may have less hours in a service or find a way to reduce costs in other parts of their care plan.
<p>Unclear what the ‘cut off’ amount is before charging is imposed?</p>	<p>There is no specific cut off but the individual must have 25% over minimum income levels (which are different for different age groups) before they start to contribute towards the cost of their care.</p>
<p>Cost of living is increasing but income isn't and the charging is a concern.</p>	<p>Individuals will only ever contribute what they are assessed as being able to afford.</p>
<p>How will Carers Assessments help with this? Carers' needs should be considered especially when respite is needed for the carer. What forms part of the package to the cared for person and when are services free to carers as carers are not usually the direct recipients of services.</p>	<p>All carers have a right to a social care assessment. Any service directly provided to a carer would be free of charge. Any service directly provided to the service user would be chargeable since the service user also benefits from the service.</p>
<p>Carer questioned what the admin charge, referred to in the presentation, would be for?</p>	<p>This is for billing customers for their contribution and paying providers of care. However recent national guidance has</p>

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	indicated the Council cannot take this into account when setting their charges.
The impact of charging for the client and their families will not be known immediately so how will this be monitored to ensure people do not fall into the poverty trap; will debt advice be available to people with a learning disability?	<ul style="list-style-type: none"> • No one will ever be asked to pay more than they are assessed as being able to contribute. Contributions are be individually assessed and based on the individual's income and expenditure. • Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances for welfare reasons. • There is an ability to take disability related expenses into account in determining an individual's contribution. • One of the proposals is to ensure those requiring it to debt advice are offered it. The Council funds a number of agencies who provide this.
Many, including aging, carers rely more on the income of their relative and may reduce the service provision for their relative as a result of additional charges; support needed to help people in this situation.	If the individual is living in the same home as their carer then the allowance which is taken into account in the financial assessment allows for the board and lodging that would be expected to be paid.
Carers Lunch at Southampton Mencap	
Query on how a client's situation is reviewed in a case where they are originally assessed as being over the threshold for payment of services (£23,250) and in time this falls below the threshold?	Clear advice is given at the time of the assessment about when and how to alert the Council to the fact savings are depleting.
The introduction of PIP is likely to lead to a reduction in certain benefits and concerns were expressed as to how this will be reviewed so that agreed contributions are reduced.	The financial assessment is based on the actual income the individual receives so if this reduces another assessment will be required and it may be that the contribution towards care costs also reduces.
Some people are already paying for their day care without realising that a new financial assessment should take place when circumstances change, resulting in someone paying less.	Individuals can request a further financial assessment at any time.

Appendix 4 NRC Charging Policy Review – Consultation response

<p>Carers are generally confused by exactly which benefits will be taken into account, which elements of Disability Living Allowance (DLA) are counted, and how disposable income will be calculated in order to be assessed for a contribution to care.</p>	<p>There is a leaflet which gives full information on this. The Care Component of DLA is taken into account in the financial assessment (as it is given to meet care needs) but the mobility component is not.</p>
<p>There is an issue about proposed changes to council tax which will also impact on people with a learning disability. For some this will mean a double whammy for some people.</p>	<p>There has been a review of the potential impact of the Council Tax changes and the Proposals for Charging Policy changes and processes set up which can take account of hardship if the individual is doubly affected.</p>
<p>The current process requires that people in receipt of services should receive an annual assessment, the result of which could affect their current contributions, concerns that this isn't happening regularly.</p>	<p>There is a financial reassessment each year in April as at this time benefits and costs of care change. This is a paper exercise in most case individuals receive a letter in March letting them know of the revised assessment and how to contact the Council if they do not agree with it.</p>
<p>Concerns were raised about the stoppage of the £40 rent allowance. It is difficult for clients with a learning disability to understand that there is now a need for them to contribute to costs for the home.</p>	<p>If the individual is living in the same home as their carer then the allowance which is taken into account in the financial assessment allows for the board and lodging that would be expected to be paid. The £40 allowance was only offered to a small number of individuals and there was no rationale for this since board and lodgings are allowed for in the financial assessment and if an individual is paying rent this is allowed for at the actual amount.</p>
<p>Clarification is needed on what Disability Related Expenses (DRE) could be considered, to offset against disposable income.</p>	<p>There is an outline about DRE on the website. However this can only be a general guide since the point of DRE is to take individual circumstances into account whilst also continuing to ensure equity in the operation of the policy.</p>
<p>Concern about the level of support available to both the carers and clients once they are advised of their assessed contribution.</p>	<p>The implementation plan will involve meeting with customer groups who may need support to understand the changes.</p>
<p>Query on whether clients who receive funding for social and emotional support will be assessed as being required to pay a contribution.</p>	<p>This group of individuals should be contributing towards their costs now since the help they receive is really day care or domiciliary care. This will be addressed in the next year but is not part of the consultation on changes to the policy as</p>

Appendix 4 NRC Charging Policy Review – Consultation response

	the requirement to contribute for these services is already in place.
Concerns were expressed about the quality of life for clients with LD whose disposable income will no longer exist as a result of their assessed contributions.	<ul style="list-style-type: none"> • No one will ever be asked to pay more than they are assessed as being able to contribute. Contributions are be individually assessed and based on the individual's income and expenditure. • Individual circumstances can be taken into account and the Council can waive or reduce charges in exceptional circumstances for welfare reasons. • There is an ability to take disability related expenses into account in determining an individual's contribution. • The proposals leave individuals with 25% above government set minimum income levels.
How will individuals be able to afford to access leisure opportunities? It will be these non-essential 'fun' activities which people enjoy in their free time that they will be forced to sacrifice when they have less money available.	As is the case in the wider community the individual will have to consider how they use the remaining disposable income they have after they pay their assessed contribution. Social Care customers are left with more disposable income than others on benefits.
How will assessment amounts be applied; this is confusing at the moment as some areas of finance for clients are worked out on a 4 weekly basis and some are calendar monthly.	It is unfortunately the case the Direct Payments and customer contributions are worked out in different ways due to differing IT systems.

Non Residential Care Charging Policy - Consideration of cumulative impact of benefit changes and Non Residential Care Charging Policy

Support for Mortgage Interest

Temporary changes to the Support for Mortgage Interest Scheme which were due to come to an end in January 2012 have been extended until March 2015.

These include a reduced waiting period of 13 weeks and an increase in the eligible mortgage capital limit to £200,000 (£100,000 for those receiving Pension Credit).

Possible impact on social care users

- This could affect any individual receiving social care but numbers likely to be low.
- No impact on Non Residential Care (NRC) income.

Proposed Charging Policy Changes – Mitigating Action Required

- Mortgage rescue scheme in place. Financial Assessment and Benefits Team to promote this as required.
- No further action required. Actual costs of mortgage are taken into account in NRC financial assessment.

Local Housing Allowance (LHA)

LHA rates will be frozen for one year as part of the preparation for increasing these in line with the Consumer Price Index in April 2013.

Possible impact on social care users

- This could affect any individual receiving social care but it is not felt to be likely. Landlords are likely to keep rents in line with LHA.
- No impact on NRC income.

Proposed Charging Policy Changes – Mitigating Action Required

- No further action required. Actual rent payments are taken into account in the financial assessment.

Local Housing Allowance - Non Dependant Deductions

Non-dependant deductions are increasing. The table below shows the increase in non-dependant deductions from April 2012. Further increases in these deductions will be made in April 2013.

Age 18 - 65 and in remunerative work	Weekly deduction	Weekly deduction
Weekly gross income	HB	CTB
£316 - £393.99	£67.25	£8.25
£394 and over	£73.85	£9.90
£238 - £315.99	£59.05	£6.55
£183 - £237.99	£36.10	£6.55
£124 - £182.99	£26.25	£3.30
Less than £124	£11.45	£3.30
Age 25 and over, and: In receipt of Income Support or income based-Jobseekers Allowance or aged 18-65 and not in remunerative work	£11.45	£3.30

Possible impact on social care users

- This is likely to affect only a small number of social care users.
- However the NRC charging policy proposes to remove a rent allowance for a small group of individual living in family homes.
- Unlikely to impact on NRC income.

Proposed Charging Policy Changes – Mitigating Action Required

- No further action required. If the dependant is the service user and the tenant is the LHA claimant the non dependant deduction will apply but this is allowed for as a rent allowance in the social care financial assessment.
- If the social care service user is a tenant and a clamant of LHA there will not be a non dependant deduction if the individual is registered blind or in receipt of specific disability benefits.

Benefit Cap

There has been a recent announcement that this proposal has been delayed pending the outcome of pilot sites.

The cap will be set at £350 a week for single adults with no children and at £500 a week for couples (with or without children) and lone parents with dependent children.

Because this figure includes Housing Benefit this is most likely to affect those in higher rented properties / more expensive areas, as well as those with large families.

Some households who receive the following benefits will be exempt from the cap:

- Working Tax Credit.
- Disability Living Allowance (Personal Independence Payments from April 2013).
- Attendance Allowance.
- The support component of Employment & Support Allowance.
- Constant Attendance Allowance.
- Industrial Injuries Disablement Benefit.
- War Widows & War Widowers pension.

The cap will apply to the combined income from:

- The main income replacement benefits (Jobseeker's Allowance, Income Support, Employment & Support Allowance – unless in the support group).
- Housing Benefit.
- Child Benefit and Child Tax Credit.
- Carer's Allowance.
- Universal Credit (from April 2013).

The cap will initially be administered jointly by the DWP and local authorities and will reduce Housing Benefit until Universal Credit is in payment.

Possible impact on social care users

- Unlikely to affect many service users as most will receive disability benefits if under pension age.
- Unlikely to impact on NRC income.

Proposed Charging Policy Changes – Mitigating Action Required

No further action required. Actual income taken account of in financial assessment.

Direct Payment demonstration projects

A number of local authority and Housing Association partnerships are trialling changes to the way that Housing Benefit is paid in the social rented sector.

The project runs until June 2013 and will trial how tenants can manage Housing Benefit monthly payments to help prepare for the introduction of Universal Credit.

The projects will include:

- Payments to tenants as the default.
- Adopting the payment frequency envisaged under Universal Credit (monthly Payments in arrears).
- Safeguards to pay the landlord directly where a specified level of arrears accumulate.

Possible impact on social care users

- Could affect ability of some groups to access housing and could increase homelessness due to non payment of rent depending on definition of “vulnerability” clause which allows payment directly to landlord.
- Possible increased intentional homelessness in groups with social care needs which could increase numbers of cases where the service is required to meet emergency housing needs and costs.

Proposed Charging Policy Changes – Mitigating Action Required

No further action required.

Child Benefit

Child Benefit will be withdrawn gradually when one person in a household earns over £50,000.

The rate of withdrawal is 1 per cent of Child Benefit for every £100 earned over £50,000, resulting in total withdrawal when one person’s income exceeds £60,000.

Possible impact on social care users

- Unlikely to affect many service users.
- No impact on NRC income.

Proposed Charging Policy Changes – Mitigating Action Required

- No further action required. Child Benefit not included in NRC financial assessment and this proposal will only affect higher earning families.

Medical test to claim Disability Living Allowance

The Government is proposing to replace Disability Living Allowance (DLA) with a new benefit with stricter criteria and a new medical assessment.

The new benefit will be called the Personal Independence Payment (PIP) and will replace working age DLA from 2013-14.

The reform of DLA includes the following proposals:

- The Care Component is to be renamed the Daily Living Component and reduced from 3 rates to two rates.
- Claimants will need to satisfy the daily living and/or mobility activities test for 3 months prior to claiming and be likely to continue to satisfy this test for a period of at least 9 months after claiming.
- The medical assessment will take into account use of equipment.
- The Personal Independence Payment will not be paid to anyone living in a residential care home.

It is proposed that all claimants, existing and new will undergo a medical and that the award of the benefit will rely on points based scoring, similar to that used by Employment & Support Allowance.

Many claimants (Disability Alliance estimate 650,000 claimants nationally) will have reduced benefits or be removed from disability benefits which is likely to mean a significant reduction in income as associated increases in other benefits are also lost i.e. Pension Credit and Housing & Council Tax Benefit.

Possible impact on social care users

- Unknown but likely to affect a significant number of service users.
- May impact on NRC income.

Proposed Charging Policy Changes - Mitigating Action Required

- No further action at this time. Actual income taken account of in NRC assessment.
- Further assessment of income loss as assessments are commenced in the City.

Council Tax Benefit

The current Council Tax Benefits (CTB) system will end in April and will be replaced by a reduction scheme decided by the local authority.

The Council will consider 2 proposed schemes related to working age adults on 16th January. The first would result in a 25% reduction in CTB, the second an average 11.5% reduction.

10% Pensioner Council Tax Discount is currently awarded to all residents aged over 65 who are not in receipt of CTB.

Budget proposals include the removal of the 10% Pensioner Discount for pensioners who are not in receipt of CTB. The proposals would increase costs

to individuals by the amounts detailed below. For those in receipt of the Single Person Discount the increase in costs is less

Council Tax Band	Value of current 10% discount per annum	Value of 10% discount for those receiving single person discount
A	99.46	72.34
B	112.53	88.40
C	128.61	96.46
D	144.68	108.51
E	176.84	132.63
F	208.99	156.74
G	241.14	180.96
H	289.37	217.03

The cost increase will be mitigated for those with the lowest incomes since they will be able to claim Council Tax Benefit.

Possible impact on Social Care Users

- The numbers of social care users who are affected by the first proposed change and also receive social care are shown below. It should be noted that not all of these households may not be subject to an increase in their contributions towards the costs of their social care services and that in modelling the impact some households will feature in more than 1 group.
 - 83 households in receipt of Disability Premium. The average increase for all households receiving Disability Premium is £4.08 per week.
 - 198 households in receipt of Severe Disability Premium. The average increase for all households receiving Severe Disability Premium is £3.62 per week.
 - 13 households in receipt of Family Premium. The average increase for all households receiving Family Premium is £3.61 per week.
 - 3 households in paid employment. The average increase for all households receiving paid employment is £2.64 per week.
 - 72 households do not fall into a specific category. The average increase for these households is £3.71 per week.

In relation to those receiving Pensioner Discount.

A total of 1,375 individuals over 65 are currently contributing towards the costs of their NRC services. Assuming a need to offer an adjustment to contributions for all of these individuals the level of income loss would be in the range of £99,000 to £398,000. On the assumption that that half of the group would require charges to be reduced for welfare reasons and payment of Council Tax in the mid range band a loss of income of £150,000 has been allowed in the proposals.

Proposed Changes to Charging Policy – Mitigating Action Required

- In relation to those of working age where CTB will be reduced and social care costs increased it is proposed that the Discretionary Fund is used to support those in extreme hardship. This fund totals £200000 and would be accessed via a means tested approach which takes income and expenditure into account.
- In relation to those of pension age where pensioner discount is removed and social care costs are increased: Those on the lowest incomes are likely to qualify for CTB at the removal of the discount. In other situations it is proposed that as part of the social care assessment case by case consideration is given and if required charges for social care services are waived or reduced on welfare grounds. This has been taken into account in existing income from the proposed changes.

Changes in the social rented sector

From April 2013, working age tenants in the social rented sector will have their Housing Benefit restricted where they occupy property that is larger than their household size and structure would warrant.

The proposed change does not apply to pension-age claimants who may be living in accommodation that is bigger than they need.

The size criteria in the social rented sector will restrict Housing Benefit to allow for one bedroom for each person or couple living as part of the household, with the following exceptions:

- Children under 16 of same gender expected to share
- Children under 10 expected to share regardless of gender
- Disabled tenant or partner who needs non resident overnight carer will be allowed an extra bedroom.

All claimants who are deemed to have at least one spare bedroom will be affected. This includes:

- Separated parents who share the care of their children and who may have been allocated an extra bedroom to reflect this. Benefit rules mean that there must be a designated 'main carer' for children (who receives the extra benefit).
- Couples who use their 'spare' bedroom when recovering from an illness or operation.
- Foster carers because foster children are not counted as part of the household for benefit purposes.
- Parents whose children visit but are not part of the household
- Families with disabled children.
- Disabled people including people living in adapted or specially designed properties.

The cut will be a fixed percentage of the Housing Benefit eligible rent. This will be set at 14% for one extra bedroom and 25% for two or more extra bedrooms.

Possible impact on social care users

- This is unlikely to affect high numbers of social care users individuals.
- Unlikely to impact on NRC income.
- This could be a disincentive to applications to become Shared lives carers.
- Disabled people who live in adapted properties which are bigger than they need may be affected unless they can demonstrate they need the additional space to meet their needs.
- Potential increase in moves from adapted properties. This would increase OT assessments and increased demand on DFG and Social Housing adaptations budgets.

Proposed Charging Policy Change – Mitigating Action Required

- No further action. Charging Policy allows actual costs of rent.

Social Fund

Community Care Grants and Crisis Loans for general living expenses will be abolished from April 2013 and replaced with 'local welfare assistance'. These payments will be available to vulnerable people in need which will be administered by local authorities.

Budgeting loans will be replaced by a system of advance payments while someone is waiting for their normal benefit to be paid.

Possible impact on social care users

- Those moving on from homelessness/moving into own accommodation from supported accommodation will not have funds to set up tenancies
- Council wide consideration is being given to this.

Proposed Charging Policy Changes - Mitigating Action Required

- No further action related to current proposals.

Benefit Cap

The total household benefits of working age claimants will be capped at the level of the average take-home pay.

The cap will be set at £350 a week for single adults with no children and at £500 a week for couples (with or without children) and lone parents with dependant children.

It will not apply to people of pension age but in a couple, the cap will apply if only one is working and the other is of pension age.

Because this figure includes Housing Benefit this is most likely to affect those in higher rented properties / more expensive areas, as well as those with large families.

Some households who receive the following benefits will be exempt from the cap:

- Working Tax Credit.
- Disability Living Allowance (Personal Independence Payments from April 2013).
- Attendance Allowance.
- The support component of Employment & Support Allowance.
- Constant Attendance Allowance.
- Industrial Injuries Disablement Benefit.
- War Widows & War Widowers pension.

The cap will apply to the combined income from:

- The main income replacement benefits (Jobseeker's Allowance, Income Support, Employment & Support Allowance – unless in the support group).
- Housing Benefit.
- Child Benefit and Child Tax Credit.
- Carer's Allowance.
- Universal Credit (from April 2013).

The cap will initially be administered jointly by the DWP and local authorities and will reduce Housing Benefit until Universal Credit is in payment.

Possible impact on social care users

- This is unlikely to affect high numbers of service users given it does not apply to pensioners or those on disability benefits.
- Unlikely to impact on NRC income.

Proposed Changes to Charging Policy - Mitigating Action Required

- Case by case consideration of waive or reduction of charges for welfare reasons.

Universal Credit

Introduction of Universal Credit for all new claims which will replace all working age benefits including Housing Benefit into a single benefit.

The amount people will receive will depend on their level of income and other family circumstances. There will be a basic personal amount (similar to the current Jobseeker's Allowance) with additional amounts for disability, caring responsibilities, children and housing costs.

No out of work family will receive more than around £500 per week in total benefits. Single adult non-workers will receive a maximum of £350 per week.

Because this figure includes Housing Benefit this is most likely to affect those in higher rented properties / more expensive areas, as well as those with large families.

Existing benefit and Tax Credit claimants will be transferred to the new Universal Credit by October 2017.

Possible impact on social care users

- Unknown but unlikely to affect high numbers of service users.
- Unlikely to impact on NRC income.

Proposed Changes to Charging Policy- Mitigating Action Required

- No further action required. Actual income taken account of in NRC assessment.

Changes for people over state pension age

In October 2014 individuals over state pension age will receive help with their rent through a new element of Pension Credit called Housing Credit rather than claiming Housing Benefit. Housing Credit will also replace existing support for mortgage interest.

From October 2014 new claimants will claim Pension Credit with Housing Credit.

Existing Housing Benefit claimants over Pension Credit age (with or without Pension Credit) will be transferred to modified Pension Credit including Housing Credit between October 2014 and October 2017.

Pension Credit claimants will be able to opt to have their Housing Credit paid directly to their landlord.

Possible impact on social care users

- Although high numbers of social care users may be affected this will not affect their income.
- No impact on NRC income.

Proposed Changes to Charging Policy- Mitigating Action Required

Appendix 5 NRC Charging Policy Review – Benefit Changes and Charging Policy –
Cumulative Impact

- No further action required. Actual income taken account in NRC assessment.

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Appendix 6 NRC Charging Policy Review - Estimated levels of income -Summary Table
Table 1. Levels of income estimated from the Charging policy proposals that have a key financial impact.

	Total additional income £'s	No. of clients affected	Of which are full cost	Of which are currently in receipt of a charge for care	Of which are not currently in receipt of a charge for care	Total chargeable clients in receipt of the care type
1 Net Disposable Income	96,200	798	0	798	0	2,109
2 Day Care full cost rate	120,700	203	74	129	0	527
3 Two Carer packages	132,000	24	18	6	0	105
4 Extra Care, Live In, Sleep In, Waking nights	63,700	18	7	11	0	117
5 Rent Allowances	150,800	92	0	31	61	108
Total income estimated prior to additional provisions required	563,400					

Less provisions and commitments

Additional provision for bad debt

Waiving charges for clients in hardship not mitigating in any other way

Amount required to meet 12/13 saving proposal

Prudence - 5% Margin for error

Total saving available for submission 2013/14

(100,000)
 (150,000)
 (150,000)
 (28,000)
135,400

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DECISION-MAKER:	CABINET
SUBJECT:	POOLED BUDGETS FOR STRATEGIC INVESTMENT IN COMMUNITIES
DATE OF DECISION:	29 JANUARY 2013
REPORT OF:	CABINET MEMBER FOR COMMUNITIES
STATEMENT OF CONFIDENTIALITY	
None.	

BRIEF SUMMARY

Employment is recognised as having the greatest influence on wellbeing, economic and social outcomes. Southampton has a well established skills and employment partnership, Solent Skills Development Zone (SSDZ) which has evidence of strong outcomes in relation to apprenticeships, graduate retention, skills and employment progression for unemployed residents. A challenge, however, remains in terms of engaging and enabling those who are continually the furthest from the labour market to progress towards employment. This is often particularly the case for those who are Council or social housing tenants in Estate Regeneration and other priority geographical areas of the City, many of whom face multiple barriers through deprivation, health and psychological factors which prevent them from accessing or benefitting from mainstream employment support.

This report outlines a proposed strategic approach to pooling budgets from a range of agencies to support disengaged adults into work, and seeks approval for the Council to take the Lead Accountable Body role.

RECOMMENDATIONS:

- (i) To endorse the multi-agency strategic investment model.
- (ii) To accept, in accordance with Financial Procedure Rules, funding from external agencies, and act as Lead Accountable Body for the administration of the funds.
- (iii) To delegate authority to the Director of Environment and Economy, following consultation with the Leader, Head of Legal, HR and Democratic Services, to undertake such actions necessary to enable the successful delivery of the project.
- (iv) To approve, in accordance with Financial Procedure Rules and Procurement regulations, revenue expenditure on behalf of partner agencies of up to £2 million per annum for the project.
- (v) To approve that Southampton City Council will undertake all management, administration and reporting of the pooled fund, at a rate of 5% of the total budget. This will safeguard a post to administer the scheme.

REASONS FOR REPORT RECOMMENDATIONS

1. Officer delegation allows the Director to receive up to £125,000, however the value for this budget exceeds this amount, and a Cabinet approval is required.
2. Whilst there is a range of services available to support Southampton residents into work, those who are long term unemployed with multiple barriers need additional activities which are not currently provided or funded through other means.
3. Southampton City Council has compliant procurement frameworks for employment and skills support that can be used to call off services.
4. Residents experiencing multiple barriers to employment have a disproportionate impact on health, crime and social indicators. By pooling budgets across agencies, a greater impact is possible across a wider range of outcomes.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

5. (i) Not to pool budgets to strategically invest in communities: employment, welfare, health, crime and skills outcomes will not be maximised.
6. (ii) Not to act as Lead Accountable Body: existing employment and skills Procurement Frameworks will not be available, partners will not invest, resources will be lost and the life-chances of Southampton residents will not be improved.

DETAIL (Including consultation carried out)

7. Partnership approaches to employment and training based challenges in the City are working well. The existing SSDZ partnership has achieved successes in Southampton including 300 paid placements and apprenticeships through the Future Jobs Fund, collaboration across 90 local providers, college 'Sector Leads' for Sector-Based Work Academies and skills training delivery. Section 106 Employment and Skills Plans linked to major developments have led to the creation of 59 new apprenticeships, 352 supported jobs, 140 work experience placements for NEET young people and adults, 223 individuals on leadership and management courses and 191 employer- led curriculum activities in schools and colleges.
8. However, research has shown that, for over a decade 17,000-20,000 Southampton residents have been on out of work benefits, and this highlights that while the economy goes up and down, and unemployment changes accordingly, there is an underlying large population which is 'stuck' in unemployment, regardless of the economic cycle. Some 60% of Council tenants are in receipt of some form of benefit. There is a strong correlation between social housing, unemployment and multiple disadvantage. In addition to poverty, unemployment and low skills, priority areas are also affected by poor health, low educational attainment and crime.
9. Depression and anxiety are higher than previously assumed, with between 50- 70% of those on Incapacity Benefit (IB) and Employment Support Allowance (ESA) having mental health issues – DWP statistics from February 2012 suggest that in Southampton, this equates to more than

5,000 individuals. Work Programme Providers comment that they are often unable to place ESA claimants in employment. 50% of this cohort have been unemployed long term, over 5 years. Early DWP research nationally showed that the largest category of IB clients were facing mental health issues, as reinforced by The Marmot Review which emphasised the importance of psychological and social factors in addressing unemployment.

10. Wider agencies including Jobcentre Plus, Hampshire Probation Trust and Housing organisations have an interest in a strategic approach to pooling budgets to meet economic, education, health, crime and social aims. External skills and employment funding already held by the Authority may also be aligned. The strategic approach will enable partners to identify and specify outcome requirements for their client groups, to ensure that local delivery is co-ordinated and does not duplicate existing schemes, that procurement is compliant and there is a net gain in delivery through multiplying budgets.
11. Therefore, a Southampton Strategic Investment model is being developed to pool budgets across a number of agencies, including Jobcentre Plus, Hampshire Probation Trust and Skills Funding Agency, with Southampton City Council to be Lead Accountable Body. The objectives are to:
 - enable disadvantaged residents to receive learning and skills support leading to employment;
 - maximise the opportunity for residents to benefit from, and contribute to the economic growth of the City;
 - optimise the use of local partnership resources through joint investment;
 - reduce inequality and poverty by addressing economic inactivity;
 - contribute to economic and social objectives of the City and partner agencies;
 - ensure information and job finding resources are widely available and promoted;
 - enable relevant training to meet current and future demand;
 - underpin, and not duplicate established mainstream skills and employment provision to maximise outcomes; and
 - provide evidence of impact and value for money.
12. The following principles will guide the Strategic Investment Budget:
 - Provision will focus on services to enhance, not duplicate existing services, with an ultimate focus on employment as the indicator to impact on all other outcomes.
 - Delivery will be systematically planned and evaluated across geographical and community priorities.
 - Innovation, creativity and flexibility will be supported to maximise outcomes.
 - Support will be holistic across functional areas including health, learning, skills, employment, housing, families, financial.
 - Payment will be on evidence of outcomes.
 - Long term tracking will be incorporated, in recognition of the steps required by many individuals to achieve a positive outcome.

RESOURCE IMPLICATIONS

Capital/Revenue

13. Indicative budgets are given at Appendix 1. Whilst three year commitments will be sought, partners and the City Council may only be able to commit on an annual basis. Therefore, the budget will be fluid. Expenditure will only be committed on the basis of funds received.
14. The process will include the following stages:
 - Partners will identify their delivery priorities for specific groups, and their resource allocations, and confirm these to the City Council on an annual basis. The Council will manage a ring- fenced holding account on behalf of the partnership.
 - Partner and Council responsibilities and processes will be contained in a contract, and within a specification outlining the role of the Accountable Body.
 - Services will be procured through Southampton City Council's compliant Frameworks. Specific outcomes and groups will be apportioned as a percentage of the budget to the expressed requirements of each partner.
 - Payment will be on results against partners' allocation and outcomes profile. Any under allocation due to lower performance will be carried forward, across financial year if required.
15. Southampton City Council will undertake all management, administration and reporting, at a rate of 5% of the total budget. This will safeguard a post to administer the scheme. The budget will be subject to Southampton City Council Financial Management and Audit regulations.

Property/Other

16. N/A

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

17. Section 1 of the Localism Act 2011 permits a Council to do anything that an individual may do whether or not normally undertaken by a local authority (the General Power of Competence). The power is subject to any pre or post commencement restrictions on the use of power (none of which apply in this case)

Other Legal Implications:

18. Agreements will be drafted between partners and Southampton City Council. Procurement for services will be undertaken through the Councils Employment and Skills frameworks.
19. The Strategic Investment Budget will be overseen by a Board comprising membership of all participating partners. Quarterly Board meetings will oversee the allocation, monitoring and evaluation of the programme. Full governance will be agreed with the input of Legal Services.

POLICY FRAMEWORK IMPLICATIONS

20. The programme will compliment and add value to existing funded activity, including Families Matter, NEET, Work Programme and EU projects.

21. The proposals contained in this report are in accordance with the appropriate Policy Framework Plans of the City Council.

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	E-mail:	denise.edghill@southampton.gov.uk		

KEY DECISION Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

Appendices

1.	Indicative Pooled Budget
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Documents In Members' Rooms

1.	None
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Equality Impact Assessment

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

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

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None	
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Agenda Item 10

Appendix 1

Strategic Investment Budget			
(Indicative Pooled Financial Profile Subject to Confirmation)			
	2012/13 £	2013/14 £	2014/15 £
Southampton City Council			
Skills and Economy		90,000	90,000
Community Learning		150,000	150,000
Social Care	Tbc	Tbc	Tbc
Jobcentre Plus	100,000	300,000	300,000
Hampshire Probation Trust	25,000	30,000	30,000
Registered Social Landlords		Tbc	Tbc
Developer Contribution		90,000	90,000
Health	Tbc	Tbc	Tbc
Hampshire Police	Tbc	Tbc	Tbc
European Union	Tbc	Tbc	Tbc
TOTAL	125,000	660,000	660,000
Management and Administration (5%)	6,250	33,000	33,000

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DECISION-MAKER:	CABINET		
SUBJECT:	THE CITY OF SOUTHAMPTON (ITCHEN BRIDGE TOLLS) ORDER 2012		
DATE OF DECISION:	29 JANUARY 2013		
REPORT OF:	CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Adrian Richardson	Tel: 023 8083 3528
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STATEMENT OF CONFIDENTIALITY			
Not applicable			

BRIEF SUMMARY

Cabinet is asked to consider the objections to The City of Southampton (Itchen Bridge Tolls) Order 2012 and to determine whether or not to proceed with the proposals as set out in Appendix 2. The requirement to review and update the Tolls Order follows the introduction of the new scheme previously approved by Cabinet allowing automation of the bridge tolls and the use of the Southampton Smartcard to pay for the tolls. The Order and some of the definitions have been altered. Whilst there is delegated authority for these matters to be decided by officers, it has been deemed appropriate for the issues to be considered by Cabinet.

RECOMMENDATIONS:

- (i) To consider the objections to 'The City of Southampton (Itchen Bridge Tolls) Order 2012' and determine whether or not to approve the Order as set out in Appendix 2.

REASONS FOR REPORT RECOMMENDATIONS

1. To fulfil the Council's obligation to consult upon proposals and consider objections prior to any decision to amend the Tolls Order.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. The original business case for changes to the collection of tolls included options for doing nothing, removing the toll and allowing free passage when volumes are low. As none of these options would address the need to significantly reduce operating costs, control traffic flows and provide bridge users with more modern payment options they have been rejected.

DETAIL (Including consultation carried out)

3. Cabinet approved on the 20 December 2010 the implementation of an automated toll collection service for Itchen Bridge. This approval included the delegation of authority to take any necessary action and make changes to the relevant Toll Orders made under the Hampshire Act 1983 (including determination of objections following advertisement of proposed changes).

4. Subsequently, the contract for implementing the new system has been let and these works are well advanced with the system undergoing final testing. The new toll collection arrangements change the vehicle categorisation from gross vehicle weight to vehicle height above the front axle. This system of measurement is common to other toll collection arrangements in the UK. In addition, a Smartcities card option is being introduced as an additional form of payment for crossings and as a replacement for the current token system which allows access to concessions.
5. A consequence of these new arrangements is the requirement to consult on the corresponding changes to the Toll Order. An advertisement was published on Monday 29 October 2012 and by the end of the 28 day consultation period a total of four objections had been received which have been set out in full in Appendix 1.
6. In summary, the objections received following the advertisement of the revised Toll Order relate to the following matters:-
 - Wording of the Toll Order in relation to 'Disabled Drivers'.
 - Uncertainty over the arrangements for drivers with upper arm impairments/arm amputees.
 - Increased queues, pollution and potential adverse impact upon emergency vehicles.
 - Decreased service.
 - No decrease in toll fees to reflect staff reductions.
 - No change provided.
 - Limiting payment options.
 - Continued charging of a peak rate.
 - Discrimination between people living inside and outside the catchment area.
7. Many of these objections do not relate directly to the proposed changes to the Toll Order and are objections to a combination of the principle of automating the toll collections and the delays to traffic flows which have occurred during the implementation period. It is acknowledged that whilst there have been issues relating to the introduction of the new technology, once the technical refinements have been implemented and the public become familiar with the new system it is anticipated that transaction times will be no greater than current manual collection levels.

The first of these objections relates directly to the proposed Toll Order and is being addressed with revised wording, and the second objection has been addressed through confirmation of the management arrangements for the new system.

Although the remaining objections do not relate directly to the changes to the Toll Order, responses have been set out below and in greater detail in Appendix 1.
8. The new system has been designed to deliver transactions that are no longer than the current average levels so once the public become used to the new arrangements there should be no significant impacts upon journey times.

In terms of convenience the introduction of the Smartcities card provides a cash free form of payment whereby the smartcard can be applied for and topped up on line. Where drivers do not have access to online facilities, applications and payments can be made at various Council offices. The Smartcities card will be used by residents to access concessions and replace the less efficient token system. For non residents the Smartcities card provides a convenient form of payment. It is anticipated that the vast majority of drivers will choose to use this form of payment.

9. The provision for issuing change when coins are used had been considered as part of the overall business case for the project, however, the additional equipment costs, maintenance costs and delays to traffic flows made this option unviable. The Smartcities card promotes the convenience of cash free payments which is already being adopted by many organisations in a wide variety of applications. Advance road signing will be put in place informing drivers that no change will be provided and drivers who do not have the exact change will be able to overpay if they choose to on the understanding that no change will be provided.
10. A peak rate charge is not applied to reflect the need for higher staffing levels but is levied as part of the measures to regulate traffic flows as set out in the Hampshire Act. This Act sets out the principle that the bridge was constructed for the benefit of the local community and not as a commuter route. The higher rate is applied to reduce traffic flows through the area at peak times for the convenience of the local community.
11. The reference to discrimination between residents living inside or outside the catchment area relates to the provision of concessions for residents in the City. The Council has chosen to provide a local concession as permitted under the Hampshire Act as it reinforces the principle that the bridge had been constructed as infrastructure for local benefit. As the provision of a local concession is specifically provided by statute and does not amount to unlawful discrimination.
12. In addition to the formal objections set out above, a number of representations have been received from representatives of the taxi trade, particularly in relation to those who operate vehicles adapted for disabled use which may attract a higher toll under the proposed Order. Taking into account the need to ensure that disabled users are not disadvantaged in accessing the bridge and the valuable public transport service provided by taxis to the communities local to the bridge, it has been agreed to amend the proposed Order to include licensed taxis within the class of commercial vehicles which may apply for a concessionary toll (to ensure that no taxi, regardless of size, pays more than the maximum peak fare for a Class 2 vehicle).

RESOURCE IMPLICATIONS

Capital/Revenue

13. There are no direct capital implications and in revenue terms the changes to the toll category have been set to be cost neutral. Due to the introduction of Smartcities cards as a payment option and the easier access this may provide for residents to concessions when compared to tokens, it is possible that revenue levels could be affected. As an example a 50% increase in the

number of crossings receiving a concession would result in a reduction in income to the order of £100,000 over 12 months. There are several other factors that could result in increases or decreases in the revenue levels and the overall situation will be kept under review.

Property/Other

14. There are no property implications.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

15. The operation of the Itchen Bridge is subject to the provisions of the Hampshire Act 1983. Section 18 of that Act empowers the Council to maintain, alter and renew the bridge, section 19 permits the construction of temporary and permanent subsidiary works, s20 permits the provision of toll collection facilities (including updating or changing those facilities as necessary). Section 22 permits the Council to charge and collect tolls for any class of traffic (defined in accordance with the prevailing Traffic Acts) excluding pedestrians and to agree concessionary tolls for certain specified purposes and section 27 empowers the Council to determine how and when tolls are to be paid. This provision is discretionary and it is therefore possible for the Council to introduce such methods of collection as it sees fit, including cash, prepaid token, electronic payments, invoicing after travel etc. The current Tolls Order (which sets the level of tolls charged under section 22 and the methods of payment provided for under section 27 of the Act) is being updated to reflect new technologies, methods of permitted payment to be introduced upon automation and any permitted changes to classes of vehicle necessary to give effect to automation. Such changes will require notice to be given to the public and consideration of any objections before any changes to the Toll Order may be introduced.

Other Legal Implications:

16. In making changes to the tolls on the bridge, the Council has had regard to its duties under the Crime and Disorder Act 1998, the Human Rights Act 1998 and the Equalities Act 2010.

POLICY FRAMEWORK IMPLICATIONS

17. The proposed Tolls Order is consistent with and not contrary to the Council's Local Transport Plan.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

Appendices

1.	Toll Order Objections and Officer Responses
2.	The City of Southampton (Itchen Bridge Tolls) Order 2012

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

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

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

Title of Background Paper(s)

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

1.	None	
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Itchen Bridge Toll Automation

Objections/Complaints about the proposed Order and Responses

Ref	Objection/Complaint	Response/Response to be sent
1.	<p>I refer to the above Order on behalf of Southampton Action for Access (SAFA). May we respectfully draw your attention to the wording in Section 3 (under the Maximum Tolls) i.e. Note "that disabled drivers, in able, to gain a disabled discount must have a SCC Disabled Concession Smart Card". SAFA feels that 'Disabled Drivers', should read Eligible Disabled Persons will need to be in receipt of the Higher Rate of the Mobility component of Disability Living Allowance and provide a photocopy of both sides of their Blue Badge. Also, may we enquire what arrangements / facility will be in place for drivers with upper arm impairments / arm amputees, in order for the barrier to operate? We are aware that machinery is available, which automatically links the driver to a toll operative, if that fail to insert a smart card or cash within 30 seconds. We look forward to your response in due course.</p>	<p>Disabled driver' in the Order will read Disabled person on the higher rate of the mobility component of the Disability Living Allowance. Drivers with upper arm impairments/arm amputees the arrangements will be a accommodated through the system of monitoring operated by supervisory staff present in the toll plaza building incorporating a list of registration numbers for disabled drivers.</p>
2.	<p>I would like to raise my objections to the proposed automation of the Itchen Bridge. I commute from Bursledon to Southampton and usually leave at 09:15. The roads are usually very quiet at this time of the morning. 95% of the time I never have to queue. If I do, then it's just after the mini roundabout (just before the toll itself) and takes about 2mins to pay and continue over the bridge. This morning, 22 November 2012, I left at the usual time and there was a queue which extended from the Itchen Bridge to the strawberry fields, at the far end of Portsmouth Road! That would be a queue over a mile long! I have never seen this even when I've left a little earlier and is completely unacceptable! I left for work at the same time yesterday and there was no queue until I reached the toll bridge itself! Due to this extended traffic I was 30mins late for work. I would have hated to see the queue from 08:00 onwards. It probably extended to the Tesco Roundabout in Bursledon! What happens when an Ambulance, Fire Engine or Police vehicle needs to get, speedily, from Portsmouth Road, over the Itchen Bridge or vice versa? With a tailback of that length (and the oncoming traffic in the opposite lane) they will find it nigh on impossible, to navigate through the traffic. This is an important reason why I think your proposal needs to be scrapped. You could potentially be costing lives just so you can save money. The machines do not give change...What kind of "service" is that? What happens when someone puts a 50p coin in the machine and it doesn't read the weight or features correctly? If you don't have any other coins then I guess you're stuck there? I can see that the agenda is to get commuters to obtain smart cards to make it easier to get through the toll. I don't believe that the public should have to go out of their way to fit in with your proposals. This is not in keeping with a Treating Customers Fairly ethos. You should design your proposals in such a way that it does not inconvenience us. If the toll booths aren't manned then surely you can bring the extortionate prices down as there are less salaries to pay? Or you could, in the very least, have no charge during peak hours so the traffic can move through unhindered. You now have no justification in fleecing people as machines are cheaper to maintain. I would assume that you have decided to automate the bridge to cut costs, increase efficiency & decrease congestion. So far you have achieved the polar opposite and have done a sterling job of that! To summarise, these are the reasons I want to, vehemently, object to your proposal:</p> <ul style="list-style-type: none"> • Massive increase in queues! • Decreased service • Decreased efficiency • Increased frustration • Increased pollution • Health & Safety • No change given • Price is not decreasing even though booths will be unmanned • Limiting payment options 	<p>There have been minor difficulties with the new system which are being resolved and at times processing payments has increased whilst drivers become familiar with the new arrangements. However the council is confident that once the new automated toll collection is fully implemented it will operate as quickly as the original manual collection system. The council is endeavouring to provide a system that balances speed and ease of use with the minimisation of overall costs. The operational arrangements will be very closely monitored over the next few weeks and the system will be refined to address any remaining issues. The Smartcities card provides a more convenient alternative to the current payment arrangements and the whole process from applying for a card to topping up with credit can be completed online via the website available at the link below. With regard to the comment about Treating Customers Fairly ethos, the council has simply replaced the present token system which had to be obtained by those qualifying for a concession with an alternative method of payment and receipt of concession by way of the Smartcities card. http://www.southampton.gov.uk/living/smartcities/default.aspx The cards are being issued with no charge and it enables users to access their accounts, check the balance and top up online providing a more efficient arrangement for all parties. In addition the toll collection equipment will provide a reminder at the roadside when the balance gets low to remind users to top up the account. Levying a toll flows from the enabling Hampshire Act 1983 which sets out the requirement to invest in the ongoing maintenance of the structure and to control local traffic flows and to preserve the character and amenities of the area. Without the toll in place traffic flows would increase significantly leading to adverse impacts upon the local community. Once the system has been fully automated staff will continue to be on hand monitoring the automated system from the adjacent toll plaza enabling them to deal quickly with any unexpected or unusual events. In relation to emergency vehicles once automation is completed the bus lane adjacent to the toll plaza will continue to be used for emergency use. This arrangement has been agreed with the emergency services as a suitable arrangement post automation. .</p>

<p>3. I have used the Itchen Bridge for over twenty years and everyday for the last year, I fully object as to why should we pay for a peak service when the toll is now automated. I understand why you have charged a peak rate for the extra staff during the peak hours but surely your cost have now reduced as this must have been your highest overhead. Also I still don't understand why you discriminate between people who live in a catchment area and people who do not.</p>	<p>The toll charges are not directly related to the level of staffing required to collect the tolls but are levied to fund bridge maintenance and assist in the regulation of traffic flows in the area as permitted under the enabling Hampshire Act 1983. This Act sets out the principle that the bridge was constructed for the benefit of the local community and not as a commuter route. Consequently it enables concessions to be offered that would assist the disabled or elderly, establishment of industry or commerce and where the traffic is of a local character.</p>
<p>4. If I have sent this to the wrong person, I apologise and I will be grateful if you will tell me who I need to resend this too. I have just discovered that the new Itchen Bridge toll system will not give any change to users. I regularly use the bridge (twice per day) and I am lucky enough to be eligible to use tokens. There have been times when I have run out of tokens as our local shop cannot supply enough. This means that I have to use cash and I have ALWAYS been given my change! I cannot believe in this day and age that our council, can even consider putting in a system which will take money from people in a way which I consider to be unjust. I am sure you would agree that if you visited a shop to purchase an item, you would EXPECT to be given your change or you would soon complain and in fact if they refused as there was a sign outside saying "no change given" you would shop elsewhere. As you will appreciate, we cant "go elsewhere" to get across the bridge except go around the long way adding to congestion and putting more pollution into the Southampton air. I have to say, I am sorely disappointed by this and think it is absolutely disgusting that the council are allowed to do this, not only to its residents who also pay their council tax, but also to visitors to our "rip off city." How will this look when visitors go and tell their friends about this? I have used the bridge for many years and I remember the council saying "when this was paid for, it would be free," I guess this must either be the worlds most expensive bridge or someone has changed their minds. Whilst I appreciate that the bridge will generate a lot of much needed income into the city, I still find it hard to believe that this is even legal. I will be grateful if you will confirm if this actually is legal not to give change. I have been across the Severn Bridge and received my change, the M6 Toll road and received my change and I have been across the Forth Bridge which was free! I hope you will be able to give me some genuine reasons why my council have decided to do this. I look forward to your response</p> <p>Many thanks for your detailed response to my queries regarding the toll bridge.</p> <p>I do understand that the climate we are in is difficult and we all need to save money (like I need my change when I pay for goods or services) but I still feel very strongly that I should be given my change as money is tight for me too. I have had a look at the Smart Cities Site and I note that I can top up on line, or at Gateway or Peartree/Sholing Housing Office. As I am concerned about using my credit card on line and the local housing office is not open outside my working hours (I work 7:30am – 4:00pm weekdays) and I do not visit the city centre as the car parking charges are unaffordable, please tell me how else you are going to make provision for me to use this service. I currently use bridge tokens as I use the bridge most days to get to and from work (I get my tokens from my local shop, which helps me to support local traders). I am sorry that I do not agree with you that the bridge will flow more quickly as many people like me, will be angry that if they do not have the correct money they will not get change. This WILL cause delays and also make people irate! What will happen when a visitor to the city who may be unaware that they cannot receive any change? I am sure they will not be happy and after contacting citizens advice over this matter, they are suggesting that people may be able to contest the lack of change with the toll collectors. If this happens, will this not put even more pressure on the council services? I still would like to know if what you are choosing to do is legal and I will be grateful if you will point me in the direction to find this information out (is there some legislation which states that a council is allowed to take money without giving change for a service). As you have said "the continued application of the tolls and the enabling Act states that the toll is to be used for the maintenance of the bridge, to avoid causing traffic congestion and to preserve the character and amenities of the area. In these respects if the toll was removed it is likely that apart from the impacts of the loss of income the route would be used by far more non local vehicles from cars though to heavy goods vehicles. The additional traffic flows would cause significant congestion with associated adverse impact upon the local area,"</p>	<p>The automation of the toll collections is being introduced to provide a more efficient and convenient collection system including the introduction of a new Smartcities card Itchen Bridge application. This application will enable bridge users to apply and top up the card on-line and then simply present the card at the toll bridge where the crossing fee will be deducted from the account. Alternative arrangements will be in place for people not having access to the internet. This form of payment arrangement removes the need for customers to pay with cash and as it enables access to the concession arrangements will be more convenient than the existing token system it replaces. It is anticipated that the majority of the bridge users will choose to take up the option of using a Smartcities card to pay the toll. The link below will take you to the Smartcities card web page where further details are available about all of the new arrangements. http://www.southampton.gov.uk/living/smartcities/default.aspx Payment by cash will still be available at the bridge however from an operational perspective the provision of change introduces higher equipment purchase and maintenance costs and cash handling costs. The extra time it would take to provide change could introduce traffic delays at an unacceptable level particularly at peak times. To assist the public with the new arrangements the changes are being introduced incrementally over the next few months and staff will continue to be hand to deal with any individual problems. The enabling Act states that the toll is to be used for the maintenance of the bridge, to avoid causing traffic congestion and to preserve the character and amenities of the area. In these respects if the toll was removed it is likely that apart from the impacts of the loss of income the route would be used by far more non local vehicles from cars though to heavy goods vehicles. The additional traffic flows would cause significant congestion with associated adverse impact upon the local area.</p> <p>By introducing the new arrangement the council is endeavouring to provide a system that balances ease of use with the minimisation of overall costs. The introduction of the Smartcities card provides a more convenient payment arrangement removing completely the need to pay with cash at the roadside. The testing of the new collection system has started and the initial results in terms of transaction times for cash payments are certainly lower than those of the manual toll collection arrangements. Testing will continue for several weeks and we anticipate that the average transaction time for all forms of payment will be lower than the existing levels. As with any new arrangement we appreciate it requires time for all users to become familiar with the new system and this is why the staff will continue to be on hand to assist for the next few months. The matter of not providing change has been given due consideration and does not conflict with any legal obligations . The fact that the system does not provide change will be clearly displayed at the point of payment in a similar manner to the arrangements operating in car parks. In terms of the online payment system the council has to meet the highest standards for this service and is audited to ensure the level of performance is maintained. The council do not store any of the card details and all data in encrypted with the council handling thousands of transactions on an ongoing basis. Once the Smartcities card system is available to the public and as an alternative to payment on line or at one of the council offices you will be able to pay over the phone by contacting Cash Office. The cash office in Gateway is open Monday, Tuesday and Thursday 8.30am - 4.30pm, Wednesday 9.30am - 4.30pm, Friday 8.30am - 4pm. The number to call for the Cash Office is 023 8083 2654 and the link below provides useful information as well. http://www.southampton.gov.uk/customer-service/gateway.aspx The toll acts as a control mechanism on vehicle movements and therefore there is no direct correlation with the expenditure on the bridge maintenance. The blue street lights have been installed through a 25 year street lighting contract replacing lighting columns across the city and not directly from the collection of tolls.</p>

	<p>does this mean that ALL money raised goes solely for the maintenance of the bridge and running costs? If this is the case, where can I find out how much income has been raised over the last 5 years and the expenditure for repairs and would this also include "the cost of the pretty blue lights" which cost a fortune in a time when the council was making staff redundant and bins were not being emptied due to the council having "no money?" I will be watching developments very closely and I am sure I may wish to contact you again for further information; I hope this will be ok but I look forward to your reply and the answers to my questions.</p>	

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THE CITY OF SOUTHAMPTON (ITCHEN BRIDGE TOLLS) ORDER 2013

Southampton City Council (hereinafter called “the Council”), pursuant to Sections 22 and 29 of the Hampshire Act 1983 (hereinafter referred to as “the Act”) and of all other enabling powers, hereby makes the following Order:

1 COMMENCEMENT AND CITATION

This Order shall come into operation on 2013 and may be cited as the City of Southampton (Itchen Bridge Tolls) Order 2013.

2 INTERPRETATION

In this Order, except where the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them.

“Affected Vehicle” means a vehicle owned by a local commercial concern which is ordinarily operated from premises which are in the Concessionary Zone.

“Concession” means a reduction on the maximum toll fee as defined in Article 4 to this Order.

“Concessionary Zone” means the zone described in Schedule 3 to this Order.

“Disabled Persons' Concession” means a person who is in receipt of either:-

- (i) the higher rate of the mobility component of the disability living allowance in accordance with section 73 of the Social Security Contributions and Benefits Act 1992; or
- (ii) a mobility supplement under article 26A of the Naval, Military and Air Forces etc (Disablement and Death) Service Pensions Order 1983, including such a supplement by virtue of any scheme or order under article 25A of the Personal Injuries (Civilians) Scheme 1983.

and who has applied for and being issued with a SCC Disabled Concession Smartcard.

“Local Commercial Concern” means a person (including a body corporate) or partnership carrying on a trade or business from or at premises within the Concessionary Zone or a Hackney Carriage or Private Hire vehicle licensed by Southampton City Council.

“Motor Car” means a mechanically propelled Vehicle, not being a motorcycle as detailed in schedule 1.

“Motor Cycle” means a mechanically propelled bicycle, motor assisted pedal cycle, or motor scooter, in each case with or without a sidecar attached.

“Non Resident” means a person (not being a body corporate) whose usual place of abode is at premises outside the City of Southampton

“Peak Periods” means the periods between 07:00 and 09:30 hours and between 16:00 and 18:30 hours on the days Monday to Friday in every week, other than Bank or Public holidays.

“Resident” means a person (not being a body corporate), whose usual place of abode is at premises within the City of Southampton.

“Smart Card” means a card issued by or on behalf of Southampton City Council for use at The Bridge for the purposes of this Order.

“The Bridge” means the bridge as defined in the Act.

“Towing” means towing or propelling and similar expressions shall be construed accordingly; and for the avoidance of doubt it is declared that a trailer attached to a vehicle by means of a partial superimposition shall be treated as being towed; and

“Vehicle” shall include trailer.

2A Any reference in this Order to any enactment shall be construed as a reference to that enactment as amended by, or pursuant to the provisions of any subsequent enactment.

2B A trailer, or trailers towed by a vehicle, shall be treated with the vehicle as one composite vehicle; and the class of traffic, to which such composite vehicle belongs, shall be determined by the height of first axle of the Vehicle at the time of first crossing the Bridge.

3 MAXIMUM TOLLS

(i) In respect of traffic passing over the Bridge, of each respective class specified in Schedule 1 to this Order, the Council may take and recover by cash, Smart Card or other means decided by Southampton City Council, tolls not exceeding those specified for the relevant periods and classes of traffic in Schedule 2 to this Order.

4 CONCESSIONARY TOLLS

(i) Residents are eligible to receive the Residents Concession from the tolls on class 2 vehicles only.

(ii) Local Commercial Concerns are eligible to receive the Commercial Concession from the tolls on vehicles on class 2, 3 and 4.

(iii) All other bridge users are not eligible for any concession.

(iv) To receive the concessionary toll, users must present the relevant Smart Card and pay using the card, where appropriate at time of crossing. No retrospective concessions can be claimed.

5 ISSUE OF RESIDENTS SMART CARDS

(i) A Resident may apply to the Council for the issue of a Smart Card to enable the user to be eligible for a concession when paying the tolls.

(ii) Non-Residents may also apply to the Council for the issue of a Smart Card but will not receive any concession on the tolls specified in Article 3 to this Order

(iii) Any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.

(iv) The Council may require an applicant for a Smart Card to produce to an Officer of the Council such evidence in respect of an application for a Smart Card made to it, as it may reasonably require to verify any particulars, or in respect of information given to it, and in particular but without prejudice to the generality of the foregoing to require evidence in respect of an applicant claiming to be a resident or a local commercial concern

(v) Upon receipt of an application duly made under the foregoing provisions of this Article the Council may issue to the Applicant a Smart Card

(vi) The Smart Card holder must notify the Council when the resident who has the Smart Card stops living within the Southampton City boundary.

6 COMMERCIAL SMART CARDS

- (i)* A Local Commercial Concern, which is the owner of an Affected Vehicle, may apply to the Council for the issue of a Smart Card to enable such Vehicle to satisfy the requirements in Article 4 for the exemption from the tolls specified in Article 3 of this Order.
- (ii)* A Local Commercial Concern must apply for individual Smart Cards for each Vehicle for which they wish to receive the Local Commercial Concession.
- (iii)* Any such application shall be made on a form issued by and obtainable from the Council and shall include the particulars and information required by such form to be supplied.
- (iv)* The Council may at any time require an applicant for a Smart Card or a holder of such a Smart Card to produce to an officer of the Council such evidence in respect of an application for a Smart Card made to it as it may reasonably require to verify such particulars, or in respect of information given to it or in respect of any permit issued to it as it may reasonably require.
- (v)* Upon receipt of an application duly made under the foregoing provisions of this Article and upon being satisfied that the applicant is a Local Commercial Concern and is the owner of an Affected Vehicle the Council may issue to the applicant a Smart Card in respect of that Vehicle.

7 SURRENDER, WITHDRAWAL AND VALIDITY OF COMMERCIAL SMART CARDS

- (i)* A Smart Card holder may surrender a Smart Card to the Council at any time and shall surrender such Smart Card to the Council on the occurrence of one of the events set out in paragraph (iii) of this Article.
- (ii)* The Council may, by Notice in writing served on a Smart Card holder or by recorded delivery post at the address shown on his or its application for such Smart Card or any other address believed to be premises from or at which the Smart Card holder is carrying on a trade or business, withdraw such Smart Card if it appears to the Council that anyone of the events set out in sub-paragraphs (iii) (a) (b) or (c) of this Article has occurred and the Smart Card holder shall surrender the permit to the Council within 48 hours of the receipt of the aforementioned notice.
- (iii)* The events referred to in the foregoing provisions of this Article are:
 - (a)* the Smart Card holder ceasing to be a Local Commercial Concern;
 - (b)* the Smart Card holder ceasing to be the owner of the vehicle in respect of which the Smart Card was issued;
 - (c)* the issue of a duplicate Smart Card by the Council under the provisions of Article 8 of this Order;
 - (d)* the Smart Card ceasing to be valid pursuant to the provisions of paragraph *(iv)* of this Article.
- (iv)* The validity of a Smart Card in receipt of a commercial concession is subject to annual review at a date specified by the council.

8 APPLICATION FOR ISSUE OF DUPLICATE SMART CARDS

- (i)* If a Smart Card is accidentally broken or ceases to work for any reason the holder shall surrender it to the Council and may apply to the Council for the issue to him or it of a duplicate Smart Card and the Council upon receipt of the surrendered

Smart Card may issue a duplicate Smart Card and upon such issue the damaged Smart Card shall become invalid

- (ii) If a Smart Card is lost or destroyed, the holder may apply to the Council for the issue to him or it of a duplicate Smart Card and the Council upon being satisfied as to such loss or destruction, shall issue a duplicate Smart Card and upon such issue the lost or destroyed Smart Card shall become invalid.
- (iii) The Council may charge a Smart Card holder a sum as set out in the terms and conditions in the application form (or not exceeding twenty five pounds (£25)) in respect of the administration costs of issuing a duplicate Smart Card.

9 OTHER EXEMPTIONS FROM TOLLS

- (i) Nothing in this Order shall be taken as:
 - (a) derogating from the exemptions contained in Section 31 of the Act; or
 - (b) requiring a toll to be paid in respect of a motor vehicle being used for Police, Fire Brigade or Ambulance purposes on the occasion of an emergency.
 - (c) requiring a toll to be paid in respect of a military vehicle

10 REVOCATION

- (i) The Order specified in Schedule 4 to this Order shall be revoked in its entirety.

THE COMMON SEAL of
SOUTHAMPTON CITY COUNCIL
was hereunto affixed this
_____ day of 2012

in the presence of:

Authorised Signatory

Schedule 1: Vehicle Classes

Class No	Class of Traffic
(1)	For each motor cycle or vehicle with a single front wheel whether or not towing a trailer of any description or sidecar, or each animal on foot, not drawing or propelling a Vehicle.
(2)	For each Vehicle, whether or not towing a trailer of any description and for every other Vehicle with a height at first axle of no more than 1.33m at time of crossing The Bridge
(3)	For each Vehicle, whether or not towing a trailer of any description and for every other vehicle whose height at first axle is greater than 1.33m and does not more than 2.39m at time of crossing The Bridge
(4)	For each vehicle not included in any of the foregoing classes whose height at first axle is greater than 2.39m at the time of crossing The Bridge

Schedule 2: Maximum Tolls

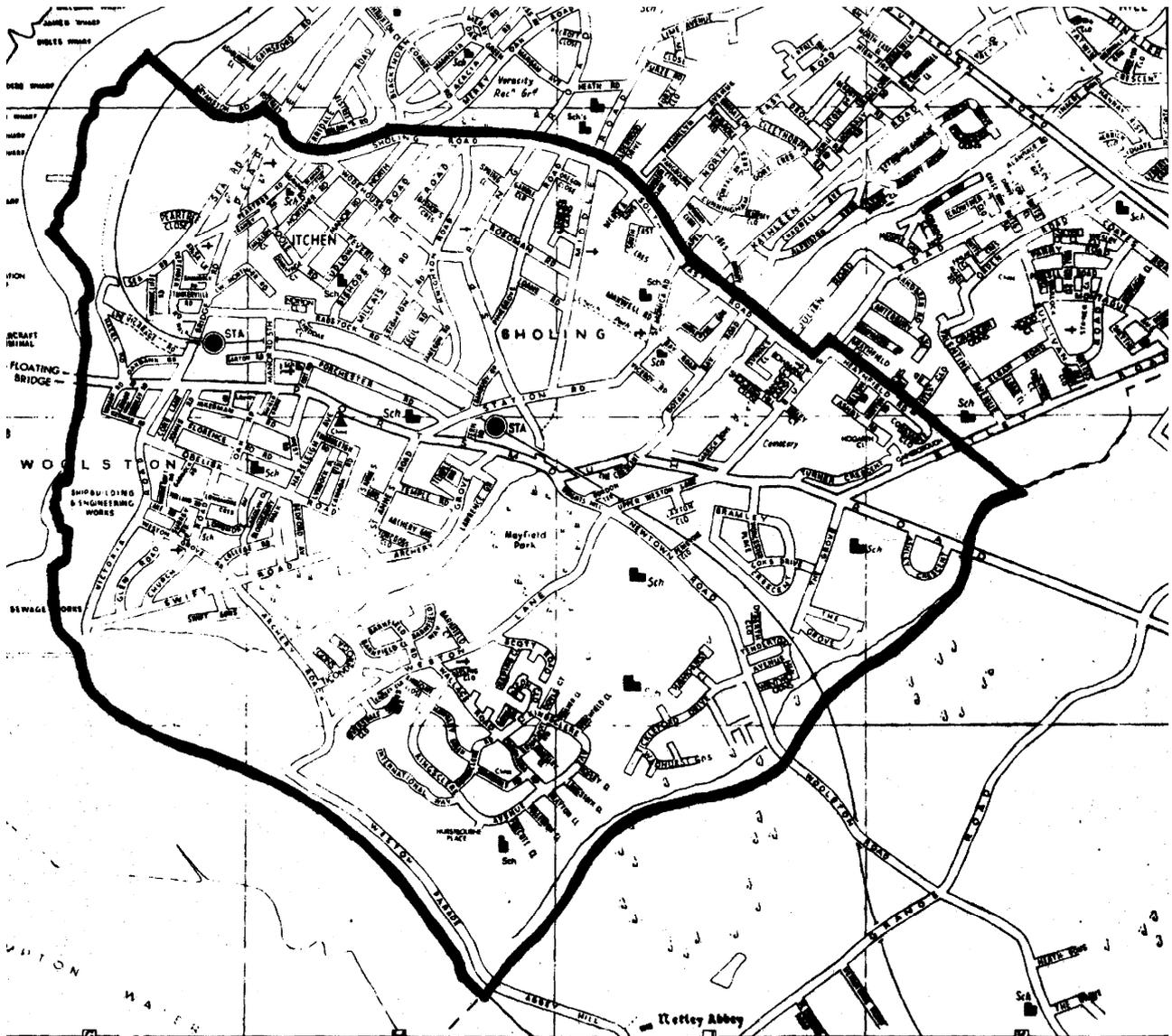
Class	Maximum Toll	Residents Concession	Local Resident Concession	Local Commercial Concession
1	Free	Free	Free	Free
2 (off peak)	50p	30p	30p	30p
2 (peak)	60p	40p	40p	40p
3	£1.20	N/a	60p	60p
4	£25	N/a	N/a	£2

Schedule 3: Concessionary Zone

The Concessionary Zone is the area shown within the thick black line shown on the plan below:
Provided that it is hereby declared that:

- (a) premises having direct access to or abutting the north side of Sholing Road, South East Road, or Heathfield Road, and
- (b) all premises having access to the road network by means only of the northwards extension of Hazel Road

are included within the Concessionary Zone.



Based upon the Ordnance Survey Map with the sanction of the Controller of H.M. Stationery Office. Crown Copyright reserved.

Schedule 4: Revocations

The City of Southampton (Itchen Bridge Tolls) Order 2010

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DECISION-MAKER:	CABINET
SUBJECT:	LOW CARBON CITY STRATEGY ANNUAL PROGRESS REPORT
DATE OF DECISION:	29 JANUARY 2013
REPORT OF:	LEADER OF THE COUNCIL
STATEMENT OF CONFIDENTIALITY	
Not applicable.	

BRIEF SUMMARY

This report provides an update on the progress being made in delivering the actions in the Low Carbon City Strategy's Delivery Plan. This update covers the progress made in the eighteen months since the strategy was adopted. The Low Carbon City Strategy sets out the key priorities for the Council for the 10 year period between 2011/2012 financial year and up to and including the 2020/2021 financial year that will help to deliver job opportunities, raise skill levels, support development, strengthen and build the low carbon economy in the City, respond to the impacts of climate change and mitigate our impact on the environment by reducing the City's carbon emissions.

RECOMMENDATIONS:

- (i) To re-confirm the Council's commitment to the Low Carbon City Strategy as set out in Appendix 1, to provide a framework from which to base future decisions and policies.
- (i) To note the outcomes and achievements outlined in Low Carbon City Strategy annual progress report, as set out in Appendix 2, and re-confirm the Council's commitment to years 2 and 3 of the Delivery Plan.

REASONS FOR REPORT RECOMMENDATIONS

1. The Low Carbon City Strategy was adopted by Cabinet in June 2011 and set out a programme of work for an initial three year period up to the beginning of the 2014/2015 financial year. Southampton City Council committed to report on an annual basis its performance in line with the objectives set out in the document for the purposes of transparency.
2. The strategy was adopted with cross-party political support under the previous administration but requires the formal commitment of the current administration in order to drive forward work under this agenda.
3. The Delivery Plan is a working document which is subject to amendment to reflect any additional commitment the Council may look to make following its formal adoption. The Delivery Plan has been revised to incorporate a number of strategic energy initiatives which were not outlined in its previous iteration.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. To proceed without providing an update on the progress that is being made towards reducing the City's and the Council's carbon footprint and without adding to the actions listed in the delivery plan. This would break the commitment the Council made to be open about its performance and fail to

capture the continued and growing work which is taking place in Southampton towards both mitigating our impact on the environment and adapting to the impacts of climate change.

DETAIL

Introduction

5. Southampton has made solid progress in starting to prepare for a changing climate, by improving our understanding of climate impacts and establishing a firm evidence base to inform future decision making. The more information we have available to us either through our climate change risk and vulnerabilities assessment tool, or through the carbon emissions inventory developed in partnership with the University of Southampton; the better equipped we will be to manage future changes and identify opportunities. Along with developing the tools we need to assess the impacts of climate change and identify areas for effective mitigation, Southampton has made firm strides forward in implementing initiatives that have contributed to the total reduction in CO2 emissions achieved in the last year. A number of the key achievements are provided in the body of this report and full details of the progress that has been made against all the actions in the delivery plan can be found in the appendices. Efforts are ongoing with a range of measures being implemented in the second year which will enable the authority to continue to drive down emissions.

Background

6. The Low Carbon City Strategy was adopted by the City Council in June 2011 to give a clear management framework and policy direction for the Council and to provide a basis for consistent monitoring and reporting of strategic climate change related actions. It builds on the Council's first Climate Change Strategy which was adopted in 2004.
7. It provides a clear vision and management framework to ensure climate change action delivers economic advantage by positioning Southampton as an investment location of choice. Cities and regions that have a commitment to a low carbon economy will have a major influence in the future investment decisions of occupiers, businesses and financial investors. This means harnessing the City's strengths to promote a positive investment environment alongside new programmes to deliver the infrastructure and services that will underpin a low carbon economy. Southampton needs to continue to demonstrate its existing low carbon credentials and seize the initiative to establish a competitive advantage for existing businesses and new investors to the City.
8. A Delivery Plan was submitted in concurrence with the strategy to draw out the key actions for the City Council and its strategic partners to focus on for the first 3 years of the strategy (up to 2014). The Delivery Plan lists realistic and measurable actions with the intention to establish a firm platform for ambitious action as and when opportunities arise. The actions are listed under the 8 central 'pillars' of the strategy:
 - i. We will invest in, strengthen and grow the City's low carbon economy

- ii. We will generate and use energy in a sustainable way
 - iii. We will reduce the carbon footprint of the City
 - iv. We will minimise the impact from flooding for the City
 - v. We will incorporate sustainability into all of our buying decisions
 - vi. We will strengthen biodiversity in the City
 - vii. We will increase low carbon travel and transport
 - viii. We will use less, waste less and recycle more.
9. The majority of actions in the Delivery Plan are funded through existing budgets and where additional funding is required actions are not be taken forward until internal or external budgets are secured.
10. The Council committed to report on the progress made in delivering the actions in the Delivery Plan on an annual basis. This was done to ensure accountability and to make sure the City remains on track to achieve the commitments and outcomes outlined in the document.

Achievements

11. There has been a considerable amount of activity undertaken within Southampton to advance its ambitions to become a low carbon city. The outcome of the activity undertaken internally has seen a 14% reduction in reported emissions for the authority during this time and nearly a 15% reduction in total city-wide emissions since 2005 (up to 2009). Several contributory initiatives are particularly noteworthy:
- Through delivery of a combination of the carbon reduction policy, improvements to our CRC reporting and rationalisation of buildings a reduction in reported emissions of 3,042 tonnes of CO₂ has been achieved. This equates to a 14% reduction in Council Buildings CO₂ emissions.
 - The Council's solar PV installation programme was completed before the 3rd March 2012 government deadline to halve Feed in Tariff (FiT) payments. The scheme makes use of FiT revenue and has yielded in excess of £80,000 worth of income over the past 12 months and delivered over 450kWp of installed capacity over 30 sites across the authority's operational buildings, schools, academies, Council owned housing, the civic centre and City depot. The target internal rate of return was 8% with payback in 9 years. However, in partnership with Solar Century efforts were made to reduce solar panel costs and, coupled with the FiT payments, resulted in an internal rate of return of >12% and reduced payback period of 7 - 8 years.
 - The energy centre and district heat pipe work at Centenary Quay has been completed and is providing heat to the houses completed on site. The network will deliver savings for residents in their energy bills. It has been estimated that the CHP unit will reduce total CO₂ emissions for the entire site by around 11% (>1000 tonnes of CO₂) from the 'energy efficient' design baseline.
 - Structural and environmental improvements are being made to four tower blocks along International Way in Weston (Oslo, Havre, Copenhagen and Hampton) utilising Housing Revenue Account

Capital programme funding and external funding secured from the Community Energy Savings Programme via utilisation of British Gas. International Way sits within one of the five most deprived wards in the City and these improvements will have a significant impact in tackling issues of fuel poverty, child poverty and wider deprivation.

- 2,600 measures have been or are scheduled to be installed in Southampton's private homes through the Cocoon and Heatseekers insulation discount schemes. The Council has worked with partners to offer free insulation through the Cocoon scheme from 14 May 2012.
- In June 2011, Southampton City Council was awarded £3.96m from the Local Sustainable Transport Fund (LSTF) for its Sustainable Travel City proposal. The basis of the bid was the establishment of a shared delivery unit which brings together the expertise of Southampton University, Sustrans and Southampton City Council to form a Centre of Excellence for Behaviour Change with the aim to achieve a 12% modal shift away from the private car, reducing congestion and greenhouse gas emissions. Coupled with the award of €2.6m following formal approval from the EU for the 'Building European Environmental and Maritime Skills' (BEEMS) project, significant resource is being drawn in to advance the objectives of the strategy.
- Professor AbuBakr Bahaj, Head of the University of Southampton's Energy and Climate Change Division was appointed as the UK's first local authority Chief Scientific Adviser to provide expertise on relevant environmental issues, champion science and engineering as a key driver of the economy and ensure the City uses science effectively in all policy-making.

Full detail on the progress made in every action contained within the delivery plan is attached in the full annual progress report in Appendix 1.

Use of Resources

12. In 2011, the City Council established a co-ordinated, organisation-wide programme to deliver efficiency and financial savings through a reduction in the Council's use of natural resources. A target was set to deliver a corporate saving of £840,000 against the Environment and Transport Budget over the course of a 3-year period through more efficient use of energy, waste, water and transport. Representatives from each Directorate, and from specialist advisory areas, were identified and attend monthly Programme Board meetings with the mandate to deliver the actions required to achieve the £840,000 savings target. To date the programme has delivered a total reduction of 220 tCO₂ and associated cashable savings and cost avoidance through the implementation of a number of measures.
13. In addition to overseeing the delivery of significant financial savings for the organisation the Use of Resources board acts as a cross-departmental management group to oversee the integration and delivery of the Low Carbon City Strategy objectives in every area of the Council's practices and drive forward efficient use of water, energy and other resources.

Key actions in Year 2

14. There are a number of initiatives that roll into the second year of delivery which seek to deliver objectives identified in the transition plan for 2012/2013, including a number which have already yielded success in year 1 as previously noted. This includes:
- a. Energy savings in the corporate and admin estate will be delivered by a range of measures including the Salix programme. The capital budget for this is £408,000 for the 2012/2013. This will include energy efficiency projects such as lighting replacement and improved control at a number of sites including MS car parks, improved heating controls, insulation works to include pipework and building fabric improvements, CHP at a residential care home, and both corporate and schools estate.
 - b. The development and implementation of the City's Carbon Offset Fund which will be made available to developers. Developers will be provided the option to deliver the sufficient carbon savings required for a given development through investment off-site in instances where on-site options are deemed prohibitively expensive and potentially unviable. Developers will contribute a set rate per tonne of carbon to achieve the differential between the viable on-site development and the higher code and BREEAM standards required of development in the City. The revenue will then be made available for investment in a programme of energy efficiency, low carbon and renewable energy initiatives elsewhere in the City.
 - c. The purchase of an electric car for use as a staff pool car utilising funding secured through DEFRA's air quality grant. This will be coupled with the delivery of transport efficiencies following the publication of transport efficiency business cases from Peopletoo Ltd.
 - d. Whilst SCC hasn't been successful in securing £24m from the Technology and Strategy Board for its Future Cities Demonstrator programme, Southampton's success in the Phase 1 bid enabled the authority to develop a much more detailed programme for integrated infrastructure delivery in the City, with a particular focus on energy. Building on this work it is proposed that a strategic action plan for the delivery of low carbon and renewable energy for the Council, the City of Southampton and the Solent Region be developed (as outlined in the Strategic City-Wide Approach to Energy report at Cabinet on the 18th December). This plan will outline the key opportunities and risks, appropriate technologies, the legal implications, and the resource requirements, both revenue and capital, of implementing a large programme of this nature. A programme of suitable schemes across Southampton, to reduce energy costs, improve energy security, and support the strategic objectives of the Council both as a large organisation in the City and as a community leader, and further feasibility study requirements would be drawn up for the City with an outline indication of the likely resource commitment required. Investment grade business cases will be commissioned and produced for suitable schemes for appropriate member approvals.

- e. An initial City wide district energy assessment has identified a number of Council owned social housing areas that may suit District Energy (DE). The areas highlighted include existing social housing and the regeneration of estates areas, for example:- Weston Shore, Thornhill, Townhill Park and Millbrook. There are opportunities to create larger DE networks by incorporating other public sector buildings, including schools and leisure facilities, along with larger commercial developments. The feasibility of these district energy (DE) schemes in suitable City locations will be carried out next year.
- f. The Council is looking to facilitate a partnership approach to maximising Energy Company Obligation (ECO) investment. This funding will encourage the development of the local economy by investing in local supply chains, job market and skills training, and provide the maximum level of funding whilst giving the potential for a return for the City from wider business opportunities. Initial penetration utilising the Council's housing stock will act as a platform for a wider cross tenure approach. Rotterdam tower along International Way has already been identified as a scheme and will be developed to mirror the CESP works already undertaken in Weston. A procured strategic partner will also be expected to support the development of other energy and energy efficiency schemes in the City including the Green Deal. Best use of grant funding through ECO will also be used to support a DE programme.

A full list of the actions to be taken forward in year 2 is contained within Appendix 1.

Consultation and Communications

- 15. The progress report has been circulated to members of the Use of Resources Board which comprises of officers from across the Environment and Economy, Health and Adult Social Care and Children Services and Learning directorates. The progress report and Delivery Plan have been amended to incorporate comments from this consultation exercise and have now been finalised for approval.

RESOURCE IMPLICATIONS

Capital/Revenue

- 16. There are no direct resource implications. The majority of actions associated with the strategy are funded through existing budgets, as indicated in the Delivery Plan progress report (Appendix 2). Where additional funding is required actions will not be taken forward until internal or external budgets are secured.

Property/Other

- 17. The Low Carbon City Strategy and Delivery Plan should have a positive affect on the overall condition of the Council's property in the medium to long term. There is a potential clash between the re-active repair and maintenance work which may be required to maintain the operation of buildings in the short term. Processes and procedures will need to be put in place to co-ordinate and manage these potentially conflicting priorities and how any additional, marginal costs that may be incurred will be funded.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

18. Section 1, Localism Act 2011 empowers a local authority to do anything an individual may do subject to any pre or post commencement limitations. No such limitations apply in respect of the matters set out in this report

Other Legal Implications:

19. SCC is duty bound to meet the Government's targets on carbon dioxide emission reductions as set out in the Climate Change Act 2008. There are no legal risks identified at this time

POLICY FRAMEWORK IMPLICATIONS

20. The Low Carbon City Strategy, the supplementary Delivery Plan and accompanying documents are in accordance with a number of policy framework plans which contain sustainability objectives. In particular:-
- City of Southampton Strategy
 - Local Transport Plan
 - Housing Strategy
 - Local Development Framework Core Strategy
 - Health and Wellbeing Strategy
21. The Strategy and Delivery Plan contributes to addressing each of the four City Challenges (Economic Development, Educational Attainment, Well Being, and Green and Attractive Environment).

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KEY DECISION? N/A

WARDS/COMMUNITIES AFFECTED:	ALL
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SUPPORTING DOCUMENTATION

Appendices

1.	Low Carbon City Strategy
2.	Low Carbon City Strategy annual progress report

Documents In Members' Rooms

1.	None
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Integrated Impact Assessment

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

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

Title of Background Paper(s)

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

1.	None	
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Southampton

Low Carbon City 2011 - 2020

Part 2: The Strategy

Document guide

Part 1 – The Story

This sets out the story so far and a summary of the key priorities listed in the strategy.

Part 2 – The Strategy

The Low Carbon City Strategy sets out our ambition for Southampton to be a world-leading low carbon city. We've identified eight key priorities to deliver this ambition.

Part 3 – The Delivery Plan

This document lists the specific actions that we are going to undertake to deliver the vision set out in the strategy. It will be updated every 3 years to the end of the Low Carbon City Strategy period (2020). We will report on our progress annually.

Part 4 – The Facts

This gives a snapshot of what were doing and gives an idea of the progress we're making.

You can get involved by contacting us at:

sustainability@southampton.gov.uk

To get hold of all the documents and to

find out more go to our web pages at

www.southampton.gov.uk/sustainability

Endorsement:

This strategy was developed in partnership with the Southampton Low Carbon Group, which includes representatives of the Hampshire Chamber of Commerce, University of Southampton, Cofely District Energy and Business Southampton.



Foreword

Southampton City Council has a clear role to play in rising to the challenges climate change will present to the local area.

We must continue to adjust our own operational practices and mobilise action across the city as a whole. This strategy, and the underpinning delivery plans that will follow, articulates the next 10 year phase in our plan to reduce our own greenhouse gas emissions ahead of national targets, adapt to the affects of climate change and re-assert our leading-edge low carbon credentials. It marks the next phase in our transition to a low carbon future where we will work with businesses to strengthen our local economy and address climate change.

Across the country, there is a growing drive to change the way we generate energy, the way we heat our homes and workplaces and the way we travel in response to the Government's carbon budgets. Southampton strives to be one of the frontrunners in this emerging low carbon economy using our existing assets and low carbon infrastructure as a catalyst for development, inward investment, business growth, energy security and new jobs. We will work with partners to make Southampton a location of choice for environmental technology and service firms and new and cleaner investment; a city which is learning and developing new technologies, generating new wealth and creating jobs for all. We recognise that good environmental sense means good business sense.



Cllr Dan Fitzhenry, Cabinet Member for the Environment and Transport, Southampton City Council

But while we seek all these benefits we do know that we have a number of challenges that need to be addressed. Sea level rise will increasingly threaten activity in the city, scarcity of fossil-fuel supply will raise energy prices and impact the most disadvantaged and those not committed to environmental responsibility will struggle, losing out to more resource-efficient competitors and unable to take advantage of all the opportunities that exist.

There are two fierce realities that face us: on the one hand the needs of the environment and the impact of climate change are growing; on the other, there will be a greater demand on resources to help us meet the challenge. We also recognise that there will be costs in changing the way we do things along the way. But these are far outweighed by the costs of not acting and facing the expense of price fluctuations from diminishing fossil-fuel supply and coping with dangerous climate change. The recession throws into sharp focus the need to exploit synergies between environmental goals and economic aspirations. We do not need to make a trade-off between becoming more sustainable and delivering economic growth. Rather we can ensure that the emerging low carbon economy strengthens our recovery from the current global slowdown and becomes a key part of Southampton's future.

In delivering the priorities in this strategy we can address the challenges we face as a city and realise the benefits that a low carbon future brings.

* The Climate Change Act 2008 requires that emissions are reduced by at least 80% by 2050, compared to 1990 levels.

** The Climate Change Act 2008 requires that emissions are reduced by at least 80% by 2050, compared to 1990 levels.

*** Stern Review on the economics of climate change 2006

Southampton: Low Carbon City Strategy

Vision

Southampton will thrive in a new low carbon economy. By galvanising local action we will be competitive and prosperous; a focal point for green business as we move swiftly to low carbon energy, low carbon transport and a low carbon built environment.

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We'll achieve this by concentrating on eight key priorities:

1 We will invest in, strengthen and grow the city's low carbon economy

Southampton will be a magnet for innovation and talent as a centre for high value green jobs and low carbon business opportunities. The city will be a leading location and growth hub for green business, capitalising on the sectoral strengths of the area.

2 We will generate and use energy in a sustainable way

Southampton will be a city where carbon-intensive living will be 'powered down' by reducing energy demand and diverse low-carbon energy supply will be 'powered up' by new technologies through efficient design and a diverse low-carbon energy supply mix.

3 We will reduce the carbon footprint of the city

Southampton will be a city with a low carbon culture - low carbon intensity and high standards of living. We will continue to reduce the carbon output of our local economy.

4 We will minimise the impact from flooding for the city

Southampton will be a city that is resilient to all but the most extreme floods and has robust emergency plans to respond to, and recover from, flooding.

5 We will incorporate sustainability into all of our buying decisions

We will measure the value of a product or service by more than just the price on the label. We will buy goods and services that have social, economic and environmental benefits.

6 We will strengthen biodiversity in the city

We will improve the way we link together the rich patchwork of diverse, living green spaces and tree-lined streets in the city.

7 We will increase low carbon travel and transport

Southampton will be an accessible city with a reduced reliance on oil and less dependent on the car.

8 We will use less, waste less and recycle more

Southampton will reduce unnecessary consumption and production. Resource efficiency will be a hallmark of the city.

The future can be greener, healthier and safer as we adapt to climate change and promote the health of the environment. There can be more green spaces, gardens and green roofs which carpet the cityscape creating an attractive, vibrant and multifunctional urban environment. The city can create jobs as a leading area for green energy technology as we build our low carbon infrastructure.

New jobs in the city will improve the economic prospects for local people, and there is a proven link between higher income levels and better health. Low carbon makeovers to future-proof our homes will reduce fuel poverty, and people who can stay warm will have better health. We can begin to change high consumption, high stress, and high heart disease lifestyle. Walking and cycling will increase the physical activity undertaken by people in the city with beneficial effects on obesity levels, and on long-term conditions such as diabetes. Improved air quality delivered through green technology and low carbon transport will reduce the incidence of asthma and related illnesses.

There can be closer-knit communities as neighbours have more opportunities to interact with each other as they walk from place to place and meet in local shops and recreation facilities and we can have secure, local, low carbon energy supply replacing the old and dirty with the new and green.

Image: Solar photovoltaic cells on top of Southampton City Depot

Context

The world is getting warmer and mankind's activities are the cause.

This warming is expected to have profoundly negative impacts on many people and ecosystems, particularly those that are already vulnerable. It will affect how we work, travel, shop and eat, our education, our homes, and our social lives, our leisure pursuits, and our holidays whatever action we take, or don't take, to reduce carbon emissions.

The UK (and particularly the South East) will increasingly become a climate of extremes and the impact of weather events will be more pronounced. There will be more intense and frequent episodes of extreme weather such as storms and floods. While the causes of these extremes may or may not be attributable to climate change, the effect is that climate change will make events like these increasingly severe and frequent. This will bring with it disruption and damage.

Summers in Southampton will become hotter and drier with sustained periods of heat. This will be amplified by the Urban Heat Island (UHI) effect and the rise in temperature will bring health risks to the elderly, young and the vulnerable.

The longer growing period associated with a mild winter could increase landscape maintenance costs, the increased use of air conditioning will put pressure on power demand and there is the potential for an increase in parasites and infestations. Rainfall will no longer be consistent and prolonged dry periods will put additional strain on water supply. With less rainfall in summer, droughts will be the trend. When the rain does come we will see flash floods as drainage systems will not be able to cope; there will be more disruption and damage to our transport network and water rationing and hose pipe bans will need to be enforced. The inconsistency in rainfall will leave us short in summer and inundated in winter.

We will become increasingly constrained by the physical systems that we live and work within. This will include existing buildings and streets, utility pipes and wires, and the hardware of provision of local services, from bins to bus stops. This local infrastructure will increasingly impair people's quality of life and will ill-equip us for the increasing priority of living sustainably. Adapting to climate change is therefore a key impetus for a move to a low carbon economy and will require major changes in our homes, streets and workplaces.

Headline objectives

This strategy has two headline objectives:

Mitigation

To reduce the city of Southampton's carbon dioxide emissions by 34% by 2020 from 1990 levels in line with national policy but to reduce the council's CO2 emissions by 40% from 2010/2011 levels by 2020 using CRC baseline data.

We can lower these emissions by reducing our demand for and use of energy; altering the technologies used for energy generation; and changing the sources of the fuels we use from fossil fuels to renewables. This strategy sets out ways of adopting and applying these three approaches.

Adaptation

To engage all individuals and organisations in Southampton in the process of adapting to climate change in order to improve health and quality of life for everyone.

Every one of the actions in this strategy and delivery plan will contribute in some way to achieving a new 'low carbon' culture - where the lifestyles and operations of the city have improved in light of the onset of climate change.

Commitments to meet these targets are set out in eight chapters that follow whilst specific actions are included in the Delivery Plan. Each chapter makes it clear what Southampton is going to do to achieve our low carbon ambitions.

Image: Green wall at One Guildhall Square

We will invest in, strengthen and grow the city's low carbon economy

Southampton will be a magnet for innovation and talent as a centre for high value green jobs and low carbon business opportunities. The city will be a leading location and growth hub for green business, capitalising on the sectoral strengths of the area.

The issue

The government's carbon reduction targets will change the way the economy is driven. Economic growth will have to be decoupled from greenhouse gas emissions – a 'low carbon economy'. Southampton will be at the centre of this low carbon economy. We will accelerate change by creating the right framework for investment through progressive policies, low carbon infrastructure and low carbon expertise. We will create a better environment where an enterprise culture can flourish to position Southampton at the forefront of exploiting the commercial and social opportunities the low carbon agenda presents. It's about creating the best environment for business success in the city and creating business success that is best for the environment.

We will:

- Articulate and implement the city's low carbon ambitions through robust planning policy to stimulate innovation hubs which identify local economic strengths and give clarity regarding the required balance between public and private funding for infrastructure items
- Work with partners to jointly understand the skills gaps and new skills required to achieve a low carbon, resilient economy
- Investigate incentive measures, such as business rate relief to encourage low carbon green business into the city
- Seek to retain the city's low carbon skills and expertise to resource business activities focused on: reducing carbon emissions through the implementation of existing and developing technologies, export orientated low carbon activities based on manufacturing and export orientated low carbon activities based on business, financial and technical services
- Work with the higher education sector to grow talent and foster technological innovation to build on the world class science and research base we already have and create the skills needed to re-fit and re-kit Britain
- Continue to develop the city's low carbon infrastructure, including transport, telecommunications, housing, green network and open space, waste management, as well as energy supply to provide the right environment for low carbon business as a tool for inward investment

Outcomes

- By 2020 Southampton is a centre of excellence for skills, training, green jobs and enterprise for a low carbon economy and the destination of choice for investment from forward thinking firms
- Low Carbon Business hub utilising space concentrated at western gateway (within the MDQ) to accommodate growth of a low carbon business cluster
- There is a highly skilled workforce to service all commercial environmental sectors and deliver a low carbon economy. Skills are broad based and will make the city resilient
- Universities and colleges in the city are at the forefront of research and development, new product development and commercialisation of products.



We will have energy sourced and used in a sustainable way

Southampton will be a city where carbon-intensive living will be 'powered down' by reducing energy demand and diverse low-carbon energy supply will be 'powered up' by new technologies, through efficient design and a diverse low-carbon energy supply mix.

Image: District Heat Centre, Central Southampton



We will

- Maintain and develop local low carbon and sustainable energy networks.
- Build and operate more energy efficient homes, businesses, and public sector buildings
- Obtain national recognition for sustainable energy use
- Expand the existing District Energy Scheme in partnership with Cofely DE.
- Fully exploit Feed in Tariff opportunities
- Seek opportunities for new sustainable energy networks in the city
- Create a local ESCo or special purpose vehicle to drive the energy market locally
- Prioritise work taking forward energy efficiency in our administrative estate in addition to exploring the application of renewables on our buildings
- Promote a diverse range of renewable energy supply technologies in the city to deliver stability and resilience
- Continue to put into effect the requirements in the Local Development Framework Core Strategy for carbon reduction in developments through renewable or low carbon sources in the form of percentage improvements on top of the current Building Regulations requirements
- Direct investment from the city's Carbon Offset Fund towards a range of renewable energy projects across the city.

Outcomes

- Southampton residents are some of the most energy efficient in the UK – academic research, in partnership with the University of Southampton, confirms this behavioural change enabling the city to gain national recognition
- A wide-reaching insulation and renewables retrofit programme has brought existing homes up to similar standards as new homes
- Biomass cultivation and other alternative fuel use is taking place in the city
- Rapid expansion of the existing city centre district heat and decentralised energy network has taken place
- Commercial and industrial users have been quick to see the benefits of the city's low cost and high reliability district heat and decentralised energy network and have cited this as a reason to relocate to the city
- Over 25% of homes and businesses in the city along with the council's administrative estate has solar panels installed either producing electricity or hot water due to enthusiastic uptake of the Feed in Tariff (FIT) and Renewable Heat Incentive (RHI) schemes

association with Cofely DE. We will also need to reduce energy demand through passive efficiency measures and by changing the way people habitually use energy at home and at work – from leaving on lights to making poor use of their heating controls. Better insulated homes, more efficient lights and appliances and improved heating systems with more effective controls will not only reduce CO2 emissions, but will also help cut fuel bills. Much of the blueprint for success will be based on the expansion of decentralised energy, in which the city is a national leader, to deliver sustainable heat and power to an ever expanding network of businesses and homes. We are committed to achieve decentralised, more efficient and flexible energy infrastructure over the coming years.

The issue

We need to make deep cuts in carbon dioxide emissions while still meeting our energy needs for electricity, heating and transport. This will require future energy sources to be cleaner and sustainable. There can be no single best solution – an integrated approach making best use of all the available technologies is required and some of these may have short term implications. To reduce carbon emissions from energy production we must shift towards lower-carbon forms of energy production. We need to 'green the grid'. This will impact individual houses as well as commercial and public buildings in every street and in every neighbourhood in the city. It will include encouraging greater use of renewable energy and exploring further opportunities for local energy production and distribution building on our 25 year

We will reduce the carbon footprint of the city

Southampton will be a city with a low carbon culture – low carbon intensity and high standards of living. We will continue to reduce the carbon output of our local economy.

The issue

Human-caused release of CO₂ into the atmosphere has been adding to the greenhouse gas blanket that surrounds the earth. This is raising the temperature of the earth's surface and is expected to have a profoundly negative impact on people and ecosystems, particularly those that are already vulnerable. All the activity that takes place in Southampton adds to this gas blanket.

Our emissions of CO₂ derive mostly from our use of fossil fuels and are directly related to the use of buildings, products, transport and industrial activities. We are committed to meet the governments target to reduce carbon emissions by 80% by 2050 (compared to 1990 levels) with an interim target to reduce CO₂ emissions by 34% by 2020. These are big targets. This means cutting nearly 510,000 tonnes of CO₂ by 2020.

This transition will transform our whole economy. It will change the city's industrial landscape, our supply chain, and the way in which we all work and consume. As well as being an environmental and economic imperative, this shift is also an economic opportunity. Businesses and consumers can benefit from significant savings through energy and resource efficiency measures. And supplying the demands of the low carbon economy offers a significant potential contribution to economic growth and job creation, not only as part of the short term economic recovery, but also through sustainable growth over the decades to come.

We will

- Continue to set and achieve stretching carbon reduction targets for the City Council and the city and continue to report to the community on our CO₂ emissions
- Work with key partners to reduce the city's carbon footprint through joint initiatives
- Work to ensure that organisations in the city review their energy and carbon management, develop more use of renewable energy where appropriate, measure and monitor on a whole life cycle cost basis, and ensure that appropriate behaviours are encouraged in individuals
- Design the city's built environment to encourage sustainable development and low carbon usage in every aspect of its operation. This includes resilience to the effects of climate change, low energy demand, and accessibility to promote more sustainable modes of transport
- Develop appropriate metrics to measure and monitor direct and indirect carbon emissions across the city
- Continue to develop and implement a carbon footprint model to understand fully the areas of the city where action needs to be targeted
- Exploit ICT as a technical solution and enabler of behaviour change to reduce emissions, including those from ICT themselves
- Support our staff by promoting increased awareness, conducting behavioural change programmes, encouraging home working, low carbon travel, the use of ICT, and by ensuring sustainable development is included in every job description.

Outcomes

- The carbon footprint of Southampton has been reduced by 34% in 10 years

We will minimise the impact from flooding for the city

Southampton will be a city that is resilient to all but the most extreme floods and has robust emergency plans to respond to, and recover from, flooding.

The issue

In recent years the UK has seen an increase in the number of flood events and flood risk warnings in many areas. This is of increasing concern, to home owners, developers and insurers. Flooding is one of the most significant challenges for Southampton. The onset of climate change will make us even more vulnerable to its impacts and we need to prepare ourselves and plan for the worst. The city is susceptible to flooding from a number of sources:

- From the sea (tidal flooding)
- From the rivers (fluvial flooding)
- From heavy rainfall overcoming the drainage system (surface water flooding)
- From the sewers (sewer flooding)
- From rising groundwater (groundwater flooding)

Loss of life, personal injury, direct damage to property, infrastructure and utilities, contamination and disease, loss of income and delayed economic development, break-up of communities, increased costs of insurance and the blight of land and development are the very real consequences that flooding can bring, not to mention the intangible impacts of flooding; the loss of irreplaceable personal items, the stress of living in temporary accommodation, dealing with the insurance claims process, and the repair of homes. We need to adapt to the rising threat of climate change to reduce the prospect of these consequences being realised. The emergence of adaptive responses will give us the scope to investigate and identify those in the city who are most at risk from climate change and tailor our services appropriately.

Outcomes

- Appropriate plans and partnership arrangements are in place to ensure the city and its communities are protected and continue to thrive.
- Develop and implement our role as a Lead Local Flood Authority.
- There are innovative approaches for identifying flood risk management solutions, including sustainable urban drainage measures, as part of proposals for development within flood risk areas.
- There is raised public awareness of flooding with individual and community capacity to respond to and recover from a flood.
- There is reduced flood risk to the city's most critical assets and vulnerable communities.

We will

- Implement an innovative, cost effective and user-friendly Climate Change Risks and Vulnerabilities Assessment Tool.
- Develop a surface water management plan for Southampton which identifies and prioritises areas at risk and develops more detailed plans for the priority areas.
- Develop an adaptation action plan which will underpin this strategy.
- Raise individual and community level awareness of flooding and the measures they can undertake to reduce risks and manage the consequences of flooding.
- Work with the Environment Agency, the private utilities and other bodies to co-ordinate investment in flood alleviation and flood storage measures as part of an integrated approach to urban drainage.
- Ensure new development uses sustainable urban drainage systems (SUDS) to minimise and slow the rate of runoff.
- Ensure that developments within areas of higher flood risk will safeguard access routes and incorporate flood resilience measures and materials as part of the design of new buildings.

We will reduce the impact of our spending

We will measure the value of a product or service by more than just the price on the label. We will buy goods and services that have social, economic and environmental benefits.



Why is this a priority?

The resources on which we rely are being depleted at accelerating rates. Essential services such as clean air and water, a stable climate and viable forests and fisheries are in long-term decline. This is in no small part down to our high consumption lifestyles which are supplied by take-make-and-waste industry. All products and services create social and environmental impacts throughout their lifecycles, from employment and waste to emissions and changing land use.

These impacts are costs. In the past the cost of a product or service would have been seen as just the price on the label. But we now need to factor in the environmental and social impacts of the goods and services we are buying into our spending decisions. This is about redefining cost. Cost includes the amount of money you pay for an item, as well as what the environment and society pay for that item. This includes the costs for the extraction of the materials and its subsequent damage to ecosystem services, and the manufacture, operation and disposal of a product. Whole-life costing is about doing exactly this. As a local authority we are a major consumer, spending over £240m each year. This budget brings with it the power to transform local markets and make a major contribution to driving the way in which local markets develop.

What and how we buy goods, services and capital can therefore make a big difference. Whether it is through buying organic food for school canteens, office equipment made from sustainably sourced timber, recyclable paper or energy efficient air conditioning systems there is a huge opportunity to enhance the environment and quality of life through the purchasing choices we make. It can also serve to provide industry with real incentives for the development and diffusion of environmentally sound goods and services. Suppliers can be motivated to offer more sustainable products and services through the choices we make. We can buy our way to a better future.



Outcomes

- We have achieved sustainable outcomes through the City Council's procurement activity and met our Flexible Framework targets
- A joint public sector approach to influencing the supply chain is in place
- The council's needs for goods, services, works and utilities have been met in a way that achieves value for money and ensures benefits to the economy and society whilst minimizing damage to the environment
- Sustainability is recognised as more than just the environmental considerations in procurement, but as an overarching ethos which pulls together economic efficiency and environmental protection in pursuit of social and corporate objectives

We make choices every time we decide what we're going to buy and those choices reflect what we value. As a Council we have a duty to spend public money in the long-term public interest – in ways that avoid undermining people's health, opportunities and the environment. To make sure this happens:

We will

- Establish minimum standards for priority areas of spend e.g. energy, food, waste, transport, paper etc.
- Minimise wastage at the buying stage; work in partnership with suppliers to lower the carbon impact of all aspects of procurement; make decisions based on whole life cycle costs; and promote sustainable options through all areas of the council's business.
- Integrate whole life costing to identify the lower operating and disposal costs of sustainable alternatives through a recognised assessment tool where appropriate.
- Buy products and services that minimise the impacts of the supply chain.
- Engage scrutiny in the search for more sustainable solutions.
- Mainstream sustainable procurement and asset management into all of our activities including those carried out at arm's length and through our strategic partnerships.
- Work in partnership locally, sub-regionally, and nationally, using our purchasing power to stimulate key markets for sustainable resources and demonstrate that consumers and business will save money and resources by doing more with less.

We will strengthen biodiversity in the city

We will improve the way we link together the rich patchwork of diverse, living green spaces and tree-lined streets in the city.

Image: Watts Park, Central Southampton

We will

- Prepare an adaptation action plan identifying appropriate measures, projects and other climate change adaptation solutions, based on application of the blue and green infrastructure toolkits and best practice established through GRABS.
- Achieve the aims and objectives of the Biodiversity Action Plan.
- Move towards more integrated, management approaches that work at the most effective spatial scale where the impacts of our decisions don't stop and start with administrative boundaries.
- Establish linked ecological networks through habitat protection, restoration and creation.
- Maximise the role of urban greening, such as new planting within the public realm as part of wider green infrastructure networks, in urban cooling and in achieving a number of additional recreational, ecological and flood storage benefits, by creating linked networks of well-irrigated open spaces ('green grid') including open spaces, parks, wildlife corridors, tree planting, communal and private gardens and green roofs and walls.
- Maximise the role of blue infrastructure in urban cooling and achieving a number of additional recreational, ecological, sustainable transport and flood storage benefits, including river corridors, natural floodplains, ponds and other water features.
- Minimise overheating and contribution to the Urban Heat Island effect at the neighbourhood scale by incorporating green roofs or walls, tree planting, reducing the ratio between the height and spacing of buildings and using light coloured materials to increase the surface reflectivity of large surface areas such as roads, car parks and paving.
- Direct investment from the city's Carbon Offset Fund towards a range of green infrastructure projects across the city.

Outcomes

- The city has an integrated and accessible city-wide green network
 - The city's biodiversity is enhanced and contributes to improving quality of life for the people of Southampton
 - Residents have healthier lifestyles through access to and use of diverse open spaces for a range of activities
 - There is more green and blue infrastructure and urban tree cover and established habitat corridors
 - The true value of our natural resources is embedded into decision making at all levels
- Nationally environmental goals have often suffered from a poverty of ambition. The misconception is that we must choose between a healthy natural environment and economic growth. But the evidence shows that our future financial security requires consumers, businesses and the economy as a whole to work with, rather than against, the grain of nature. To do all this, we need to reflect the true value of nature's services in the way we do business. We cannot take it for granted or for free.

We will have to pay to protect or replace services that nature has historically provided for free. Then there is the cost of paying for damage, resulting in part from more extreme and unstable weather conditions caused by rising temperatures due to greenhouse gases. So we need adaptation for biodiversity but we also need biodiversity for adaptation.

Gardens, woodlands, parks, and waterways have an integral part to play in adapting to these changes: they can soak up rainwater through natural drainage, improve the air quality by trapping particles, cool the city down through providing shade and moisture evaporation and provide habitat for wildlife. Added to the health benefits for our communities and residents and the role it plays in making Southampton an attractive place to live, the wide network of open green spaces that already exist throughout the heart of Southampton are the city's most important asset – its green lungs.

The issue

The more we understand about the natural environment, the more we realize that it supports us with 'ecosystem services' which may not be visible but which are fundamental for life; be it provision of food, water, good air quality, fuel, or building materials. Biodiversity provides us with many of these benefits - it is not a luxury item we can do without. Beyond laying the foundation for life it also enhances life by providing us with places to play, relax and enjoy; quiet, attractive and safe transport corridors for cyclists and walkers; and natural functions that help the city to operate effectively and ensure economic security.

In the past we have largely operated on the basis that the natural resources and services that the planet provides are infinite. But of course they are not. And only when the value of protecting them, and in some cases replacing them, is calculated, does their vital role in the local economy become clear.

We will increase low carbon travel and transport

Southampton will be an accessible city with a reduced reliance on oil and less dependent on the car.

Outcomes

- Reduced congestion and emissions through investment in the transport network, particularly public transport, coupled with appropriate demand management.
- The choice of reasonable alternatives to the private car for everyday journeys is better.
- Remote access and teleconferencing facilities have allowed greater flexible working reducing business trips across the city.
- The existing transport network is managed to ensure that journey time reliability is improved.
- City centre redevelopment has encouraged walking and cycling over car use.
- Quality bus services now include interactive real time information (RTI), are integrated with our traffic management centre and have smartcard ticketing.
- The improved public lighting across the city, through our PFI contract, has boosted walking and cycling through increasing perceived safety – this has helped obesity levels start to fall.
- Many more pupils now walk and cycle to school due to school travel plans, safer routes to school and a huge increase in the number of **walking buses**.

The issue

Transport underpins everything we do, from getting us to work and school, to taking us on holiday and distributing food and clothes for us to buy. As Southampton moves into a low carbon future, we will lead by example and show that cities can grow and prosper without more congestion, pollution and CO2. We aim to make travel and transport more sustainable. As part of our offer for investors having a low carbon, modern and fully integrated public transport system will be a prerequisite. We will provide a range of transport options rather than the one-size-fits-all approach that the versatility of the internal combustion engine has allowed us. It's about encouraging smarter travel through a more efficient, intelligent and better organised transport system.

We will

- Promote smarter choices and sustainable modes including walking and cycling as an alternative to driving.
- Promote travel planning, flexible working, car sharing and cycling initiatives as viable options to all organisations in the city and, crucially, link them to explore where joint benefits can be realised.
- Work with employers to incentivise sustainable transport and to make sustainable transport information more accessible.
- Work with key partners, environmental health professionals and transport operators to mitigate the impacts of traffic on air quality.



- Ensure development is located where it will be easily accessible and accommodate additional trips through sustainable modes wherever possible.
- Use social marketing techniques to make low carbon means of travel fun and engaging.
- Implement residential and workplace travel planning to effectively manage the journeys created with development.
- Invest in public transport in advance of new developments where possible.
- Pursue joint-procurement of low carbon fleet vehicles, including electric and electric-hybrid vehicles, as a means of accelerating uptake and driving down cost.

- Gather and disseminate real-time traffic and travel information through a variety of sources and systems in a timely, efficient manner to enable people to make informed decisions about their travel choices.
- Implement the recommendations set out in the council's travel and transport efficiencies assessment.
- Encourage home-working and video-conferencing to reduce the need to travel.
- Encourage organisations and communities to reduce their number of car journeys through advice and guidance.

We will use less, waste less and recycle more

Southampton will reduce unnecessary consumption and production. Resource efficiency will be a hallmark of the city.

The issue

Landfill space in the country is fast running out and landfill tax continues to rise. The carbon cost of waste is significant in the production of materials, their transport and subsequent processing. It's clear that we need to change our perception of waste to see it as a valuable resource and that we move up the waste hierarchy of reduce, re use, recycle, recovery and disposal. Resource efficiency will be a key driver for our local economy. New ways to cut energy, the use of virgin materials and to save money by reducing waste will birth opportunity for research, innovation and new products and services.

Take-make-and-waste will become a system of the past. Jobs will be created as we choose to value rather than dispose of resources. The competitive firms and economies of the future will be the ones that make most efficient use of energy and resources themselves and develop and export the technologies and techniques to enable other to do so. They will be those that embrace the changes and work to stay ahead of, rather than within the bounds of, new and stricter energy, waste and carbon regulations.

Outcomes

- Southampton is a city where resource efficiency comes first, businesses routinely use advanced design tools to minimise their environmental impact and eliminate waste.
- The diversion of waste from disposal into re use, recycling and composting is seen as a key economic opportunity supporting local businesses and jobs.
- Waste from the construction sector is now minimal. Planning guidance and procurement specifications were successful in driving huge reductions.

We will

- Prevent waste through existing initiatives and motivating behaviour change.
- Promote industrial symbiosis as a vehicle for carbon reduction in partnership with local business.
- Divert waste from landfill to other treatment methods.
- Attract investment in reprocessing and recycling.
- Cut the use of virgin materials within Council activity.
- Reduce water usage across our estate.
- Produce a map of the city identifying opportunities for closed loop recycling and the provision of the necessary recycling infrastructure.
- Collaborate with education and training providers to ensure that pupils/students of all ages learn about resource efficiency and recovery principles.
- Monitor, report and set targets on our management of waste and the reduction of waste sent to landfill.
- Encourage reduction and reuse initiatives, both in business and domestically through public education and community action programmes.
- Create more partnerships to help residents reuse or recycle. We also aim to produce less operational and construction waste in the first place – and send none of it to landfill. We'll work with our suppliers to help them reduce waste and achieve zero landfill rates too.
- To work in partnership with residents to help them reuse or recycle more reducing their impact on the local environment.

Delivery

This strategy is about setting firm and immediate priorities for action, promoting low carbon growth whilst safeguarding the environment.

To deliver the commitments we have made we will need the resource to make them happen. At the core of this strategy is an emphasis on building the capacity of the city to respond to climate change - not only the challenges that confront us now but also those that will arise as new information and technologies become available over the years ahead. We will seek to build capacity and resource the commitments stated in this strategy in three key ways:



Delivering the strategy through people

The City Council remains the central body for promoting development, is the statutory planning and highway authority, is a major land owner and has responsibility for other services such as education.

We will

- Ensure that these functions are closely aligned to the delivery of this strategy and that there is clear engagement and devoted staff resource across all directorates to prepare council services and partners for the inevitable changes that climate change will bring.
- Increase sustainable practices in order to increase competitiveness, reduce costs and diminish the detrimental impacts of the council's activity on the local environment.
- Continue to apply an evidence-led approach to sustainability, identifying the potential for cost savings wherever possible and commit to environmental policies and standards in our decisions, estate, travel and transport, procurement, construction and workforce.
- Promote collaborative, joined-up working and information sharing across Council departments in order to co-ordinate the delivery of climate adaptation and mitigation actions.
- Lead the response to climate change within the city, in order to improve the capacity of residents, partner organisations and their respective communities to adapt to changing climate risks and vulnerabilities.
- Raise awareness of climate change and the need to adapt to its potential impacts within the city amongst the local community and other key stakeholders.

Delivering the strategy through partnership

The commitments in this strategy relate specifically to the City Council but they form the basis for a much wider engagement with local communities, residents, public agencies and the local business community, all of whom will have an integral part to play if the city is to be successful in delivering a low carbon future.

We will

- Strengthen links with and between local businesses through the Low Carbon City Group and the Energy Partnership, bringing together the Council and business organisations to discuss progress on the strategy and develop, implement and monitor our plans for CO2 reduction.
- Work with sub-regional bodies such as Transport for South Hampshire and the newly created Solent LEP and its partners to link the strategy to the objectives and implementation framework of the partnership recognising the economic, transport and wider infrastructural dependencies we have that stretch beyond the city boundaries.
- Launch a programme of engagement with strategic stakeholders to be able to develop the delivery plans that will supplement this strategy and achieve the delivery of our priorities. This will enable individuals, associations and organisations to demonstrate the ways in which they are contributing to a low-carbon future and to be able to examine our collective progress in meeting the climate challenge.
- Work with neighbouring authorities, statutory agencies, city-partners, sub-regional stakeholders, and a range of other public and private organisations to deliver our strategic aims.
- Work with residents, community groups, environmental networks and businesses, with local knowledge and interest to develop locally appropriate solutions to future climate change impacts.
- Encourage organisations in the city to endorse the principles and priorities of the strategy and to discuss and agree what their contributions to delivering it can be, specifically in relation to reducing carbon emissions.
- Establish a strengthened Southampton Environment Partnership to ensure delivery of our strategic priorities on a city-wide basis and take part in overseeing progress.

Delivering the strategy through policy

Each chapter in this strategy sets out clear outcomes that the Council will reach to meet the challenges posed by climate change. Actions to achieve the outcomes set out in this strategy will be set out in a series of detailed delivery plans over the lifetime of the strategy.

We will

- Create a supplementary rolling 3 year Delivery Plan of measurable, accountable and deliverable actions to achieve the commitments and outcomes outlined in this strategy. The first Delivery Plan will cover the period 2011 - 2014. The second will cover the period 2014 - 2017 and the third will cover the period 2017 - 2020.
- Keep the Low Carbon City Strategy, Area Action Plans, planning policies and other strategic documents under regular review, taking account of new and improved knowledge about climate change and learning from experience and best practice.

There are a number of other documents that are required to support the delivery of specific objectives in this strategy that either already exist or are under development. These include:

- LDF Core Strategy
- Economic Development Strategy
- Local Transport Plan
- Housing Strategy
- Health and Wellbeing Strategy
- Carbon Reduction Policy and Action Plan
- Biodiversity Action Plan
- Open Spaces Strategy
- Sustainable Procurement Policy
- City Centre Masterplan and City Centre Action Plan
- Southampton Development Plan DPD
- Air Quality Action Plan
- Surface Water Management Plan
- North Solent Shoreline Management Plan
- Southampton Coastal Flood and Erosion Risk Management Strategy
- Itchen to Hamble Coastal Defence Strategy



Southampton Low Carbon City Charter

This Strategy and Delivery Plan for Southampton is a plan for the entire city. Now it's over to you. It is the responsibility of all of us to reduce our CO2 emissions, spend our carbon more carefully, and take decisive action to prepare for climate change to achieve our vision of a city that is competitive, greener, healthier and safer.

Pledge your support*

We pledge our support to uphold the principles outlined in the Southampton Low Carbon City Strategy and work in partnership with the council to deliver the vision of a low carbon city. We will do so by reducing the carbon footprint of our organisation**

*In return, you will receive:

- a low carbon champion certificate, for you to display which recognises your carbon reduction commitment
- web banners for you to display on any web-pages
- a listing on the Southampton Low Carbon City web-pages, with space for a organisation logo and 200-word case study on how you are cutting carbon emissions

**The information needed about your organisation's energy consumption and carbon emissions is as follows:

- the percentage reduction you have, or are planning, to make
- consumption data is required for one full year (either calendar or financial) from 2006 onwards
- data for gas and electricity consumption should be supplied in kWh (kilowatt hours), and any other fuels used (wood, coal, oil) with relevant amounts and units (e.g. tonnes, litres, kWh)
- if you are part way towards your carbon reduction target, we require an estimate of the remainder of carbon savings still to be made to your target year
- fuel used by transport activities is not required
- all consumption data supplied will be held in confidence, and only reported collectively, in tonnes of carbon dioxide, to represent the emissions from all organisations registered to the Low Carbon City Charter.





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Southampton

Low Carbon City

Low Carbon City Strategy and Delivery Plan
Year 1 Annual Progress Report (2011/2012)

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Foreword

The publication of the Low Carbon City Strategy signified an important milestone in confirming Southampton City Council's commitment to drive down our carbon emissions and ensure that the city is well placed to manage the consequences of a changing climate. I am delighted to present our first annual progress report on its implementation.

The Council is firmly committed to deliver the package of measures outlined in the Low Carbon City Strategy and this report acknowledges the good progress we have made so far. However, this is a challenging agenda and I will be working closely with my cabinet colleagues to identify further options for enhancing our intervention package where possible and ensure that we work with our partners to secure wider contributions from individuals, businesses and communities across the city and the surrounding area.

Cllr Richard Williams
Leader of the Council

Executive Summary

This report reflects the progress made in implementing the measures contained in the Low Carbon City Strategy and Delivery Plan which were published and adopted in July 2011.

This report provides:

- A qualitative assessment of the progress made in delivering the thematic actions
- Case studies highlighting key work in each theme; and
- An updated performance indicators framework for tracking Southampton's progress towards becoming a Low Carbon City.

The City Council is on track to meet the vast majority of measures outlined in the Low Carbon City Strategy Delivery Plan. During the past 12 months the focus was to embed the strategy at a strategic level and strengthen cross-directorate working, establish a clear picture on the city's environmental credentials and advance a number of bids to resource elements of the plan. The City Council has since made solid progress towards delivering organisational and city-wide carbon reduction targets.

Progress towards our key targets at a glance

Target	Status	Description
To reduce the City of Southampton's carbon dioxide emissions by 34% by 2020 from 1990 levels	✓	14.8% reduction since 2005
To reduce the Council's carbon dioxide emissions by 10% by 2013 from 2010/2011 levels	✓	14% reduction so far
To reduce the Council's carbon dioxide emissions by 40% by 2020 from 2010/2011 levels	✓	14% reduction so far
We are not meeting the target		
Progressing, but there is more work to do		
We are on track to meet the target		

Year at a glance

Below is a selection of the key achievements under each of the eight key priority areas in the strategy over the past 12 months:

2011	June	Award of £3.6m from the LSTF for the Sustainable Travel City programme
		£2.5m district heat network at Centenary Quay is completed
		Opening ceremony for the energy centre at Centenary Quay
	July	Low Carbon City Strategy adopted by Cabinet
		CRC figures for footprint year released along with annual report
		Green Economy review commissioned
	Aug	GRaBS project finishes
		Latest carbon emission figures show that Southampton achieved a reduction of 12.3% per capita in 2009
	Sept	LEAP project mentoring visit from Mayor of South Dublin
		Dissertation study into the development of a framework for assessing risk of heat waves commissioned
	Oct	Completion of dissertation study of the GSF role in flood attenuation (evidence base to support GSF policy in CCAP)
		Green Economy in Southampton and South Hampshire report published
Work commences on £9m refurbishment of four tower blocks at International Way in Weston including energy efficiency measures		
Nov	Southampton Surface Water Management Plan adopted	
	DEFRA air quality grant awarded for the purchase of an electric staff pool car	
Dec	Feasibility study commissioned to assess the viability of a low emission zone in the city	
	Completion of first phase of PV installations on council owned buildings	
2012	Jan	Policy 10 Green Infrastructure and Open Spaces included in emerging CCAP (preferred approach) including the Green Space Factor tool
		Work commences on the replacement of the geothermal well head
		Urban Canopy GIS tool completed

Feb		The City Council runs a two week trial of two hydrogen-powered transit vans
		2012/2013 Salix invest-to-save programmes commences
		Carbon Offset Fund feasibility study commissioned
		SME Business seminar on energy auditing held in partnership with Carbon Trust
Mar		Completion of additional PV installations on council buildings
		Internal Sustainability Network inaugural meeting
		Figures for 2011 show that the Salix invest-to-save programme has delivered energy savings of over £250k over the past two years
Apr		SCC notified that it is a finalist for the European RegioStars Awards (GRaBS)
May		Code for Sustainable Homes Level 6 development at Stoneham Cemetery Lane opens
		Inaugural meeting of the BiodiverCity group held
		CLG figures released for period March 2010 to March 2012 for code certificate issued across the country demonstrate that Southampton is one of the top performing councils outside London with 1168 code certificates issued at design stage and 763 signed off at post construction stage
		Free insulation offered to Southampton residents through Cocoon programme. 2600 measured have been or are scheduled to be installed
June		Award of €2.6m for the BEEMS project
		GRaBS project given European RegioStars Award
July		CRC figures for 2 nd year of phase 1 released
		Publication of the PhD carbon footprinting thesis
		Flood and Coastal Erosion Flood Risk Management Strategy adopted

Key

	Key Priority 1 - We will invest in, strengthen and grow the city's low carbon economy		Key Priority 5 - We will incorporate sustainability into all of our buying decisions
	Key Priority 2 - We will generate and use energy in a sustainable way		Key Priority 6 - We will strengthen biodiversity in the city
	Key Priority 3 - We will reduce the carbon footprint of the city		Key Priority 7 - We will increase low carbon travel and transport
	Key Priority 4 - We will minimise the impact from flooding for the city		Key Priority 8 - We will use less, waste less and recycle more

Introduction

The publication of the Low Carbon City Strategy in 2011 marked an important milestone in confirming Southampton's commitment to reduce carbon emissions, support effective adaptation to a changing climate and realise the benefits a low carbon future can bring.

This report highlights activity across the city to drive down emissions, and prepare for a changing climate and reflects progress made in implementing actions in the Delivery Plan since publication of the strategy. The report provides a qualitative assessment of the progress made in delivering the actions in each of the 8 priority areas, incorporating a number of case studies, as well as providing an updated set of performance indicators for tracking progress.

Vision

Southampton will thrive in a new low carbon economy. By galvanising local action we will be competitive and prosperous; a focal point for green business as we move swiftly to low carbon energy, low carbon transport and a low carbon built environment.

Our headline objectives

Mitigation	Adaptation
To reduce the City of Southampton's carbon dioxide emissions by 34% by 2020 from 1990 levels	To engage all individuals and organisations in Southampton in the process of adapting to climate change in order to improve health and quality of life for everyone
To reduce the Council's carbon dioxide emissions by 40% by 2020 from 2010/2011 levels	

Key priority 1 – We will invest in, strengthen and grow the city’s low carbon economy

Southampton continues to strive to be at the forefront of exploiting the commercial and social opportunities the low carbon agenda presents. The following section details the progress being made in the foundational actions the authority has taken forward over the past 12 months that are identified in the Delivery Plan to make the city an attractive prospect for cleantech and low carbon industry.

Case study

BEEMS project

On 21 June 2012 Southampton City Council was awarded €2.6m following formal approval from the EU for the ‘Building European Environmental and Maritime Skills’ (BEEMS) project. Working with partners from Portsmouth, East of England and Normandy in France, the project will run from September 2012 to September 2014 and aim to stimulate the development and sustained growth of environmental and maritime skills within the marine renewable energy industry (offshore wind, wave and tidal flow), and to increase the sector’s economic viability through enhanced cross-border co-operation and joint-working.

In order to achieve this aim the project will:

- Understand the commercial commonalities and differences of the cross-border marine renewable energy sector, and its specific requirements for developing and retaining a skilled workforce that meets short, medium and long term growth in the offshore wind energy industry.
- Engage with cross-border sector employers and training providers to broker and establish an offshore wind energy industry employment strategy and skills training plan that meets industry needs in skills development, training, apprenticeships and workforce retention.
- Develop a cross-border offshore wind energy industry skills training and apprenticeship programme that will meet the educational, social and economic needs of unemployed people or those with low level skills.
- Develop and evaluate cross-border practical approaches and techniques that improve performance and employability, including a skills escalator, study trips and exchanges.
- Enhance opportunities for SME’s in each of the partner’s areas to benefit from the development of the marine renewable energy sector supply chain.

Over the course of the 2 year project research will be undertaken to identify where skills gaps lie, promote the career opportunities that are available to young and mature entrants alike, and collaborate in order to devise employment strategies and training programmes to meet the skills gaps. Once this has been done the project will move into an implementation phase which will develop skills training programmes and baseline certification before providing a training toolkit that can be used by partners, policymakers, employers and skills providers in the marine renewable energy sectors to inform future planning and delivery. This work will be vital preparatory work to ensure that local people benefit from the job opportunities that will be available with the development of two offshore wind energy sites close to the Solent region (totalling 1.5GW in size). Construction in the Hastings Zone will start in 2014 and be fully operational by 2016, while construction in the West of Wight Zone will begin in 2016 and be fully operational by 2018.

Key priority 1 – We will invest in, strengthen and grow the city’s low carbon economy

Key:

Red – we are not meeting the target

Amber – progressing, but there is more work to do

Green – we are on track to meet the target

Ref	Aim	Action	Measure of Success	Timescale	Progress	Description
1.1	Create a political and planning climate to encourage business connected with the low carbon agenda to start, locate or invest in Southampton	Investigate a local scheme to incentivise improved energy efficiency equivalent to business rate relief	Funding captured to reinvest in the city. Individual businesses become more profitable.	2012	Amber	Local enterprise partnerships (LEPs) have offered councils the opportunity to shape their areas’ economic growth in partnership with local businesses. The re-localisation of business rates provides a new financial incentive for councils to encourage higher economic growth in their areas. Council to identify opportunities through dialogue with LEP.
		Incorporate specific action within the Investment Plan as Environmental Technologies are a key sector for the South Hampshire Economic Development Strategy	Increase in economic activity and the number of jobs in the city in a growing target sector	2011 to 2014	Green	Work is progressing on an Environmental Technologies proposition as one of two initial sector researches and this will be going up on the Invest-in-Southampton website shortly. Annual research into the status of the local green economy has also been undertaken.
		Convene a Low Carbon Southampton exhibition and conference to assess progress, inspire new stakeholders and build momentum for further action and seek to make it an	Number of stakeholders signed up	2012	Green	Southampton hosted the Nearer to Zero conference in October 2012. The event brought together house builders and planners from across the sub-region to

		international event of significance over time				understand the steps that must be taken if the ambition of zero carbon new homes from 2016 is to be realised, and to explore areas for greater collaboration between planning and house building to improve the supply of sustainable housing. Events are being planned in partnership with both the Hampshire Chamber of Commerce and Business Solent to promote the areas low carbon credentials – both will take place in 2013.
1.2	Become the UK's leading city for Environmental Technology and Services specifically the emerging low carbon sub sector	Conduct research and record details of the current and potential opportunities for Environmental Technology and Services (ETS) businesses in the South Hampshire sub-region and the wider Hampshire area	SCC employment land review identifying the number of ETS businesses and HQs of ETS businesses undertaken by 2011	2011	Green	The draft review of all employment sites has been completed identifying potential sites for redevelopment in the city.
			Full assessment of ETS enterprises within the sub-region undertaken by 2012 mapping out the cluster as it currently exists and detailing future market	2012	Green	The methodology for conducting this work has been agreed and the research has been undertaken identifying 398 businesses within the city and 211 in the surrounding area classified within the local green economy. The largest sub-sectors were again Building Technologies (119) and Environmental Consulting (60). So far, 7597 jobs in total have been identified in the green economy within South Hampshire. Research will be

						undertaken on an annual basis to assess sector growth.
		Articulate and implement the city's low carbon ambitions through robust planning policy to stimulate innovation and build on local economic strengths	Funding secured from appropriate sources to develop an ETS hub and deliver projects supporting labour growth related to environmental technologies	Bid formed by 2012	Green	An expression of interest to the Coastal Communities Fund was submitted in spring 2012. The EOI outlined a proposal to support labour growth in the local green economy by defining and mapping local skills provision and forming a training package and skills escalator. Although it was unsuccessful future funding opportunities are being explored.
	Adopt policy that will identify and safeguard office space and land in appropriate locations for ETS businesses by 2013 in the City Centre Action Plan (CCAP) and by 2015 for the rest of the city (Southampton Development Plan DPD)		2013 / 2015	Green	The CCAP is on schedule to be adopted in 2014. The CCAP 'preferred approach' (Jan 2012) document allocates significant office floorspace within the centrally located Major Development Quarter (MDQ). Additional incentives to draw in business specific to the ETS sector will be explored to support this designation.	
	Policies included in the CCAP and Southampton Development Plan that address the specific requirements of the ETS sector by 2015		2014	Green	Southampton Development Plan (SDP) document on hold whilst the CCAP is progressed to adoption (2014). The CCAP specifies increased net provision of office space available for business within the city centre. It is anticipated that the SDP and future	

						planning documents will be subsumed into a new Local Plan (2016), in line with the recently published National Planning Policy Framework. Site allocations and Development Management policies will be updated as part of that document.
			Initiate the 1 st Environmental Technology and Services hub in SE by 2014	Run workshops in 2011 to develop a project plan	Amber	Workshops to identify a project plan are yet to be held.
1.3	Work in partnership with the city Universities and Colleges to develop a sector skills programme to ensure that the local workforce can match the professional and technical requirements of new jobs	Link HE and FE sectors with employers in the renewables and retrofitting markets to ensure training and skills are matched to needs locally	Increased percentage of jobs taken up by residents from the PUSH area	2012	Green	Ongoing work with HE and FE sectors as well as wider training providers through SSDZ to identify and respond to emerging skills opportunities. Roll out of S 106 Employment and Skills methodology across PUSH area to standardise approach to employment and skills uptake by local residents. Retrofit and construction linked to Housing renewal and Estate Regeneration. Specific opportunities being sought through bids for external funding.
		Collaborate with the University of Southampton to create and promote a skills pool to build capacity locally for a low carbon technology hub	The number of students graduating with specific qualifications that relate to the needs of industry	Scope during 2011	Green	Links with the University of Southampton continue to be forged. A total of 6 work placements were hosted by the sustainability team over the

						summer months. The relationship with the University of Southampton has been further strengthened by the appointment of Prof Abubakr Bahaj as the council Chief Scientific Advisor.
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Key priority 2 – We will generate and use energy in a sustainable way

To reduce carbon emissions from energy production we must shift towards lower-carbon forms of energy production. We will also need to reduce energy demand through passive efficiency measures and by changing the way people habitually use energy at home and at work. The following section demonstrates the progress being made in actions to reduce energy use and generate renewable and low carbon energy across the city.

Case study

Feed in Tariff programme

The City Council has successfully installed solar photovoltaics on over 30 of its operational buildings across the city including schools, academies, council owned housing and the civic centre and city depot. The programme has delivered over 450 KWp of kit during the past 12 months resulting in over 46 tCO₂ being saved since the scheme began and total revenue savings in excess of £80k by January 2012 (including feed-in-tariff revenue, export revenue and displaced electricity savings).

Case study

CESP scheme at International Way in Weston

Structural and environmental improvements continue to be made to four tower blocks along International Way in Weston (Oslo, Havre, Copenhagen and Hampton) utilising Housing Revenue Account Capital programme funding and external funding secured from the Community Energy Savings Programme via utilisation of British Gas.

The project has seen the installation of external insulation, new double glazed windows and balcony doors and new gas-fired communal heating and hot water services resulting in reduced energy costs to tenants and leaseholders, an improved appearance to the buildings, and extended structural lives for the buildings. In addition the project has seen solar photovoltaics installed on the roof area of each block with the energy produced utilised to feed existing electrical systems in the blocks.

Draught proofing measures have also been installed to all properties at Canberra Towers, Hurstbourne Place, and the flats within Foxcott Close to improve the energy efficiency of these blocks. International Way sits within one of the five most deprived wards in the City and this proposal will have a significant impact in tackling issues of fuel poverty, child poverty and wider deprivation.

Key priority 2 – We will generate and use energy in a sustainable way

Key:

Red – we are not meeting the target

Amber – progressing, but there is more work to do

Green – we are on track to meet the target

Ref	Aim	Action	Measure of Success	Timescale	Progress	Description
2.1	Develop a long-term programme for retrofitting public buildings across the city with Solar PV	Develop a portfolio of Solar PV retrofit projects including the Civic Centre	Percentage increase in renewable energy used in SCC property	2011-2013	Green	Installations on 31 separate buildings have been completed delivering over 450KWp of renewable energy.
2.2	Build and operate more energy efficient homes, businesses and public sector buildings	Continue with the existing City Council programme of energy management and work with partners to share knowledge on best practice	% reduction in energy through Buildings Energy Efficiency Programme (BEEP) framework contract and supplier base	2011-2013	Amber	There is no resource to take forward an energy performance contract. Energy savings in the corporate and admin estate will be delivered through the Salix programme. This programme has a budget of £408k set aside to deliver energy efficiency projects during 2012/2013
			946 tonnes of CO ₂ reduced through BEEP and £189k saved	2013	Amber	In 2012/13 the Salix budget of £408k will be spent on delivering the following energy efficiency projects: Lighting replacement and improved control at a number of sites including MS car parks, Improved heating controls, Insulation works to include pipework and building fabric improvements, CHP at a residential care home, and both

						corporate and schools estate.
			15% of schools to achieve Silver Eco Schools accreditation	2011	Green	Southampton Schools continues to be a hotspot for sustainability. With 4% achieving Ambassador/ Gold Eco school accreditation and 22% Silver
		Continue to support schools to become sustainable by 2020 through the Eco Schools renewables programme	Renewable energy technologies introduced in 8 schools utilising Low Carbon Buildings Funding	2011	Green	LCBP closed April 2010 replaced by Feed in Tariff and RHI December 2011
			All schools to have accurate Display Energy Certificates with A – G ratings	2011	Green	All schools requiring a DEC had one calculated. 40% achieved the national median = D. With 30% above a D and 30% below.
			% schools built to BREEAM Excellent or Outstanding	2011-2014	Red	Both Oasis Academy Mayfield and Oasis Academy Lord's Hill have been built to BREEAM Very Good rating. This is a function of the capped local and national funding made available to deliver the projects - the difference between Very Good and Excellent generally being equivalent to about 7 - 10% of the total capital cost of the Very Good baseline Scheme. It is highly likely that all new build Primary Review projects delivered between 2011 and 2014 will also fall into this bracket as a function of further reductions in local and central capital allocations.

			Expand Solar PV programme to a further 10 – 15 schools to capitalise upon Feed in Tariff	2011-2014	Green	172 KWp were installed on a further 10 schools before 3 rd March 2012 deadline
			Number of Oil and Gas fired boilers replaced with Biomass (woodchip) boilers from a local sustainable source	2011-2014	Amber	Government Renewable Heat Incentive (RHI) did not become available until Dec 11. Funding not available for additional 50% cost of boiler.
2.3	Work with partners at the city, sub-regional and national level to improve existing infrastructure, existing regulatory frameworks, and policy to help deliver a decarbonised generation and distribution system	Support appropriate low carbon and renewable energy schemes in the city	Expansion of Southampton City Centre district heating scheme where new connections are made	2014	Green	The Empire View block of flats, on the Gantry site adjacent to the Mayflower Theatre have been connected to the city centre network and is expected to save 190 tonnes CO ₂ p.a. Against a transparent comparator of conventional costs (fuel and all non-fuel costs) as a benchmark the heat tariff the Southampton Geothermal Heat Company will provide residents with an energy cost saving of circa 10%. The pipework has been extended to a point where it can pre-service the Central Station redevelopment area and Wyndham Court in the future.
			In depth feasibility District heating schemes covering a high density housing area- e.g. Thornhill, Weston, Millbrook, Redbridge	2014	Amber	Proposals to develop district heating in the city along with outlines for the feasibility work needed in key areas in the city are being included in a Sustainable Energy Action Plan.

		Heat captured from the Marchwood Energy-from-waste facility and fed into district heat network	MoU between Cofely, Veolia, HCC and SCC signed by 2011	2011	Red	Agreement to co-operate drafted but yet to be executed.
2.4	Maintain and develop local and sustainable energy networks	Develop new and grow existing community-based sustainable energy networks where energy can be used by local users and/or fed back into national and local grids	Complete the first phase of Centenary Quay, incorporating a district energy network and energy centre	2012	Green	The energy centre and district heat pipework at Centenary Quay has been completed and is providing heat to the houses completed on site. The network will deliver savings for residents in their energy bills. It has been estimated that the CHP unit will reduce total CO2 emissions for the entire site by around 11% (>1000 tonnes of CO2) from the 'energy efficient' design baseline.
			Complete heat mapping exercise identifying the best opportunities to use waste heat within the city	2011	Green	Cofely District Energy has produced a city-wide heat map to identify heat demand.
			City Centre Action Plan and Southampton Development Plan DPD adopted	2015	Green	The CCAP is on schedule to be adopted in 2014. There is provision in CCAP to develop and grow community energy networks. Policy 12 and its supporting text sets out SCC's support for renewable and low carbon energy plant in the city adding to the policy support within the core strategy.
2.5	Use the EU funded LEAP project to promote and exchange best	A co-ordinated citizen engagement programme of advice and support on domestic energy efficiency and	Low Carbon technology and decentralised energy conference	2012	Green	Southampton hosted the Nearer to Zero conference in October 2012
			Number of residents visited	2013	Green	A programme of community

	practice for city-wide sustainable energy generation	water efficiency for residents, landlords and building owners, including behavioural change, physical improvements and grant/loan information				roadshow events has been developed in partnership with the Smarter Travel Centre of Excellence and is being rolled out throughout 2012/2013. Information Days have been held at International Way to engage residents with the structural and environmental enhancements in the tower blocks and the new heating systems in place within the flats.
		Active business mentoring arrangements established. Peer advice given by established businesses to smaller businesses in the city	Number of mentoring visits	2013	Amber	Yet to commence.
		Energy efficiency demonstration sites throughout the city targeted at SME's	Number of stakeholders signed up to visit sites	2013	Green	The Southampton Energy Partnership has facilitated site visits to partner members including IKEA, Skandia, DP World, the City Depot and the National Oceanography Centre to showcase best practice and disseminate learning.
2.6	Promote a diverse range of renewable and low carbon energy technologies in the city to deliver stability and resilience	Work with partners to make Southampton a venue for smart grid technology trials including intelligent appliances, heat storage from excess generation, peak demand management, intelligent pricing, mixed generation and storage capacity.	Energy storage technology pilot completed by 2014	2014	Amber	Yet to commence.
			Smart grid technology trial completed by 2013	2013	Amber	Yet to commence.

Key priority 3 – We will reduce the carbon footprint of the city

This section presents the current progress being made with the headline emission reduction interventions identified in the Low Carbon City Strategy to reduce carbon emissions related to activity in both the local authorities operations and across the city as a whole.

Case study

Carbon Emissions Inventory

To help Southampton reduce its greenhouse gas emissions Southampton City Council partnered with researchers from the University of Southampton's Carbon Management Group (CMG) to measure the city's carbon footprint. The project has led to the development of the world's most detailed software model of a city's carbon footprint. It maps emissions from all sources in the city with robust data from all housing (by type, age, and location), business and commercial properties in the city collected using a specific methodology that was developed as part of the project. This enables the city's carbon footprint to be broken down by sectors, processes, fuels and locations, to better inform policy and action.

It establishes more accurate local data on carbon emissions, provides a database on which energy efficiency and sustainable energy investment can be modelled and based (i.e. types of solutions suited to different scenarios); and allows modelling of future actions to identify the best strategic solutions to be followed (for example heat mapping to identify where decentralised energy networks should be focussed). This information can be used to help direct the Low Carbon City Strategy and inform future policy to achieve carbon reduction targets.

The model makes it possible to identify areas where significant emissions reductions could be achieved and the best energy solutions to take forward. The ability to provide decision makers with this information is extremely powerful, providing the means to recognise not just the source of emissions, but also to identify the underlying drivers and processes.

This cutting edge work has attracted international interest with the outputs of the PhD study currently considered to be world leading in terms of developing a dedicated methodology and establishing an accurate carbon footprint at a city-wide level.

Key priority 3 – We will reduce the carbon footprint of the city

Key:

Red – we are not meeting the target

Amber – progressing, but there is more work to do

Green – we are on track to meet the target

Ref	Aim	Action	Measure of Success	Timescale	Progress	Description
3.1	Generate investment into retrofitting of public and private sector housing across the city	Carbon Offset Fund in place as part of the Local Development Framework by 2012	Funding captured to reinvest in the city	2012	Green	The USEA were commissioned to undertake a feasibility report which was completed in May 2012. The recommendations emerging from the report are in the process of being considered and an appropriate route for implementation is being agreed with development management.
		Articulate and implement the city's low carbon ambitions through robust planning policy to stimulate innovation and build on local economic strengths	City Centre Masterplan in place by 2012	2012	Green	The City Centre Masterplan was launched on the 16 th March 2012. The event was attended by over 400 delegates. The document outlines a new business district in the city centre.
			Local Development Plan in place by 2013	2013	Green	It is anticipated that the SDP and future planning documents will be subsumed into a new Local Plan (2016), in line with the recently published National Planning Policy Framework.
			City Centre Action Plan in place by 2013	2013	Green	The CCAP is on schedule to be adopted in 2014. There is provision in CCAP to develop and grow community energy

						networks.
3.2	Work with key partners to reduce the city's carbon footprint through joint initiatives	Continue to set and achieve stretching carbon reduction targets for the City Council and the city and continue to report to the community on our CO ₂ emissions	10% CO ₂ reduction by 2013 (2010/2011 baseline)	2013	Green	Against a 2005 baseline there has been a 14.8% city-wide CO ₂ reduction up to 2009 (latest available data). 23% per capita reduction.
			40% CO ₂ reduction by 2020 (2010/2011 baseline)	2020	Green	Excluding transport and domestic emissions (which are not accounted for under CRC) the council has achieved a saving of 3,042 tCO ₂ over the past year which equates to a reduction of 14% against the 2010/2011 baseline.
		Develop the PhD Carbon Footprint framework for Southampton, and encourage organisations and individuals to accurately measure their emissions and their contribution to the city's reduction targets, while meeting their own needs and reporting requirements	A business emissions reduction strategy for the city is in place by 2014 using the PhD study findings as the baseline	2014	Amber	Work will commence upon final publication of PhD findings and access is given to the use of the CFM software.
			PhD completed by 2012	2012	Amber	PhD thesis expected to be completed by December 2012 (subject to final assessment). Carbon footprint methodology established and full data collected and available for the city. Carbon Footprint Model software in commercial development phase. The model will be used to calculate the impact of interventions included in the existing delivery plan and help to shape actions in the second delivery plan.
			Appropriate measures and targets for the city's impact on	2014	Green	The Carbon Management Group based at the University

			aviation and shipping in the new total carbon footprint approach to be adopted in 2014			of Southampton has been expanded with additional research into shipping emissions underway. This work will lead to the development of appropriate measures and targets.
			Publish and promote PhD findings by 2012	2012	Green	The PhD findings will be made available following the formal examination process for the submitted PhD thesis. The CFM was presented in October 2012 during a partner visit from European local authorities participating in the LEAP project.
		Deliver Private Housing Initiatives to reduce carbon emissions and save energy and fuel costs	Cocoon insulation discount scheme for residents	2011 to 2014	Green	2,600 measures have been or are scheduled to be installed in Southampton's private homes through the Cocoon and Heatseekers insulation discount schemes. The Council has worked with partners to offer free insulation through the Cocoon scheme from 14 May 2012.
			Warm Front referrals providing insulation, and efficient heating systems to homes in the city up to 2013	2011 to 2013	Green	Vulnerable customers are being referred to Warm Front whenever appropriate, but Government funding for this scheme has been significantly reduced.
			Free Insulation offer to staff in the city	2011 to 2014	Red	Offer withdrawn as it has been superseded by the cocoon insulation programme which

						now offers free insulation to all private homeowners in Southampton.
		Finalise the replacement of all road traffic signalling and street lighting with low-energy, long-life LEDs	The replacement of road traffic lights across the city will have saved 400 tonnes of CO ₂ every year	2011	Green	Completed.
			Southampton will be the first city in Europe to have its street lights replaced with LED technology which will save over 2700 tonnes of CO ₂ per year by 2025. The energy efficient kit and the dimming of lights at night will deliver a 11% CO ₂ saving by 2015 equivalent to over 600 tonnes of CO ₂	2011 to 2015	Green	To date the Peartree, Bevois, Freemantle, and Redbridge wards are the first to be lit up with new environmentally friendly street lights with Bitterne Park, Swaythling and Portswood scheduled to be completed by the end of 2012. The scheme will see a total of 13,500 columns, 3000 illuminated signs and 11,000 lanterns replaced.
3.3	Support the Green Deal programme of retrofitting with advice, incentives and investment models to help residents take up the offer	The Green Deal will improve insulation in homes in Southampton	Number of homes retrofitted	2013 onwards	Amber	Green Deal yet to commence.
		Secure delivery of services by Southampton firms	Number of registered Green Deal providers in the Southampton area	2013	Amber	Green Deal yet to commence.
3.4	A wide-reaching insulation and renewables retrofit programme has brought existing homes up to similar standards as new homes	Deliver decent homes initiatives to save energy and water in the city	The programme will have improved water and energy efficiency and reduced energy and water bills in at least approx 300 homes per year through new bath, cavity wall and loft insulation.	2011 to 2014	Green	Structural and environmental improvements continue to be made to four tower blocks along International Way in Weston (Oslo, Havre, Copenhagen and Hampton) utilising Housing Revenue Account Capital programme

						funding and external funding secured from the Community Energy Savings Programme via utilisation of British Gas.
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Key priority 4 – We will minimise the impact from flooding for the city

Flooding is one of the most significant challenges for the city. The Delivery Plan includes a range of headline measures enable Southampton to progress towards being resilient to all but the most extreme floods and identify those in the city who are most at risk from the impacts of climate change and tailor our services appropriately. An update of each of the flood risk management measures is given in this section including a case study of best practice from the past 12 months.

Case study

Southampton Surface Water Management Plan (SWMP)

The Plan identifies the areas within the city which are at high risk from surface water flooding and identifies a number of recommendations to manage the risk. These actions will strategically manage surface water within the high risk hotspot areas throughout the city to reduce the potential impacts from surface water flooding to people, property and infrastructure. The Plan was adopted in November 2011.

Case study

Southampton Coastal Flood & Erosion Risk Management Strategy

The Coastal Flood & Erosion Risk Management Strategy sets a strategic approach to managing coastal flood risk from Woodmill to Redbridge over the next 100 years enabling the city to adapt to sea level rise. It sets a strategic approach to managing coastal flood risk will reduce the risk for existing communities and give confidence to future investors. The Strategy was adopted in July 2012

Key priority 4 – We will minimise the impact from flooding for the city

Key:

Red – we are not meeting the target

Amber – progressing, but there is more work to do

Green – we are on track to meet the target

Ref	Aim	Action	Measure of Success	Timescale	Progress	Description
4.1	Put in place a major infrastructure programme to create flood defences and long term adaptation strategies	Southampton Development Tariff in place by 2011	Funding captured to reinvest in the city	2012	Amber	The USEA were commissioned to undertake a feasibility report which was completed in May 2012. The recommendations emerging from the report are in the process of being considered and an appropriate route for implementation is being agreed with development management.
		Southampton Coastal Flood Erosion Risk Management Strategy in place by 2012	Sign off by Environment Agency	2012	Green	Sign off due by end of 2012. The public consultation complete and preferred flood risk management options for development sites have been agreed.
		Put in place a surface water management plan for Southampton and implement a new Sustainable Urban Drainage Systems regime	Specific resource established within the Sustainability Team to deliver new legal responsibilities arising from the Flood and Water Management Act 2010	2011	Green	Surface Water Management Plan in place. Action plan being developed. SUDS awaiting decision from DEFRA regarding implementation dates.
		Collaborate with other agencies and councils on shared services provision in 2012/13	To be confirmed	2013	Green	Discussions in progress.
4.2	Ensure that new	Input to Southampton	Southampton Development	2015	Red	It is anticipated that the SDP

	developments are appropriately designed to adapt to the impacts of Climate Change and safeguard appropriate land for defences	Development Plan DPD for 2015 adoption	Plan DPD adopted			and future planning documents will be subsumed into a new Local Plan (2016), in line with the recently published National Planning Policy Framework.
		Input to City Centre Action Plan DPD for 2013 adoption	City Centre Action Plan DPD adopted	2014	Green	The CCAP is on schedule to be adopted in 2014. There is provision in CCAP to develop and grow community energy networks.
4.3	Raise individual and community level awareness of flooding and the measures they can undertake to reduce risks to become more 'adaptation aware' and able to manage the consequences of flooding	CCATCH project implementation of engagement strategies in Hampshire 2012-13	To be confirmed	2013	Green	1 st meeting of local engagement group held on the 26 April 2012 to commence the project. The project will run for a duration of 18 months finishing in December 2013.
4.4	Market the key development assets in the city and reassure investors that Southampton is a safe place to invest	Develop an urban design showcase in partnership with the EA which demonstrates managed adaptive approach to flooding in the city attracting prospective developers	A suitable site in Southampton is identified by 2011	2011	Green	The Royal Pier site has been put forward as a potential site to showcase resilience to flooding within site design.
			Number of stakeholders signed up to attend the event	2013	Amber	To be confirmed.
4.5	Reduce flood risk to the city's most critical assets and vulnerable	Identify and map existing vulnerabilities to flooding and climate impacts in terms of the potentially adverse health and	Climate Change Risks and Vulnerabilities Assessment Tool finalised and implemented through the city	2011	Green	The Climate Change Risks and Vulnerabilities Assessment Tool has been completed. Additional study has been

	communities	other consequences on people, property and essential infrastructure, taking critical thresholds and the extent of resilience into account	council emergency planning unit			undertaken to assess risk associated with heat waves in partnership with the University of Southampton.
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Key priority 5 – We will incorporate sustainability into all of our buying decisions

As a local authority we are a major consumer, spending over £240m each year. This budget brings with it the power to transform local markets and make a major contribution to driving the way in which local markets develop. When procurement is undertaken jointly with other local public sector organisations there is even greater influence over the supply chain. This section provides detail of the progress being made in the key measures included in the Delivery Plan to enable Southampton to buy its way to a better future. An update of each of the measures is given in this section including a case study of best practice from the past 12 months.

Key:

Red – we are not meeting the target

Amber – progressing, but there is more work to do

Green – we are on track to meet the target

Ref	Aim	Action	Measure of Success	Timescale	Progress	Description
5.1	Mainstream sustainable procurement and asset management into all of our activities including those carried out at arm's length and through our strategic partnerships	Achieve sustainable outcomes through the City Council's procurement activity and reach our Flexible Framework targets	Achieved Level 5 by 2014	2011 to 2014	Green	Still work in progress. Work being undertaken with Denise Edghill, Senior Manager, Skills and Economy on job creation through SCC's contracts project, Vanessa Shahani, Manager-Communities Team on making SCC easier for the 3 rd Sector to deal with, and Planning and Sustainability (through European Pathway to Zero Waste) on the Sustainability tool-kit.
		Work with key city partners to develop an agreed approach to sustainable procurement, undertaking a benefits analysis for all key service areas	A shared local public sector procurement framework to coalesce the objectives of the City Council with other big purchasers in the city is fully developed by 2014	2014	Amber	This has taken a 'back seat'. Thought being given to what SCC wants to do and how it will be achieved.
		Develop a sustainable procurement toolkit for all staff	Toolkit adopted by March 2011	2011	Red	Currently awaiting a response from European Pathway to

		to enable them to make informed decisions about the goods and services they procure, and ensure major contracts get maximum gain for local communities through apprenticeships and use of local suppliers				Zero Waste based upon our spend data.
			All relevant staff trained March 2012	2012	Amber	This will be based upon the outcomes from the European Pathway to Zero Waste work and will also be considered as part of the centralised purchasing work which will enable SCC to gain more control over the less than £100k procurements.

Key priority 6 – We will strengthen biodiversity in the city

The more we understand about the natural environment, the more we realise that it supports us with 'ecosystem services' which may not be visible but which are fundamental for life; be it provision of food, water, good air quality, fuel, or building materials. Southampton City Council is committed to conservation and enhancement of green space to make sure the city has an integrated and accessible city-wide green network and that residents are able to benefit fully from the role the natural environment plays in making Southampton an attractive place to live. This section provides detail of the progress being made in the measures included in the Delivery Plan to improve the way we link together the living green spaces and tree-lined streets in the city. An update of each of the measures is given in this section including a case study of best practice from the past 12 months.

Case study

Green Space Factor

The Green Space Factor (GSF) is a conceptual tool for assigning value to elements of the urban environment in terms of the ecosystem services they provide. These services could include:

- biodiversity conservation
- water attenuation
- thermal regulation
- air quality improvement (dust binding)
- recreation
- aesthetics

The tool has been incorporated into the green infrastructure policy which forms part of the emerging Southampton City Centre Action Plan. The GSF can serve as a tool upon which to set targets and monitor progress, support decision making and set standards for new development. Southampton City Council (SCC) will use the GSF as a key tool in development planning. Initially a GSF would be calculated for the city centre, and later the whole city. The GSF scores for the city as a whole and for sub-regions of the city would be used as a basis upon which targets for maintenance or improvement could be set. The potential for improvement of the GSF could be quantified through activities such as identifying the potential surface available for green walls and green roofs within the city centre. The tool will be developed allowing exploration into the effects of decisions on the GSF of the city as a whole or areas within it. This will then be used in discussions between SCC and developers in agreeing responsibilities to provide ecologically effective areas as a part of development projects. The use of the GSF gives a simple numerical output to elucidate the effect of decisions on the ecological performance of the city and will be a useful tool for communicating ecological concerns to individuals that do not have a deep understanding of ecology. It may also be possible to use GSF as an indication of economic value, which could help building a strong economic case for ecological improvement within the city.

Key priority 6 – We will strengthen biodiversity in the city

Key:

Red – we are not meeting the target

Amber – progressing, but there is more work to do

Green – we are on track to meet the target

Ref	Aim	Action	Measure of Success	Timescale	Progress	Description
6.1	The city has an integrated and accessible city-wide green network	Protect and manage existing green infrastructure (GI) in the city and achieve greater connectivity between areas	15 Green Space improvement projects will have improved facilities for residents by 2013	2011	Green	30 plus parks have been improved to date, with more programmed for 2013.
			Management and Maintenance Plans for the 5 City Parks and 4 District Parks are published	2011	Green	10 green flag criteria plans written to date, 40 plus management statements in development to include HLS prescriptions.
			Increased tree coverage in Southampton including street trees and woodland cover	2011 to 2014	Green	Production of Urban Canopy Layer using LIDAR data has been completed and held by UoS. This data will be used to identify areas for action. Small scale tree planting taking place Approx 100 large trees but this will stop in 2013/14 unless external funding can be found.
		Review and improve methods of green space master planning in development, including setting standards for the quality, accessibility and quantity of open space through the implementation of the Green Space Factor (GSF) tool	Baseline information gathered on urban form and land-cover across the city, including existing blue and green infrastructure (GI), as the basis for identifying adaptation opportunities and measures at the area-wide, neighbourhood and building	2011 to 2014	Green	Several dissertations undertaken to collect baseline information on urban form and land-cover across the city.

			scales			
			GSF tool implemented on trial site to assist in securing improved biodiversity levels in new development	2012	Green	The tool is included on the sustainability checklist as a non-mandatory requirement for developers. Case studies and a workshop developed. A workshop was run as part of HIPOG Sustainability training.
			Improved City Centre Green Space Factor score	2012 to 2013	Amber	Sample GSF scores for the City Centre and the rest of the city have been produced. Appropriate target scores are being decided upon.
			A 'Green Plaque' scheme is in place to market exemplar buildings that apply the GSF	2014	Amber	Options will be explored with willing developers with sites put forward as case studies. A longer timeframe is expected as accurate scoring needs to be delivered before assessing what an award scheme would be based on.
6.2	Residents have healthier lifestyles through access to and use of diverse open spaces for a range of activities	Improve functionality of Southampton's existing open spaces, sport and recreation facilities, and provide a network of diverse, multi-functional open spaces	Quality audit of all parks and open spaces based on Green Flag criteria completed to give clear understanding of what is required to sustain and improve green spaces in the city	2012	Green	Completed in 2010.
			Audit data is used to prioritise parks and green spaces for allocation of future funds with a prioritisation list developed by 2013	2013	Green	Completed in 2010.
			Increased installation of green roofs within the city,	2011 to 2014	Green	Green roofs installed at Centenary Quay, the University

			both on new developments and retrofitted to existing buildings			of Southampton, the Eastpoint Centre, student accommodation at Swaythling and other small sites throughout the city.
			Maximise the contribution of gardens and individual/household space to green infrastructure, including advice and training on wildlife friendly gardening, domestic composting and grow-your-own schemes	2011 to 2014	Green	Information to be made available to the public via SCC website and the Hawthorns Urban Wildlife Centre and to SCC officers via the Sustainability Bulletin. Next planned activity: Liaise with Natural Environment Team regarding information on wildlife friendly gardening and investigate with HIPOG opportunities for the planning system to support local food production
			Identify best practice in managing GI in response to climate change using international research as well as local planning and ecology experts through the GRaBS project	2011	Green	The GRaBS project has drawn to a conclusion having finished in August 2011. The project has since won the RegioStars Award. SCC has signed up to the national Green Infrastructure Partnership led by DEFRA.
			Develop management guidance for Southampton open spaces	2012	Green	Current management practices under discussion with open spaces officers.
		Map produced identifying potential amenity green space for alternative land use, based on its quantity and quality	Full map on corporate GIS by 2013	2013	Amber	Baseline information to be gathered once a Masters student has been identified. Data collected on urban form will lead to the development of

						a green grid which will then enable an assessment of green space available for alternative land use.
6.3	The city's biodiversity is enhanced and contributes to improving quality of life for the people of Southampton	Work with partners to secure investment and allocate land for strategic green infrastructure enhancement projects	Environment Agency de-culverting of Hollybrook on Municipal Golf Course	2011	Green	The scheme has been defined and will include biodiversity enhancements, flood management and visual amenity improvements including a weir and pond. It has received planning permission and is due to commence imminently (Nov 12)
			Riverside Park, Portswood Park and Weston Shore will be improved through capital funding, increased community involvement and other external grants	2011	Green	Completed end of 2010
			Portswood Park and Weston Shore will obtain Green Flag status by 2011	2011	Green	Weston Shore attained Green Flag in 2009 and 2010, Portswood Rec has gone through a number of changes including a new Friends of group and is currently not considered of a standard to go through Green Flag. However this is still a future target.
			Riverside Park and Southampton Common will maintain Green Flag status annually	2011 to 2014	Green	St James Park (New Green Flag 2011/12) Central Parks retained Green Flag 2011/12, Mansel Park, Hinkler Green, Weston Shore, Mayfield Park, Southampton Common all

						received Southampton Park Award.
			Southampton Common and sites of importance for nature conservation (SINCs) will be improved through Higher Level Stewardship Grant and England Woodland Forestry Grant capital funding and joint working with Natural England undertaken to obtain favourable status for SSSI by 2012	2012	Amber	The Higher Level Stewardship Grant has been secured. Finalising Prescriptions with Natural England will be in place by end of December 2012, work on sites ongoing to ensure HLS prescriptions are followed.
			Funding obtained for sub-regional green infrastructure improvement projects	2011 to 2014	Amber	Suitable funding sources to be identified.
			Open spaces projects identified through Surface Water Management Plan to provide additional storage capacity and create wetland habitat	2011	Green	SWMP approved and projects identified. Funding to develop the projects is being secured. £200k has been secured from highways to undertake feasibility work and bids are being prepared.
6.4	There is more green and blue infrastructure and urban tree cover and established habitat corridors	Work with Test Valley Borough Council and Forestry Commission to set up a forest park at Nursling/Rownhams	Increased sub-regional semi-natural infrastructure	2011 to 2014	Green	Limited progress to date but more work expected in the next 6-12 months.

Key priority 7 – We will increase low carbon travel and transport

Road transport is responsible for approximately a fifth of the emissions in the city. By encouraging smarter travel through a more efficient, intelligent and better organised transport system the city council has sought to establish a focussed approach towards addressing emissions within this sector. The Delivery Plan includes a range of measures to reduce the carbon intensity of transport in Southampton and to secure behaviour change across communities in the city. An update of each of the transport measures is given in this section including a case study of best practice from the past 12 months.

Case study

Southampton Sustainable Travel City

In June 2011, an allocation of £17m was awarded to Transport for South Hampshire (TfSH) from the Local Sustainable Transport Fund (LSTF) to facilitate the development of sub-regional Smart Cards and provide new cycling & public transport infrastructure. This is in addition to the £3.96m which was secured from the same source for Southampton's Sustainable Travel City proposal.

The basis of the bid was the establishment of a shared delivery unit which brings together the expertise of Southampton University, Sustrans and Southampton City Council to form a Centre of Excellence for Behaviour Change with the aim to achieve a 12% modal shift away from the private car, reducing congestion and greenhouse gas emissions.

The measures in the programme are about incentivising Smarter Travel through integrating travel planning and marketing to make people more aware of their travel options and encourage different choices. They will also assist socially excluded residents by helping them find convenient & affordable transport options that improve their access to employment and services. They include:

- Personalised Travel Planning for residents in the Southampton travel to work area
- Workplace Travel Plans
- School and College Travel Plans
- Active steps walking for health programme
- Limited infrastructure e.g. Brompton bike hire at Southampton Central Station

Key priority 7 – We will increase low carbon travel and transport

Key:

Red – we are not meeting the target

Amber – progressing, but there is more work to do

Green – we are on track to meet the target

Ref	Aim	Action	Measure of Success	Timescale	Progress	Description
7.1	Review the City Council's use of transport and develop a programme of efficiency saving projects	Identify and deliver transport efficiencies	Agree work plan by 2011	2011	Green	Following the delivery of transport efficiency business cases from Peopletoo Ltd, an implementation plan to achieve passenger transport cost savings has been drafted. It covers SEN transport provision (school children and post 16), Escort provision, Independent Travel Training and Dial-a-Ride, all which will have a positive impact on CO2. The next step is to agree the plan and implement.
			Implement quick win projects by 2012	2012	Green	Fleet transport transformation to achieve cost and CO2 efficiency savings is on hold until a Fleet Manager is appointed. Cost efficiencies are being explored for Contact Services for Children in Care. The transport costs are a high cost to the service which could be significantly reduced by a voluntary driver scheme. The Travel and Transport Pages of the intranet are being updated

						to provide better guidance for staff regarding business travel to reduce travel costs and CO2, and to promote the journey planning service that will encourage cheaper forms of transport and a reduction in CO2.
		Improve the performance of the council's vehicle fleet, stimulating and supporting cleaner-fuelled vehicles, including service points, a formal fuel management programme, fuel economy training and mileage reduction strategy	Reduced carbon footprint measured through the EST's Motorvate accreditation	2011 to 2014	Amber	Green Fleet review undertaken identifying ways to improve efficiency and reduce carbon emissions for the council's fleet.
7.2	Invest in sustainable road transport including low emission alternative fuels; initiatives to increase the take up of electric and hydrogen vehicles; investment in a future electric vehicle network and the city car club	Explore conversion of city car club pool vehicles to EV following recharge point installation through the PFI contract	10 electric vehicle recharge points installed within council run car parks in the city centre	2011 to 2013	Green	Funding secured to pay for the use of an electric vehicle as a staff pool car. Sites for PFI funded recharge points identified. Additional EV recharge points delivered through Charge-master polar project.
		The Council has a clearer view on the working capabilities and the viability of hydrogen powered return-to-depot fleet vehicles	Trial of two hydrogen powered transit vans undertaken	2011	Green	Trial completed. Performance report being compiled to assess costs and benefits of the technology and its potential application in the council's fleet.
7.3	Promote smarter choices and sustainable modes of travel as an	Green the bus fleet, developing a range of initiatives to encourage improved emissions standards, including	Bus Quality Partnership established with the potential to explore vehicle quality conditions	2011	Green	The partnership has been established along with a bus purchasing task force to secure better buses to operate in

alternative to driving	contractual arrangements through a sub-regional Bus Quality Partnership				Southampton and the sub-region. The partnership has been successful in securing funding to retrofit 500 buses in South Hampshire with internal LED lighting. Accompanied with additional measures designed to improve bus efficiency the introduction of lighting improvements will save in the region of 4205 tonnes of CO2 per annum.
	Improve modal shift away from the car towards other modes on the main corridors	Bus patronage is increased by 5% year on year to 2020, making bus the mode of choice for many types of short to medium distance journeys between the city and the suburbs	2011 to 2014	Amber	There has been a slight drop in bus patronage from 18m to 17.9m although last quarter showed improvements on the corresponding passenger levels from the previous year.
		45% journeys made on alternative modes annually	2014	Amber	Little variance in mode of travel patterns between 2011 and 2012.
		Sub-regional LSTF bid made for smartcard scheme to make travel more straightforward and encourage people to use public transport	2011	Green	The business case has been formally approved by the DfT with TfSH in receipt of the full allocation bidded for.
	Invest in active transport such as a pedestrian and cycle routes; and interchange and storage facilities at public transport and cycling destinations	Gold Standard Work Place travel plan in place	2011	Green	64 businesses in Southampton now have a travel plan in place through the planning process. There are 6 additional organisations with volunteer travel plans (Red Funnel, University of Southampton and

						Southampton Solent University, and City College, Totton College and Itchen College). The breakdown between Gold, Silver and Bronze is still under development with the information to be collected through the LSTF process on an annual basis.
			Work completed on the National Cycle Network routes including cycle route on Cobden Bridge by July 2011	2011	Green	Completed.
			Installation of more Advanced Stop Lines	2011 to 2014	Green	Advanced stop signs installed on Prior Road, Cobden Bridge, Roberts Road, Lawn Road, Portswood Road and Thomas Lewis Way.
			Installation of new pedestrian crossing facilities in areas of demand	2011 to 2014	Green	No new pedestrian crossings were installed in 2011.
			Promote active travel through campaigns linked to key travel destinations and supported by interactive journey-planning information systems	2011	Green	'My Journey' sustainable travel campaign has been launched.
			Cycling strategy in place	2012	Amber	In progress with draft to be produced by the end of the calendar year.
			Programme of safe routes to school in place	2011	Green	Addressing routes to school is a component of School Travel Planning. When a school completes a school travel plan

						an audit of access is carried out. The review involves a scatterplot of the pupils and looking at specific routes. The School Travel Plan programme is due to be re-launched in the next academic year, hopefully making it better and easier to use.
			Erection of more cycle stands and development of more shared-use facilities with 30 cycle parking stands installed across the city by December 2011	2013	Green	Over 20 cycle stands have been installed across the city in 2011/12.
			Develop smarter choices centre of excellence to provide individual smart travel planning and make these available direct to individuals and through organisations to increase financial efficiency and promote sustainable travel	Bid by 2011	Green	Partnership established with Sustrans and the University of Southampton to deliver behaviour change and training programmes. A Sustainable Travel Roadshow has been delivered throughout 2012 attending over 25 events.

Key priority 8 – We will use less, waste less and recycle more

The City Council recognises the importance of resource efficiency in order to minimise environmental impact and eliminate waste. This section provides a breakdown of the progress that has been made in implementing the measures in the Delivery Plan over the past 12 months including a case study of best practice from the past 12 months.

Case study

Use of Resources programme

In 2011 the city council established a co-ordinated, organisation-wide programme to deliver efficiency and financial savings through a reduction in the council's use of natural resources. A target was set to deliver a corporate saving of £840,000 against the Environment and Transport Budget over the course of a 3-year period through more efficient use of energy, waste, water and transport.

Representatives from each Directorate, and from specialist advisory areas, were identified and attend monthly Programme Board meetings with the mandate to deliver the actions required to achieve the £840k savings target. These Project Managers act as a central resource to work with service areas to facilitate delivery of projects and to identify the associated savings. Any savings identified are counted towards the relevant Directorate's overall savings targets.

The programme encompasses a number of internal projects including:

- Energy management measures (e.g. monitoring of sites and meters, energy procurement contract management),
- Implementing soft operational measures (e.g. optimise plant and equipment operations, replacement of equipment with high efficiency rating equivalent etc),
- A programme of practical training courses for fleet drivers,
- Staff travel claims auditing,
- A reduction in taxi use in Children and Adult Care Services,
- Consolidating waste disposal contracts for confidential waste,
- And undertaking baseline data collection and auditing for waste disposal in all City Council buildings.

To date the programme has delivered a financial saving in excess of £410k and a total reduction of 220 tCO₂ through the implementation of a number of these measures and others.

Key priority 8 – We will use less, waste less and recycle more

Key:

Red – we are not meeting the target

Amber – progressing, but there is more work to do

Green – we are on track to meet the target

Ref	Aim	Action	Measure of Success	Timescale	Progress	Description
8.1	Reduce the corporate use of water, energy and materials in Council buildings and operations	An Environmental Management Systems approach to managing resource use is adopted promoting sustainable best practice in the Council's own administrative estate	Individual projects to reach financial targets up to 2014	2014	Green	Through delivery of a combination of the carbon reduction policy, improvements to our CRC reporting and rationalisation of buildings have achieved a reduction in reported emissions by 3,042 tonnes of CO ₂ . This equates to a 14% reduction in Council Buildings CO ₂ emissions.
			Achieve £840,000 savings through more efficient use of energy, water, waste and transport in SCC operations by 2014	2011 to 2014	Green	To date the programme has delivered cost avoidance and cashable savings in excess of £410k and a total reduction of 220 tCO ₂ through the implementation of a number of measures.
8.2	Monitor, report and set targets on our management of waste and the reduction of waste sent to landfill	Improve the quantity and quality of items collected for reuse or recycling	Increase tonnes of waste collected for reuse by 1% year on year from 2011/12 to 2013/14. Work with partner authorities to improve quality of dry recyclables collected at the kerbside	2011 to 2014	Green	Tonnes of domestic waste collected for reuse increased from 4347 tonnes in 2010/11 to 4820 tonnes in 2011/12 a 10.89% increase. As a % of overall waste the reuse % increased by 0.73% from 4.65% in 2010/11 to 5.38% in 2011/12. Work is on-going with partner authorities in improving

						the quality of dry recyclables collected at the kerbside.
		Introduce projects to reduce the amount of waste sent to landfill	Waste to landfill reduced by 3,000 tonnes from 2011/12 to 2013/14	2011 to 2014	Green	Tonnes of domestic waste sent to landfill reduced by 1745 tonnes or 1.14% in 2011/12 compared to 2010/11.
		Deliver landfill and recycling targets for 2014 and beyond to 2020	Reduce biodegradable tonnes of waste sent to landfill to below 12,000 tonnes by 2014 and 10,000 tonnes by 2020	2011 to 2014	Green	Tonnes of biodegradable waste sent to landfill reduced from 12,706 tonnes in 2010/11 to 11,400 tonnes in 2011/12.
8.3	Promote industrial symbiosis as a vehicle for carbon reduction in partnership with local business	Develop a business support programme with the National Industrial Symbiosis Programme (NISP) to enable local SME's to reduce their waste and identify 'synergy's' with other local businesses	NISP business workshop held	2012	Amber	Yet to take place
			Annual workshop creates new business synergies across the city year on year	2011 to 2014	Amber	Yet to take place
			Business waste streams across the city are mapped to demonstrate 'closed-loop' opportunities	2013	Amber	Yet to take place
8.4	The diversion of waste from disposal into re-use, recycling and composting is seen as a key economic opportunity supporting local businesses and jobs	Develop performance-related incentives for businesses to divert commercial and industrial waste from landfills to alternative waste management processes, particularly re-use and recycling	95% of commercial and skip waste collected by the council to be diverted from landfill by 2014	2014	Green	In 2011/12 9520 tonnes of commercial and skip waste was collected for disposal; of this 397 tonnes or 4.17% was sent to landfill.
		We have investigated a local scheme to incentivise improved waste management equivalent to business rate relief.	Benchmark for waste in the city established and landlords who pass this target are given a reduction in their business rates.	2012	Amber	Concept yet to be developed
8.5	Waste from the construction sector is minimal.	Develop a joint approach with the EA to conduct and regulate site waste management plans within the city	Site waste management plans reviewed in partnership with the EA	2011 to 2014	Amber	Arrangement not in place
			A joint resource to conduct	2011 to	Amber	Arrangement not in place

			the assessments and a planning tool to assess major sites	2014		
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Overall assessment of progress

Southampton has made solid progress in starting to prepare for a changing climate, by improving our understanding of climate impacts and establishing a firm evidence base to inform future decision making. The more information we have available to us either through our climate change risk and vulnerabilities assessment tool, or through the carbon emissions inventory developed in partnership with the University of Southampton, the better equipped we will be to manage future changes and identify opportunities. But along with developing the tools we need to assess the impacts of climate change and identify areas for effective mitigation, Southampton has made firm strides forward in implementing initiatives that have contributed to the total reduction in CO₂ emissions achieved in the last year.

- Since 2005, Southampton has made year on year reductions in total CO₂ emissions and by 2009 has achieved a 17% reduction on the 1990 baseline. Progress towards the 34% reduction by 2020 is good.
- Through delivery of a combination of the carbon reduction policy, improvements to our CRC reporting and rationalisation of buildings have achieved a reduction in reported emissions by 3,042 tonnes of CO₂.
- The Use of Resources programme has delivered a financial saving in excess of £410k and a total reduction of 220 tCO₂.
- Recent figures published by the Royal Institute for Chartered Surveyors in their 2011 report 'An Analysis of Low Carbon Plans and Strategies for UK cities' ranks Southampton as one of the top performing cities in the country when compared to the top 50 cities in the UK with both energy consumption and carbon emissions per capita figures are low when compared to cities of similar size and population density.
- Southampton Schools continue to be a hotspot for sustainability. With 4% achieving Ambassador/Gold Eco school accreditation and 22% Silver
- The completed district energy network at Centenary Quay in Woolston means there are now 6 separate district energy networks in the city.
- Cofely District Energy has produced a city-wide heat map to identify heat demand.
- Feasibility work for the establishment of a Carbon Offset Fund for the city has been completed.
- 2,600 measures have been or are scheduled to be installed in Southampton's private homes through the Cocoon and Heatseekers insulation discount schemes.
- Southampton is on target to be one of the first cities's in Europe to have its street lights replaced with LED technology with the Peartree, Bevois, Freemantle, and Redbridge wards the first to be lit up. The programme will save over 2700 tonnes of CO₂ per year by 2025.
- To date adaptation work has focussed strongly on green infrastructure enhancements and flood resilience work with both the Southampton Surface Water Management Plan (SWMP) and the Southampton Coastal Flood & Erosion Risk Management Strategy now adopted for the city. Additional study has been undertaken to assess risk associated with heat waves in partnership with the University of Southampton.
- 5 Green Spaces improved in 2011. 5 planned to be improved in 2012.
- Green roofs installed at Centenary Quay, the University of Southampton, the Eastpoint Centre and other small sites throughout the city.
- The GRaBS project (Green and Blue Space Adaptation for Urban Areas and Eco-towns) won the RegioStars award for Sustainable Growth: Investments in ecosystem services and green infrastructure leading to sustainable regional development.
- The Council successfully secured £3.96m from the Local Sustainable Transport Fund (LSTF) to establish a Centre for Excellence in Behaviour Change as part of its Sustainable Travel City proposal.

To tell us more about your views on what we do and/or to find out more information about our work towards becoming a low carbon city please contact us:

The Sustainability Team
Telephone: 02380 833409
Email: sustainability@southampton.gov.uk

Or visit:
www.southampton.gov.uk/lowcarboncity
www.southamptonlowcarbongroup.com

DECISION-MAKER:	CABINET
SUBJECT:	PROGRESSING THE NEW ARTS COMPLEX PROJECT
DATE OF DECISION:	29 JANUARY 2013
REPORT OF:	LEADER OF THE COUNCIL
STATEMENT OF CONFIDENTIALITY	
Not applicable.	

BRIEF SUMMARY

The project to deliver the New Arts Complex is progressing. Grosvenor, the developer of the overall scheme, are procuring a contractor, having started investigative ground works in October 2012, and an opening of the Arts Complex in Summer 2015 is anticipated. Further work to establish the organisational arrangements for managing the complex are underway.

RECOMMENDATIONS:

- (i) To delegate authority to the Director of Environment and Economy, subject to consultation with the Leader of the Council and the Director of Corporate Services, the Head of Finance and Head of Legal, HR and Democratic Services
 - a. To establish the Holding Company and Operating Company as detailed in this report,
 - b. To appoint Council Representatives to the Company Boards
 - c. To take any other action necessary to progress the project.

REASONS FOR REPORT RECOMMENDATIONS

1. To ensure the project can progress and meet the necessary deadlines agreed with external funders and maximise the benefits of the investment in the Cultural Quarter

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. Not to progress the scheme. This would leave the Council exposed to claims from funders and partners for funds invested in the scheme to date and would leave the site undeveloped for some time, until alternative plans were bought forward. This subsequently would delay the benefit of such a substantial investment in the City Centre and not bring about employment opportunities and visitor spend for the City

DETAIL (Including consultation carried out)

3. The Arts Complex is the next critical component of the Cultural Quarter. Guildhall Square and SeaCity Museum have made a major contribution to the regeneration of the area, through major events and the tens of thousands of visitors attracted to the quarter. Other businesses have been attracted to the area and are performing well. Grosvenor is concluding leases on many of the commercial units within the broader development of the Arts Complex.

4. The Governance structure has been subject to intensive development, given the need to carefully manage the potential impact on the Council's VAT liability. Appendix 1 shows in pictorial form the planned approach. The structure has two new entities; a Holding Company and an Operating Company.
5. This report analyses the risks to the City Council of forming the Holding Company ("the HC") within the governance structure for the new Arts Complex, and its relationship with the Operating Company ("the OC") and other tenants (City Eye and the John Hansard Gallery).
6. It is proposed that the HC will have a legal form which provides its owners limited liability. Professional advice is that this should also be a Community Interest Company. The HC will look after the building as a landlord. It will have no role in undertaking the management or determining policy for the Arts Complex. It is proposed therefore that the HC is set up as a joint initiative/venture between Southampton City Council and the University of Southampton. Both are bodies with a substantial vested interest in the Arts Complex and both have structures able to provide the identified professional and administrative support to the HC to help keep its costs to a minimum. It is proposed to identify a third party to be a minor shareholder of the HC and take the role of chair.
7. If City Eye or the Operating Company were to vacate its premises in the Arts Complex and cease to pay its rent and service charges, this could threaten the HC's financial position and ultimately its existence as it will have no other substantial income other than from its tenants. The HC's primary creditor would be the City Council itself. (although other creditors may include maintenance contractors for example).
8. In commercial leases there is usually an obligation on the landlord to contribute an amount equal to the service charge in respect of any lettable parts of the building which are not producing any service charge. This is crucial to the financial stability and peace of mind of all tenants. The point being that it is not usual for tenants to bear the risk of any empty units particularly in this situation where none are profit making.
9. Because the continuing existence of the HC is crucial to both the success of the Arts complex and to the City Council in managing its VAT liabilities, it is therefore proposed that, subject to the necessary Cabinet authority, the City Council gives an undertaking in the sub-lease to the HC to waive the rent and service charge element due for the Operating Company and City Eye's units if they were to become vacant. It is proposed that a similar commitment is given in the sub-lease from the HC to the OC. This would be a temporary commitment until the vacant units were re-occupied by organisations in a financial position to take on the liabilities. As the number of other providers able to undertake the function of the operating company is limited, the identification of a replacement organisation may take a little while.
10. Furthermore, as the John Hansard Gallery is not a legal entity, the University of Southampton will be responsible for any rent or service charge that would be due for the unit to be occupied by the John Hansard Gallery. The University is to be requested to take a 40 year lease with no breaks. Whilst

the lease would be assignable this would be subject to the University entering into an authorised guarantee agreement which would offer the comfort that the University would step in if any subsequent tenant failed to comply with their obligations to pay the rent and service charge. This would be a requirement of the University of Southampton whether or not they form part of the HC and is not a consequence of the University being part of the HC.

11. The above proposals will underpin the HC financially with it being underwritten by the City Council and the University of Southampton (the latter to the extent of the obligations of John Hansard Gallery). It is proposed that two Council officers sit on the Board of the Holding Company alongside representatives from the University of Southampton and an independent chair
12. The Operating Company will provide the overall strategic direction for the Complex and manage the performing arts facilities. Establishing a new organisation to deliver this role is an integral part of the funding agreement with Arts Council England. In order to maximise external fundraising opportunities and to secure other fiscal benefits, the operating company will be an organisation with charitable status. Approval to develop this organisation is part of the Cabinet approval sought.
13. The operating company will be the ultimate beneficiary of the Council's and the Arts Council's revenue funding. It will employ the staff who will operate the building, and in the meantime will employ the staff who will lead the audience development programme. This will start with the appointment of the Artistic Director, starting in February 2013. The City Council will facilitate the recruitment, but it is not intended that the Council will be the employer.
14. Recruitment of the Board of the Operating Company is an urgent task. It is proposed that a Council representative sits on the Board for an interim period as a minimum. It is suggested that initially this should be an Officer in order that the Board can receive appropriate support and advice relating to a wide variety of management and operational issues.

RESOURCE IMPLICATIONS

Capital/Revenue

15. It is proposed that the City Council will make an annual ongoing £160,000 grant contribution to the Operating Company. The Arts Council has confirmed that it will also contribute grant funding (from the National Portfolio Organisation funding strand) as shown in the table below:

	2012/13	2013/14	2014/15
SCC Grant	£40,000	£160,000	£160,000
Arts Council Grant	£80,000	£109,000	£160,000
Total Income	£120,000	£269,000	£320,000

16. In addition the City Council currently pays an amount of £27,634 to City Eye from the Voluntary Organisation Grant budget.

17. The Arts Council has been unable to confirm the level of grant they will pay to the Operating Company after 2014/15 as they are awaiting the outcome of the Comprehensive Spending Review before committing to any additional funding. Discussions with the Arts Council have encouraged officers to present a bold application for ongoing funding.
18. Should the grant reduce, the Operating Company would have to downsize its operations accordingly with a view to reducing costs/ increasing income and assess its ongoing long term viability as a whole.

19. The forecast operating costs of the Holding Company are shown below:

	2015/16	2016/17	2017/18
Building Service Charges to Grosvenor	£58,700	£61,000	£63,500
Maintenance costs	£106,400	£109,800	£112,300
Rent due to the City Council	£10,000	£10,000	£10,000
Total expenditure	£175,100	£180,800	£185,800
Funded by service charges from:			
Operating Company	£117,500	£121,300	£124,700
John Hansard Gallery	£47,600	£49,200	£50,500
City Eye	£10,000	£10,300	£10,600
Total income	£175,100	£180,800	£185,800

20. It is proposed that the City Council underwrites the value of services charges should either the Operating Company or City Eye vacate the complex. Southampton University have agreed to guarantee the costs for the John Hansard Gallery area of the complex for the full 40 years of their lease.
21. It has been assumed in the Holding Company's business case that the tenants of the Arts Centre will be liable for the Business Rates (NNDR) on the areas that they occupy and would be entitled to charitable organisations discount. Should either City Eye or the Operating Company vacate the building after a period of time the full NNDR liability for their respective parts would fall on the holding company (this is estimated to be a figure of £27,000 for the Operating Companies accommodation and £10,305 for the City Eye accommodation).

22. If both the Operating Company and City Eye were to vacate, the implications to the Council until a replacement tenant was found are detailed below

	2015/16	2016/17	2017/18
Service Charges due to Holding Company	£127,500	£131,600	£135,300
Estimated NNDR liability	£37,305	£37,305	£37,305
Less Council Grant to Operating Company	(£160,000)	(£160,000)	(£160,000)
Cost to the Council	£4,805	£8,905	£12,605

(Figures are a full year effect.)

23. Should City Eye vacate for a reason that might mean none of its City Council funding is required, there is a potential saving of up to £27,634 to the City Council from the Voluntary Organisations Grants budget (based on 12/13 allocation).
24. Ultimately, should the Operating Company close as a result of lack of funding it is possible that the Arts Council could clawback up to £7.3 million of the capital grant awarded to build the complex. This is the worse case scenario should the Council fail to put measures in place to achieve the agreed terms of the grant, in negotiation with the Arts Council. Any VAT implications of this would need to be fully investigated by the Council's VAT advisors.

Property/Other

25. Given the nature of the Arts Complex and the conditions of the Arts Council grant, many of its current or future occupants are likely to be non-profit making. Developments with this type of tenant will always be financially vulnerable to some extent. However it is proposed that the structure of the new company's, the grant funding conditions and the lease terms for the tenants will ensure that there are sufficient safeguards to ensure Council officers are kept fully informed of tenants business plans and their financial position in order that any potential financial problems can be dealt with early on to reduce financial risks for the council so far as possible.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

26. Section 1 of the Localism Act 2011 permits a Council to do anything that an individual may do whether or not normally undertaken by a local authority (the general power of competence) subject to anything which is specifically prohibited (not applicable in this case).

Other Legal Implications:

27. The Council is committed, on a conditional basis, to taking a 999 year lease of the Arts Complex and to the Capital Funding Agreement with Arts Council England. There are commercial risks, effectively in perpetuity, in taking from Grosvenor a 999 year fully repairing and insuring lease of the Arts Complex and the assumption of primary liability for the repair of the structure of the Complex, for its internal repair and for Business Rates. Whilst these liabilities are devolved through the proposed structure, the implication to the Council of tenant default within the structure is highlighted elsewhere in this report.
28. The complexity of the structure is fuelled by the requirement, because of VAT advice, to have a holding company interposed between the Council and the Operating Company. It is further complicated because the responsibility for repairing obligations does not fall where one might expect it to, all with the organisation at the top of the structure in terms of the structural elements of the building and at the bottom of the structure in terms of the internal elements of the building. In the model that is proposed most responsibilities fall on HC, which will occupy the middle position.
29. Careful thought has been given to the exposure of the Council to public liability, not just in respect of the building, but also in respect of plant and substantial fittings and items of equipment.
30. Thorough consideration has been given to the manner in which HC will deal with the service charge in respect of the Complex. As a result there is a mechanism for dealing with exceptional expenditure over the 40 year lease term. With a view to securing so far as practicable that the service charge is progressive and cumulative, rather than irregular, and that tenants for the time being bear a proper part of accumulating liabilities which accrue in the future, there is provision to establish both a sinking fund and a reserve fund. Protection is afforded to tenants with the result that monies they pay in advance are to be held by HC in a trust.
31. In an hierarchical structure of this nature, an important issue for the Council as a superior landlord, is to ensure it has the right to enforce lease covenants against undertenants directly. The documentation that has been developed allows for this so that the Council is protected, so far as possible, against intermediate tenant collapse or insolvency. The documentation contains provision that if it is reasonable so to require, any assignee of either the lease to the University or the lease to City Eye must also provide a guarantor and the assignee is further required to provide a guarantee and indemnity to the superior landlord HC.
32. The structure anticipates the Operating Company has charitable status. When such charity is constituted it would be beneficial to ensure there was no obligation requiring it to hold the Arts Complex for the purposes of its charitable objectives – in other words that such land is not a designated asset of the charity. Provisions of the Charities Act 2011 require the taking of certain procedural steps before the charity could enter into leases with the University and City Eye. Whilst there may be no intention of any joint involvement, nevertheless it would also be important to ensure there was

complete separation between the persons controlling the Operating Company and the persons controlling City Eye so as to avoid there being any connection within section 118 of the Charities Act 2011 between those two companies.

33. Corporate law implications

The Council will be a corporate member of the “Holding Company” which will be a Community Interest Company (“CIC”). It will be a company limited by shares, and the Council will have a 49% shareholding. It is anticipated that the Council’s shares will have a ‘nominal value’ of £49. Thus the exposure to liability would only be £49 which is only triggered in the event that the company is wound up.

34. It is proposed that two Council officers sit on the Board of the Holding Company, and one on the Board of the Operating Company. Directors have statutory and common law duties to the company they are appointed to. These duties can be summarised as duties to exercise reasonable skill, care and diligence. Further detail on these duties is set out in the Appendix to this section.

35. Directors may have personal liability to creditors in the event that the company goes into insolvent liquidation and the director has not taken appropriate measures in the circumstances. The legal term for this is “wrongful trading”. Both companies will have various legal obligations and liabilities under a range of contractual and financial connections. The Directors must ensure that sufficient funds and proper budgets are in place and that these are adhered to. If there is a material departure from these, or unforeseen circumstances arise effecting the income and outgoings of the company in question, then the directors must take appropriate action.

36. Accordingly the Council’s directors must pay reasonable attention to the financial standing of the companies. If there are any concerns, they should ensure that these are recorded in writing, and they should promptly take advice, and continue to take advice, from an Insolvency Practitioner. This advice should be carefully documented and followed. If the standing of the Operating Company remains stable then the standing of the Holding Company should be secure. However if the Operating Company has financial difficulties or it fails, then there will be consequences for the Holding Company, and financial requirements to cover shortfalls.

37. Under various relevant statutes there are restrictions on disposals and acquisitions, and requirements for proper valuations. Directors must ensure compliance, taking advice as required. In summary, directors should always carefully monitor the standing of a company, take advice as soon as they have any concerns, and follow through diligently on that advice.

POLICY FRAMEWORK IMPLICATIONS

38. The project is in line with the Policy Framework.

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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Potentially all, specifically Bargate
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SUPPORTING DOCUMENTATION

Appendices

1.	Organogram of Governance Structure
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Documents In Members' Rooms

1.	None.
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Equality Impact Assessment

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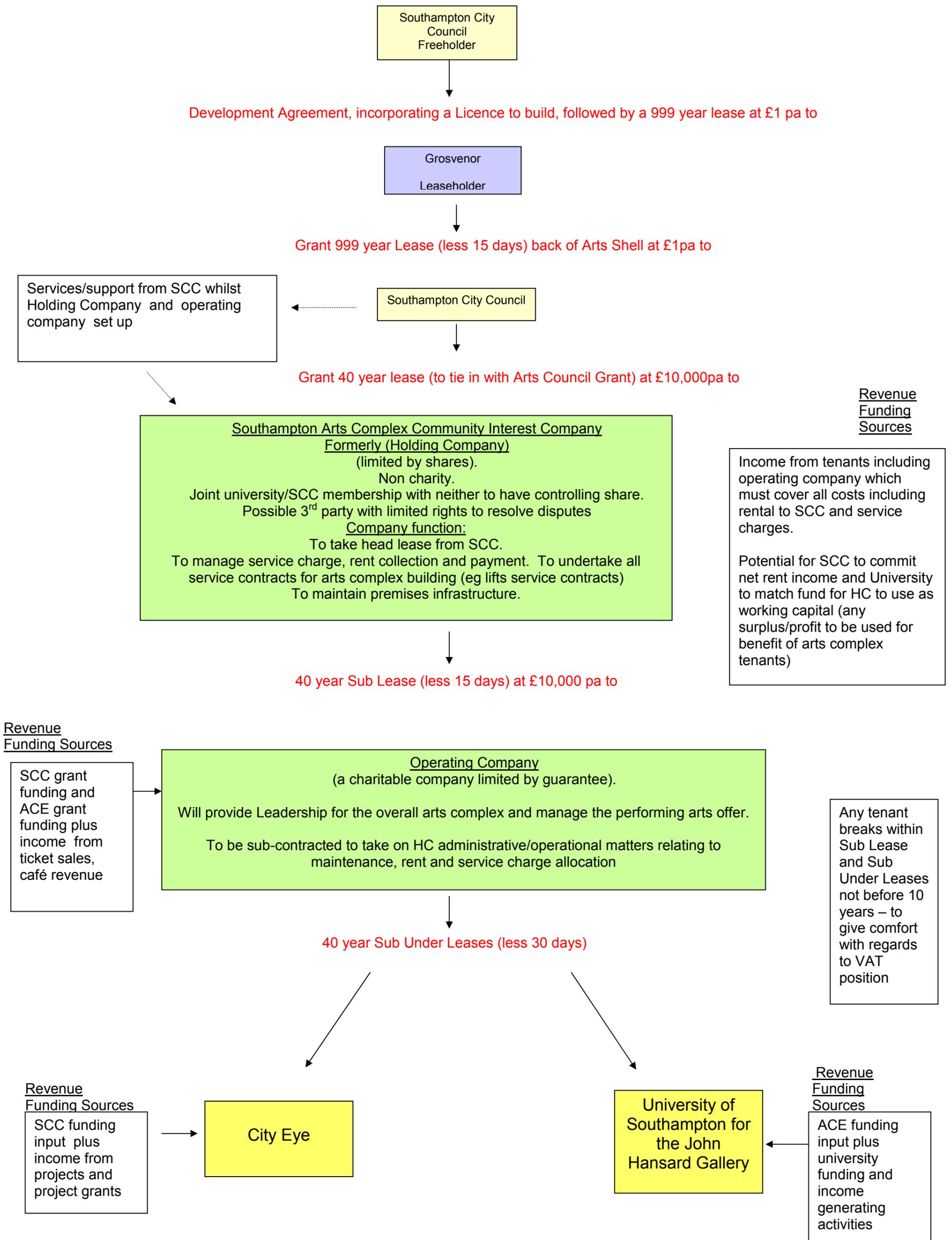
Other Background Documents

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

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None
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The Proposed Governance Structure and Revenue Funding Sources



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DECISION-MAKER:	CABINET
SUBJECT:	ACQUISITION OF LAND – PAN HANDLE CAR PARK, EASTERN DOCK
DATE OF DECISION:	29 JANUARY 2013
REPORT OF:	CABINET MEMBER FOR RESOURCES
STATEMENT OF CONFIDENTIALITY:	
Appendix 1 is not for publication by virtue of category 3 (financial and business affairs) of paragraph 10.4 of the Access to Information procedure Rules as contained in the Constitution. It is not in the public interest to disclose this information because it comprises financial information that if made public would prejudice the Council's ability to operate in a commercial environment.	

BRIEF SUMMARY:

This report summarises why it is necessary to acquire land within the Eastern Dock to deliver a new public park and the estimated cost of the acquisition. The report seeks approval to delegate authority to Senior Manager Property Procurement and Contract Management to approve the final detailed terms of purchase.

RECOMMENDATIONS:

- (i) To approve the purchase of the freehold interest of the Pan Handle Car Park and part of the Triangle Car Park Platform Road and to delegate authority to the Senior Manager Property, Procurement and Contract Management, to agree the final terms and conditions of purchase.
- (ii) To delegate authority to the Senior Manager Property, Procurement and Contract Management in consultation with the Director of Environment and Economic Development to do anything necessary to give effect to the recommendations in this report.
- (iii) To note the level of expenditure of the purchase and associated costs of purchase. The total expenditure will be funded from the Regional Growth Fund (RGF) grant funding from Department of Business Innovation and Skills (BIS), which has been subject to previous approvals.

REASONS FOR REPORT RECOMMENDATIONS:

1. To enable the construction of the *Platform for Prosperity* road scheme in providing replacement parkland following the development of Vokes Memorial Gardens as carriageway.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:

2. Do not purchase the property – rejected. The City Council has gained public support to the scheme based upon a statement of intent that there is not a net loss of public open space following development of Vokes Memorial Gardens. This support will be lost if the parkland is not replaced.
3. Reduce the scheme to within the existing highway boundary removing the need to replace the park land. This has been rejected as this would not deliver the level of capacity enhancement required to serve peak demands in Port activity, which is a key objective of the road scheme.

DETAIL (Including consultation carried out):

4. On 14th March 2012, the City Council approved the acceptance of Regional Growth Fund grant funding of £5.595 million from the Department of Business Innovation and Skills, for the *Platform for Prosperity* road scheme and added this funding to the Environment and Transport Capital Programme, alongside the City Council's £1.255 million Local Transport Plan grant funding contribution to the scheme.
5. On 11th July 2012, Council approved the overall expenditure of £6.850 million for the *Platform for Prosperity* capital road scheme.
6. Cabinet on 17th July 2012 approved the design and other procedural matters to enable the project to progress.
7. On 6th December 2012, the City Council was formally offered an additional £5.3 million of Regional Growth Fund grant funding by the Department for Business and Skills (BIS). This will primarily support expansion of the scheme to deliver a comprehensive improvement along Town Quay between the High Street junction and the De Vere Roundabout.
8. The *Platform for Prosperity* scheme will implement a new dual carriageway route along a widened alignment of Platform Road from the Town Quay/High Street junction through to Canute Road and Terminus Terrace. This will allow the existing gyratory system around the western and northern sides of Queen's Park to be downgraded to a local access route and the eastern section of Queen's Terrace to be closed as a through route.
9. To deliver a wider dual carriageway along Platform Road, the existing carriageway will be widened on the southern boundary developing the area known as Vokes Memorial Gardens, an open area of parkland (Public Open Space).
10. As an area of Public Open Space, the Gardens have been subject to statutory advertising procedures, to enable its redevelopment for the road scheme. Whilst the City Council is not under any legal or planning obligation to replace this area of parkland, the early consultation with open space groups in the City highlighted support for the scheme would be greater if the parkland were replaced causing no net loss to the City's Open Space.
11. The City Council is committed to ensuring that there is not a net loss of Open Space as a result of this project and has consulted the public on the basis that the parkland will be re-provided as part of the scheme, thus gaining the support of the public generally.
12. The Council has identified an area of land adjacent to the Port of Southampton Eastern Docks that neighbours the existing Vokes Memorial Gardens, to provide an equivalent area of land to replace the area to be lost. The Pan Handle Car Park is currently an operational car park for Port business within the ownership of Associated British Ports (ABP) a partner in the Road Scheme, who will be making a minimum commitment of £1 million towards the *Platform for Prosperity* scheme.
13. The Pan Handle Car Park is used by a variety of parties, the majority being businesses which operate within the Port. The residents of Admiralty House (which is located within close proximity of the Vokes Memorial Gardens and

the Port) also have the ability to park by purchasing an annual licence. There are currently two residents benefitting from this facility. There are a total of 116 spaces within the car park, of which a total of 99 are let.

14. The majority of parties which currently purchase an annual licence will be relocated by ABP to another car park within the Port – the Triangle car park. The users of the car park will not be disadvantaged by the loss of the car park for the replacement parkland.
15. Detailed terms of the purchase have been negotiated with ABP, as set out in confidential appendix 1. The estimated cost of the purchase is also detailed in appendix 1.
16. The purchase will be on a conditional contract basis, ensuring acquisition is made when a number of matters relating to the road scheme are completed; more particularly planning consent for a change of use of the Pan Handle Car Park to parkland has been secured.
17. External consultation has been conducted comprising four elements:- a leaflet, three day exhibition and a site walk-over with Open Space groups and Societies and an interactive webpage.
18. Consultation was undertaken with the Open Space groups and societies, (SCAPPS, City of Southampton, and The Open Space Society) in February 2012; including a site walk-over to discuss in outline terms the design and the proposals for the loss of Vokes Memorial Gardens for road widening. During this initial consultation, the loss of the park and lack of replacement was identified as a risk to the project gaining the wider public support needed to progress the project.
19. At the end of May 2012 a three day public exhibition was held, inviting comments and feed back regarding the overall project and the road design, including the replacement parkland. Eighty three people attended the open days. A leaflet was produced for the exhibition which was also published on the website, highlighting the location for the replacement park land.
20. Internal consultation has taken place with Platform for Prosperity Project Board, Finance, Legal and the Parks and Open Spaces teams, regarding the need to provide replacement parkland and the cost associated with this acquisition.
21. The Council's intended replacement has resulted in no objections being received to the Open Space advertisements for the proposals to redevelopment Vokes Memorial Gardens for carriageway widening.
22. The purchase of the land is therefore key to continuing with the scheme as promoted.
23. The purchase was originally to be on a nil consideration basis, forming part of the ABP's contribution to the scheme and a purchase on this basis was approved at Cabinet on 16 October 2012.
24. Since the original bid to BIS and the initial design concept the Platform for Prosperity Scheme has evolved. The original intention was to deliver the dualling of Platform Road and for ABP to undertake some enhancement works to Dock Gate 4 only. This has been superseded; the final approved

design for the scheme is for the construction of a new Dock Gate 5 to form an exit from the Port in addition to some now minor enhancements at Dock Gate 4, which will become an entrance point only. The formation of an exit requires the construction of a new internal link Port road to connect the Dock Gate 5 exit to the existing Port road network. All works within the Port are being funded and undertaken by ABP. The overall benefit of a single entrance and single exit from Platform Road provides significant enhanced traffic management benefits, particularly at peak periods, and affectively manages 95% of abnormal loads which enter and exit the Port.

25. The expansion of the design and the need for the construction of an internal Port road has resulted in a considerable variance in the cost profile of the Port works, which will substantially exceed the contribution envelope to be made by ABP. The consequence of this variance in the ABP cost profile necessitates the land to be purchased at the figure detailed in the confidential appendix 1, in order to address the Ports spend profile on the scheme.
26. The purchase of the car park is at market value.

RESOURCE IMPLICATIONS:

Capital/Revenue:

27. On 11th July 2012, Council approved the overall expenditure of £6.850 million for the *Platform for Prosperity* capital road scheme. This will be funded by Regional Growth Fund grant funding of £5.595 million from the Department of Business Innovation and Skills, and £1.255 million from the Council's Local Transport Plan grant funding.
28. The capital expenditure to be incurred on the acquisition of the Pan Handle Car Park is set out in the confidential appendix 1.
29. There are additional costs and charges including professional fees and stamp duty land tax, which are also set out in the confidential appendix 1. The total expenditure for the acquisition of the land will be funded from within the approved project funds as set out in paragraph 27.
30. The Council will opt to tax the land prior to purchase.

Property/Other:

31. The acquisition has not been identified in the Asset Management Plan. The proposed acquisition will support a long standing road improvement proposal, which was originally conceived in the mid 1990s as part of the Port of Southampton Western Approach scheme.

LEGAL IMPLICATIONS:

Statutory power to undertake proposals in the report:

32. The Council has the power to acquire land by agreement for the purpose of any of its functions or for the benefit, improvement or development of the area. The purchase will be made by virtue of S120 Local Government Act 1972.

Other Legal Implications:

33. The majority of the land will be replacement park land, a small section will be required for the construction of Dock Gate 5 and footway improvements. The land to be used for parkland will be appropriated to Public Open Space holding powers under Public Health Acts in order to provide the parkland with the statutory protection afforded to Public Open Space, following the highway improvements.

POLICY FRAMEWORK IMPLICATIONS:

34. The “Platform to Prosperity” scheme is consistent with the Council’s Local Planning policy framework and Local Transport Plan (LTP3). The scheme has been safeguarded in the Local Development Plan and identified as a priority within the Local Transport Plan.

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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Bargate
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SUPPORTING DOCUMENTATION

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

Appendices:

1.	Confidential – Terms of Acquisition and Estimated Costs.
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Documents In Members' Rooms:

1.	Council Report – 14 th March 2012
2.	Council/Cabinet Report 11/17 th July 2012
3.	Public Consultation Leaflet

Integrated Impact Assessment

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

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

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

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DECISION-MAKER:	CABINET
SUBJECT:	*PROPOSED DISPOSAL OF MARLAND HOUSE
DATE OF DECISION:	29 JANUARY 2013
REPORT OF:	CABINET MEMBER FOR RESOURCES

STATEMENT OF CONFIDENTIALITY

Appendix 1 is confidential, the confidentiality of which is based on category 3 of paragraph 10.4 of the Council's Access to Information Procedure Rules. It is not in the public interest to disclose this because doing so would prejudice the authority's ability to achieve best consideration for the disposal of land (the identity of the preferred developer and the figures associated with the land transaction are commercially sensitive).

BRIEF SUMMARY

It is anticipated that Marland House will be surplus to the Council's accommodation requirements by September 2014 (latest) and City Development has been working in collaboration with Corporate Services and Capita to find a disposal solution which mitigates the Council's future liability for the building, meets its short term operational requirements and fits with the Master Plan Vision. Accommodation issues relating to the relocation of remaining staff in Marland House to other Civic Buildings will be dealt with through a separate report and consultation. Following the recent marketing of the property, a number of offers have been received and an evaluation of these offers undertaken, resulting in the recommendation below.

RECOMMENDATION

- (i) to approve the disposal of the Council's freehold at Marland House subject to a leaseback to the Council of the offices at a peppercorn rent until September 2014, and to include the simultaneous disposal of the Council's freeholds at 5 to 13 Civic Centre Road and 36 Windsor Terrace, all to the recommended bidder on the basis set out in Bid C in Confidential Appendix 1 and to subsequently negotiate and carry out all ancillary matters to enable disposal of the site.
- (ii) that the Senior Manager for City Development, in consultation with the Head of Legal, HR and Democratic Services be authorised to enter into any legal documentation necessary in respect of the sales.
- (iii) to note that the estimated value of the capital receipt from the disposal has already been built into the funding of the capital programme. Any receipt that differs from the estimate will need to be considered corporately as part of any future prioritisation of resources.

REASONS FOR REPORT RECOMMENDATIONS

1. The marketing of the building for development or refurbishment, subject to a lease back to the Council until it is ready to vacate (by September 2014) has proved successful and offers from several interested parties have been received. The majority of the interest has been from developers interested in the refurbishment/conversion of the upper parts and retention of the ground floor as retail/restaurant units. The detail and officer evaluation of all offers received is attached in the schedule at Confidential Appendix 1.

2. The best scoring bid is C. The recommended bidder intends to convert the premises to a combination of innovation/creative industry start up units (at part ground, first and second floor levels) and student accommodation (at third to eighth floor levels), retaining and enhancing the retail/restaurant units at ground floor. This proposal has the advantage of providing an early capital receipt, with potential for an additional payment on the grant of planning consent. It will also provide improvements to the exterior of the building and create 60 jobs.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. Not disposing of the property and risking the associated future revenue and capital liabilities.
4. Recommending acceptance of a worse scoring offer which produces either a smaller capital receipt or runs a greater risk of not being delivered.

DETAIL (Including consultation carried out)

Master Plan Vision

5. Potential uses for this area of the City include retail, restaurant and leisure uses at ground floor (to ensure active street frontages) with office, hotel or residential uses at upper floor levels overlooking the parks.
6. The majority of the offers received (including the offer recommended) are on the basis of refurbishment rather than full redevelopment and none would be detrimental to achieving the Council's aspirations for improved links between Above Bar and the proposed Station Quarter.

Accommodation and repair cost considerations

7. Taking account of the planned reduction in staff numbers occupying civic buildings, it is now anticipated that Marland House could be fully vacated and remaining staff relocated to One Guildhall Square or the Civic before September 2014. This can be achieved in a number of different ways which will have cost implications which will vary depending on which are adopted. This information will be the subject of a separate report.
8. As well as generating a capital receipt, the disposal and vacation of the building will result in significant revenue cost savings and avoidance of future unbudgeted repair costs.
9. All offers to purchase (including that recommended) are on the basis of up front capital payments and a lease back of the offices to the Council at £1 until September 2014 with no or minimal repairing liabilities.

RESOURCE IMPLICATIONS

Capital/Revenue

10. The marketing costs are being funded through the Property Management disposal budget which falls within the Resources Portfolio.
11. The best scoring bid on the officer evaluation of the offers received is on an unconditional basis, with potential for an additional amount being paid on receipt of a satisfactory planning consent.

12. The disposal will realise a 100% receipt to the General Fund which has already been built into the funding of the current capital programme. Any receipt that differs from the estimates will need to be considered corporately as part of any future prioritisation of resources.
- 13 The disposal includes the freeholds of 5 -13 Civic Centre Road and 36 Windsor Terrace resulting in a loss of £52,940 pa to the Resources Portfolio Investment Portfolio Account. This loss of income has been built into the estimates for 2013/14 and ongoing.

Property/Other

- 14 The recommended offer provides for a lease back to the Council until September 2014.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

- 15 Local Government Act 1972 Section 123.

Other Legal Implications:

- 16 There are no OJEU considerations as the Council is not procuring works but simply seeking to control the use through the grant of a 999 lease and/or planning policy.

POLICY FRAMEWORK IMPLICATIONS

- 17 None

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KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Bargate
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SUPPORTING DOCUMENTATION

Appendices

1.	Confidential Appendix 1: Officer Evaluation of Offers
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Documents In Members' Rooms

1.	None
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Equality Impact Assessment

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

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

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

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Agenda Item 18

DECISION-MAKER:	CABINET MEMBER FOR CHILDREN'S SERVICES		
SUBJECT:	EARLY YEARS PROVISION IMPROVEMENT STRATEGY.		
DATE OF DECISION:	29 JANUARY 2013		
REPORT OF:	SENIOR MANAGER CHILDREN AND YOUNG PEOPLE STRATEGIC COMMISSIONING, EDUCATION AND INCLUSION		
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY			
None			

BRIEF SUMMARY

There are 360 Early Years Providers across the City. Early Years Providers are either private or voluntary group settings, nurseries, or childminders, who provide day care provision for 0 – 4 year olds. Parents make personal decisions about using and financing Early Years Provision between the ages of 0 – 3 years of age. From the age of 3 the Local Authority does cover the cost, through the Dedicated School Grant, of 15 hours of access to early years provision for all 3 and 4 year olds.. There is a growing body of evidence showing the negative impact on children's life chances if they do not develop to their full potential in their earliest years (Field, 2010, Allen, 2011). The experience of a high quality pre school can ensure that a child develops their potential. High quality provision is dependent on committed qualified staff. Currently 78% of providers have been judged as 'Good' or 'Outstanding' by Ofsted, the national regulatory inspection service. This performance has directly impacted on the increase in children, at the age of 5, securing the national average Early Years Foundation Stage Profile, 35.8% in 2006 to 56.3% in 2012.

Since 2005, Southampton City Council has invested in an Early Years team. The Early Years team comprises qualified teachers with early years specialism, working alongside the private and voluntary sector to improve the quality of provision available to children. This report summarises the Early Years Provision Improvement Strategy, (see Appendix 1) the tool for supporting/enabling Early Years Providers to provide high quality provision. The strategy is based on the premise that the Local Authority has a duty, through legislation, to support and enable the growth of high quality Early Years Provision, within the City, for under five year olds. Only provision that is judged as 'Good' or 'Outstanding' against the Ofsted framework, are deemed to be offering high quality. With 78% of providers graded 'Good' or 'Outstanding' there is still significant work to ensure all children have access to high quality provision. However, this compares favourably with the national average figure of 74%.

RECOMMENDATIONS:

- (i) To approve the Early Years Provision Improvement Strategy, as detailed in Appendix 1 of the report.
- (ii) To delegate authority to the Director of Children's Services to remove providers from the Early years Provider Register following the procedure set out in the Early Years Provision Improvement Strategy.

REASONS FOR REPORT RECOMMENDATIONS

1. The Government issued new statutory guidance that local authorities in England must have regard to when fulfilling their duties to secure free early education for 3 and 4-year-olds, and 2 year olds from September 2013. The Early Years Provision Improvement Strategy reflects the new guidance.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

2. The option to do nothing has been considered and rejected as this would mean the Council were: not working to secure high quality early years provisions for the City's under 5s; failing to compile with the new statutory guidance or represent value for money.

DETAIL (Including consultation carried out)

3. The Childcare Act 2006 created new requirements for local authorities, which were updated in September 2012 to:
 - Improve the well-being and reduce inequalities between young children in their area.
 - Deliver the free entitlement through early years providers who deliver the full Early Years Foundation Stage (EYFS) and are registered with Ofsted or are schools which are exempt from registration with Ofsted.
 - Provide information, advice and training to childcare providers.
4. The new guidance clarifies that local authorities should only fund providers rated 'inadequate' or 'satisfactory' if they can evidence a commitment to improving the quality of their provision by meeting additional eligibility criteria. Any provider judged as 'inadequate' or 'satisfactory' would be supported to improve their provision. On occasion this might require intervention from the Local Authority, against a provider's wishes. The Strategy clearly outlines the situation in which the Local authority would intervene, when a provider is judged by Ofsted as 'inadequate' or 'satisfactory' with no evidence of improvement, or when serious concerns have been raised by the public, including professionals, investigated and found to be proven. The intervention could include the Local Authority removing a provider from the Early Years Provider Funding register. The register is used by parents to identify Providers that qualify for the Early Years funding of 15 hours per week, from the Local Authority.
5. The new Early Years Improvement Strategy describes the: legislative context; the approach to developing the early years workforce including levels of support for providers; process for intervention with settings that are failing, judged by Ofsted to be inadequate or satisfactory; the process for removing a

provider from the Council's Early Years Funding Register where provision continues to be inadequate or is assessed as unable to sustain improvement, see Appendix 1.

6. The Early Years Development and Childcare Partnership, the Early Years Leadership Team and Early Years settings and Childminders have been consulted on the revised Improvement Strategy.

RESOURCE IMPLICATIONS

Capital/Revenue

7. The Council funds early years providers who are registered with Ofsted, to provide free places for 3 and 4 year olds for 570 hours per year, and some targeted places for 2 year olds. The fund is distributed via a Nursery Education Funding Agreement with each provider funded from the Dedicated Schools Grant.
8. Settings and childminders, who are registered with Ofsted and meet the criteria, are placed on the Early Years Funding Register. The providers are funded by the Council for each eligible 2, 3, and 4 year old. In order to receive the funding every provider signs a Nursery Funding Agreement annually. The Funding Agreement is to be revised for April 2013 to reflect the new Improvement Strategy and the Statutory Guidance.
9. The Strategy will be implemented from within existing resources including a multi professional team of early years specialists to support and improve quality in early years provision.

Property/Other

10. None.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

11. The Childcare Act 2006 has key provisions relating to funded early years provision:-
 - Places a duty on local authorities to secure free early years provision for eligible children in their area, section 7.
 - Gives local authorities the power to place conditions of funding on providers of childcare, section 9.
 - Places a duty on local authorities to secure the provision of information, and training to childcare providers and childcare workers, section 13.
12. The Government issued "Statutory Guidance for Local Authorities on the Delivery of Free Early Education for Three and Four Year Olds and Securing Sufficient Childcare" in September 2012.

Other Legal Implications:

13. In carrying out it's duties under the Strategy, the Council shall have regard to it's duties under the Equalities Act 2010 and the Human Rights Act 1998. In particular, the removal process has been determined having regard to the article 6 rights to a fair trial and the Council is satisfied that the provisions of the intervention and removal strategy and necessary and proportionate

having regard to the need to ensure the safeguarding of children and ensuring the provision of safe and high quality learning environments for children in the City.

POLICY FRAMEWORK IMPLICATIONS

14. The proposals in this report are wholly in accordance with the Council’s Policy Framework.

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	All
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SUPPORTING DOCUMENTATION

Appendices

1.	Early Years Provision Improvement Strategy
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Documents In Members’ Rooms

1.	Statutory Guidance for Local Authorities on the Delivery of Free Early Education for Three and Four Year Olds and Securing Sufficient Childcare-September 2012. Department for Education.
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Equality Impact Assessment

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

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

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

EARLY YEARS PROVISION IMPROVEMENT STRATEGY

SOUTHAMPTON CITY COUNCIL

April 2013

DRAFT

Contents

- Section 1. Vision
- Section 2. Context
- Section 3. Early Years Workforce
- Section 4. The Improvement Strategy
- Section 5. Process for intervention with early years providers following a satisfactory or inadequate OFSTED judgement.
- Section 6. Process to remove provider from Early Years Provider Register

1. VISION

- 1.1 All children in the City have access to high quality early years provision. This strategy, whilst outlining the Local Authority's statutory responsibilities, articulates our working partnership with providers to achieve our vision.
- 1.2 There is universal agreement that children deserve the best start in life. This includes access to high quality early years provision which is supportive and challenging of them and their families.
- 1.3 High quality provision can be defined as provision which achieves at least a 'good' judgement at Ofsted inspection.

2 CONTEXT

Why is the quality of provision so important?

- 2.1 The Effective Provision of Pre School Education research project (Sylva, 2004) set the context for understanding the importance of quality in early years' settings and consequent increased benefits for young children.

All young children deserve the support of the best quality provision, but for some children this will be particularly important. There is a growing body of evidence showing the negative impact on children's life chances if they do not develop to their full potential in their earliest years, (Field, 2010, Allen, 2011). For society, the future costs across an individual's life course may be high as poor development in the early years can result in, for example, poor health outcomes, long term unemployment and continuing cycles of poverty and deprivation.

The experience of a high quality pre school can mitigate against this and have a significant impact on enhancing a child's abilities; we also know that the higher the quality of this provision, the longer it's impact can be seen on.. (any)... child's education trajectory' (Field, 2010).

The quality of provision is dependent on committed and well qualified staff. 'Babies and young children must have the very best early education and care. 'If those working with young children have the necessary skills, knowledge and understanding they have the potential to offer the formative experience all young children deserve' (Nutbrown, June 2012).

Legislation

- 2.2 The Childcare Act 2006 placed new legal requirements on Local Authorities to ensure sufficient quality early years' provision that responds to needs and is adequately resourced.

Box 1: Childcare Act 2006

- Places a duty on local authorities to secure free early years provision for eligible children in their area, section 7.
- Gives local authorities the power to place conditions of funding on providers of childcare, section 9.
- Places a duty on local authorities to secure the provision of information, and training to childcare providers and childcare workers, section 13.

- 2.3 These requirements were reiterated in September 2012, in new statutory guidance for Local Authorities, 'Delivery of Free Early Education for Three and Four Year Olds and Securing Sufficient Childcare', when the Government set out its intention to hold Local Authorities responsible for ensuring:
- "All children are able to take up their entitlement to free early education in a high quality setting. Evidence shows that higher quality provision has greater developmental benefits for children particularly for the youngest children. The biggest single indicator of high quality provision is the qualification levels of staff in a setting."
- 2.4 Whilst access to high quality provision provides children with an excellent start in life, it is also a vehicle through which their wellbeing can be improved and inequalities between children can be reduced.
- 2.5 Therefore the partnerships developed with private and voluntary providers across the city are designed to ensure the delivery of the free entitlement to all our three and four year olds, as well as those most disadvantaged two year olds. Our aspiration is that all provision is provided through early years providers who deliver the full Early Years Foundation Stage and are registered as 'good' or 'outstanding' with Ofsted. The only exemption to this is where a school provides the early years provision as schools are exempt from separate early years registration with Ofsted.
- 2.6 Delivery against our vision is dependent on sufficient numbers of providers of early years' provision with the capacity and competence to secure Ofsted registration and achieve 'good' or 'outstanding' inspection judgements. To support the development of the market, access to high level information, advice and training is available.
- 2.7 Provider, who achieve and maintain high quality provision are included in the local authority Early Years Provider Register. Providers listed in the register are funded for each eligible three and four year old who takes up a place. This statutory entitlement is extended to the most disadvantaged two year olds from September 2013. Children's individual entitlement is to 570 hours of early education each year.

Local

- 2.8 Southampton's under 5s population, in April 2012, stood at 16,322. Of these, 6,205 children were eligible for free early years' provision in 2012-2013. Year on year there has been a 7% increase in this cohort.
- 2.9 At the last count, December 2012, there were 122 providers of the entitlement to free early years' provision across the city. This comprises: 37 childminders, 37 private; 39 voluntary and 5 school or public sector providers.
- 2.10 Currently 78% of all provision in the City is judged as 'Good' or 'Outstanding' by Ofsted. Our commitment is to support and challenge all providers to acquire this judgement.
- 2.11 In addition to the external validation of Ofsted, there are locally developed quality criteria. The criteria were developed in partnership with our providers and supports providers in working towards and sustaining improvements which meet these Ofsted grades. Providers are supported to achieve minimum standards and beyond through an Early Years Support Team. The Early Years Support Team comprises multi disciplinary early years specialists.
- 2.12 Providers who wish to provide children in the city with access to early years' education funded through the local authority will also enter into a Nursery Education Providers Agreement. This agreement is signed annually and makes a number of demands on providers, see box 2.

Box 2: Extract from the Nursery Education Providers Agreement

- Demonstrate a commitment to quality improvement in order to deliver the free entitlement and improve outcomes for young children.
- Complete, implement, evaluate and update an annual written development plan 'Setting Story' or an equivalent self assessment.
- Keep records of children's progress using 'Learning Stories in Southampton' or any other agreed alternative.
- Offer good quality, wide ranging activities and experiences which enable children to work towards the Early Learning Goals of the Early Years Foundation Stage (Childcare Act 2006).
- Undertake and sustain a Quality Assurance programme.
- Attain an Ofsted inspection result of at least satisfactory with the additional attainment of one or more of the eligibility criteria set out in the statutory guidance titled 'Statutory Guidance for Local Authorities on the Delivery of Free Early Education for Three and Four Year Olds and Securing Sufficient Childcare'.
- Ensure that all practitioners undertake 20 hours professional development per year.

3. EARLY YEARS WORKFORCE

- 3.1 Early education has the biggest impact when it is of high quality, and the quality of the workforce is the most important factor in achieving this, see Appendix 1. To support the development of the market and the professional competence of practitioners in the field a programme of high quality continuous professional development is available to the workforce, see box 3.

Box 3: Continuous professional development

- Subsidised Childminder Pre Registration courses.
- Subsidised Professional Development and Safeguarding programme.
- Bespoke training.
- Continuous Professional Development Fund to achieve qualifications.

- 3.2 Each provider is expected to have in place a Workforce Development Plan. The plan will identify training, based on the needs of staff identified through completion of the 'Setting Story', Ofsted inspection and outcomes of the Environmental Rating Scale.
- 3.3 All continuous professional development is provided through a highly experienced tutor base. Training provision is regularly quality assured. Whilst the recommendations of the Nutbrown Review, Foundations for Quality published in July 2012, is welcomed and supported in strengthening the workforce, current training is aligned with existing good practice standards and regulations.

4. THE IMPROVEMENT STRATEGY

- 4.1 High quality provision is dependent on the implementation of a personalised improvement programme. Providers are encouraged to develop/adopt a suitable improvement programme that responds to their needs.

- 4.2 The Local Authority uses an improvement strategy based on a cycle of: Plan, Review, Do and Evaluate. This simple, but effective tool is accessible to all providers: private, voluntary and public sector, inclusive of childminders.
- 4.3 In working with providers the Local Authority first undertakes a base line review of provision, with the provider. This is to secure hard and soft data on the current performance of the provider. Once a base line of performance has been established and agreed with all parties, the provider is supported to develop a robust improvement plan. As the desire is for all providers to be 'Good' or 'Outstanding' improvement plans identify activity that enables this outcome.
- 4.4 The diversity of provision is greatest between childminders and group settings. Points 4.5 to 4.20 detail the different approach to working with these two types of provision.

Childminders

- 4.5 Childminders are registered with Ofsted to look after one or more children under the age of eight to whom they are not related on domestic premises for reward and for a total of more than 2 hours in any day.
- 4.6 All childminders are supported. Childminders, working with the City's children included on the Early Years Provider Register are of the highest quality. To achieve this standing a Childminder will:
- Have been assessed by Ofsted as 'Good' or 'Outstanding'.
 - Be a member of the Children Come First (CFC) Accredited Network.
 - Have signed an agreement to meet the aims, policy and standards relating to the CFC Network.
 - Be regularly assessed by the Network Coordinator to ensure that they continue to meet the required CFC standards.
- 4.7 Childminders will require different levels of assistance to secure this standard. Therefore support through the National Childminding Association is available to work with individuals to develop their professional practice once they have acquired their registration with Ofsted. The Association also provides the Accredited Network for our highest quality childminders.
- 4.8 On the rare occasion a Childminder is not able to meet the minimum quality standards the National Childminding Association will recommend that the childminder be withdrawn from the Network and the Early Years Provider Register. Any proposed removal will be agreed with the Local Authority and will initiate additional support and improvement opportunities if the childminder wishes to work towards re inclusion on the Network.
- 4.9 A Childminder wishing to appeal against removal from the Early Years Provider Register can do so initially using the National Childminding Association appeals process.

Group settings

- 4.10 Group settings provide early education on non domestic premises, this can range from a purpose built nursery or a church hall, for reward for more than 2 hours in any day.
- 4.11 The City's children attend a breadth of registered group settings, including privately run day nurseries, pre schools registered with the charity commission and maintained nurseries. Individual settings are supported at one of three levels: Light Touch; Medium and Intensive support. In the main collective agreement is reached on the level of support needed to ensure the quality of provision.

- 4.12 The level of support is dependent on a number of factors, but generally includes:
- The use of 'The Setting Story', see Appendix 2, assessment tool which contains automatic alerts. If one of these is triggered the setting will automatically move into intensive support.
 - The outcome of Ofsted inspections.
 - The outcome of the Environmental Rating Scale. All settings participate in the Environment Rating Scale Audits (see Appendix 3). These identify any gaps or areas for improvement and enable a setting, working alongside the Early Years Support Team, to produce their Improvement Plan and agree the level of support required.
- 4.13 The level of support provided to an individual setting can be changed at any time by agreement with the provision and the Early Years Support Team.

Levels of support

- 4.14 Support for group settings is provided at 3 levels:
- Light touch support.
 - Medium support.
 - Intensive support.
- 4.15 The types of support provided at each level varies, see box 4.

Box 4: Definition of levels and types of support.

Settings in receipt of light touch support:

Will be supported in preparing an Improvement Plan and will have a minimum of three visits during a year from a member(s) of the Early Years Support Team.

Indicative criteria for light touch support: 'outstanding' Ofsted inspection judgement. Score of over 50% in Green section of The Setting Story.

Settings in receipt of medium support:

Will be supported in preparing an Improvement Plan which will identify how weaknesses are to be addressed. These settings will have a minimum of six targeted visits a year from the Early Years Support Team who will review progress against the Improvement Plan, which must contain specific targets for improvement with defined timescales.

Indicative criteria for medium support: 'good' Ofsted inspection judgement. Score of 50% or more in The Setting Story in Red and Amber.

Settings in receipt of intensive support:

Will have a high level of support from the Early Years Support Team in developing, implementing, and sustaining an Improvement Plan. This plan must have clear timescales and measurable targets. The Support Team and the setting will come to an agreed judgement about the areas to be addressed and will discuss and agree the support and challenge to be provided to the setting. A range of approaches, including visits/training/working alongside, will be used to develop practice and provision.

Indicative criteria for intensive support: 'inadequate' or 'satisfactory' Ofsted inspection judgement. Score of 50% or more in Red or automatic trigger in The Setting Story.

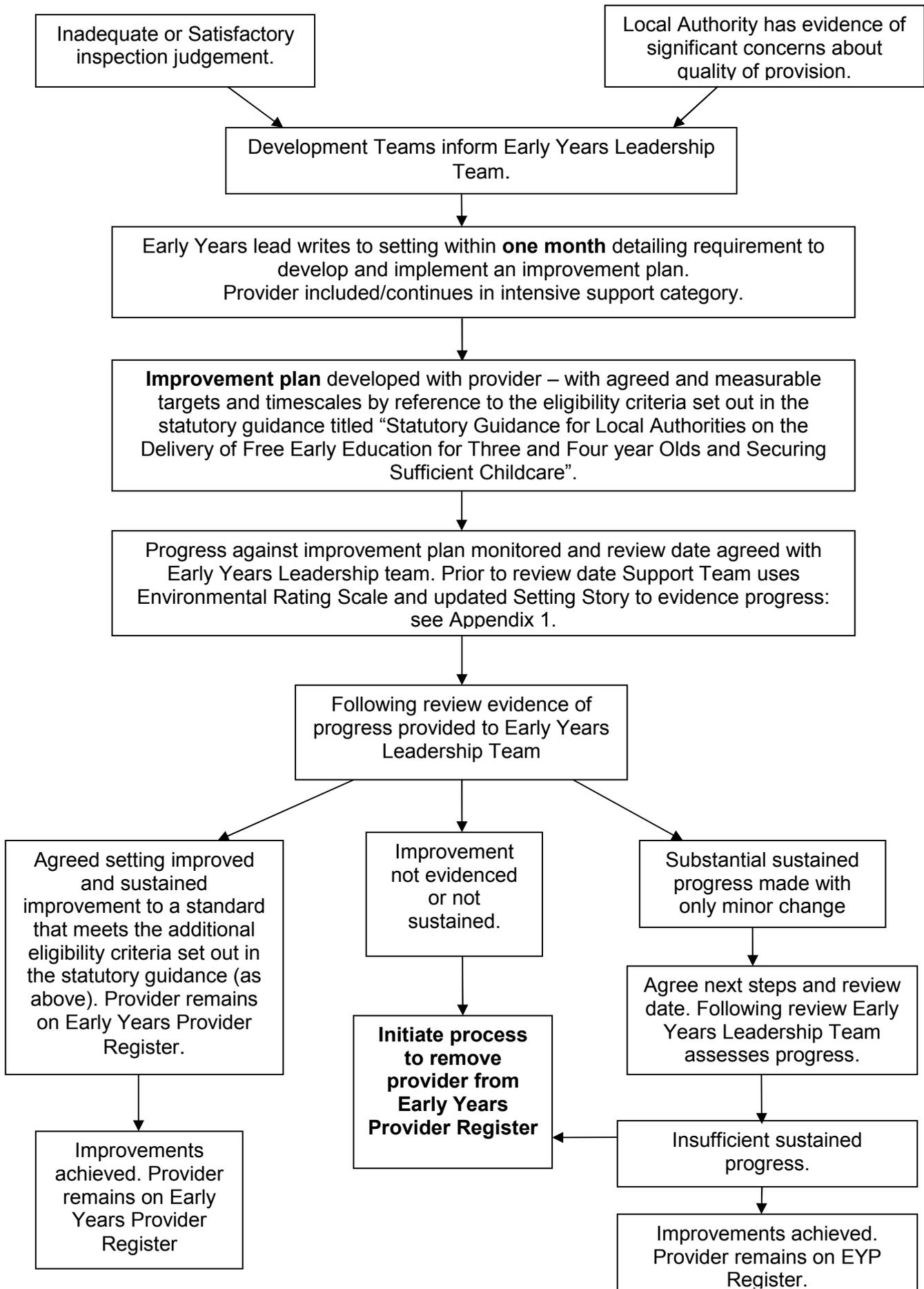
- 4.16 Similarly to childminders, there will be occasions when group settings, for a range of reasons, struggle to meet minimum standards for care and education. So that the development of our children is protected, where failure to meet minimum standards occur a range of action which drives settings to improve, with input from our Early Years Support Team, will be implemented.
- 4.17 An example of when failure to meet minimum standards occurs includes an 'Inadequate' or 'Satisfactory' Ofsted judgement. Settings in Southampton that are inspected by Ofsted and judged to be "Inadequate" or "Satisfactory" will receive a letter outlining the requirement to develop and implement an Improvement Plan within a specified timescale. The flow charts on pages 8 and 9 show this process.
- 4.18 Settings judged to be 'Inadequate' and who fail to significantly improve in accordance with the Improvement Plan targets and timescales agreed, will have their Nursery Education Funding withdrawn.
- 4.19 Settings judged to be 'Satisfactory' and who fail to evidence a commitment to improve quality through compliance with one or more of the 'additional eligibility criteria' as set out in the "Statutory Guidance for Local Authorities on the Delivery of Free Early Education for Three and Four Year Olds and Securing Sufficient Childcare" will have their Nursery Education Grant funding withdrawn.
- 4.20 To be included in the register, after exclusion, the provider will need to demonstrate improvement against the Improvement Plan in a timely manner. The provider will receive time limited support from the Early Years Support Team. Expectations will be outlined in writing, so that a provider has absolute clarity on the conditions for reengagement on the register.

Early Years Support Team

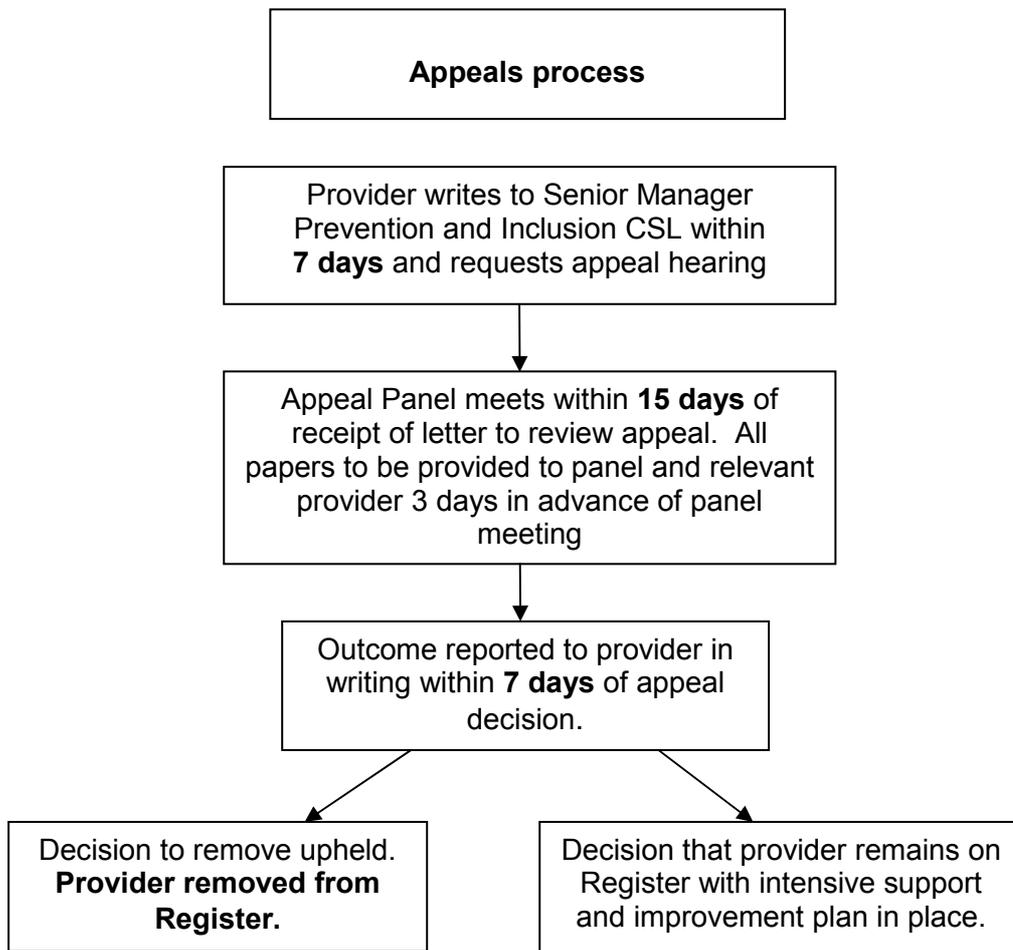
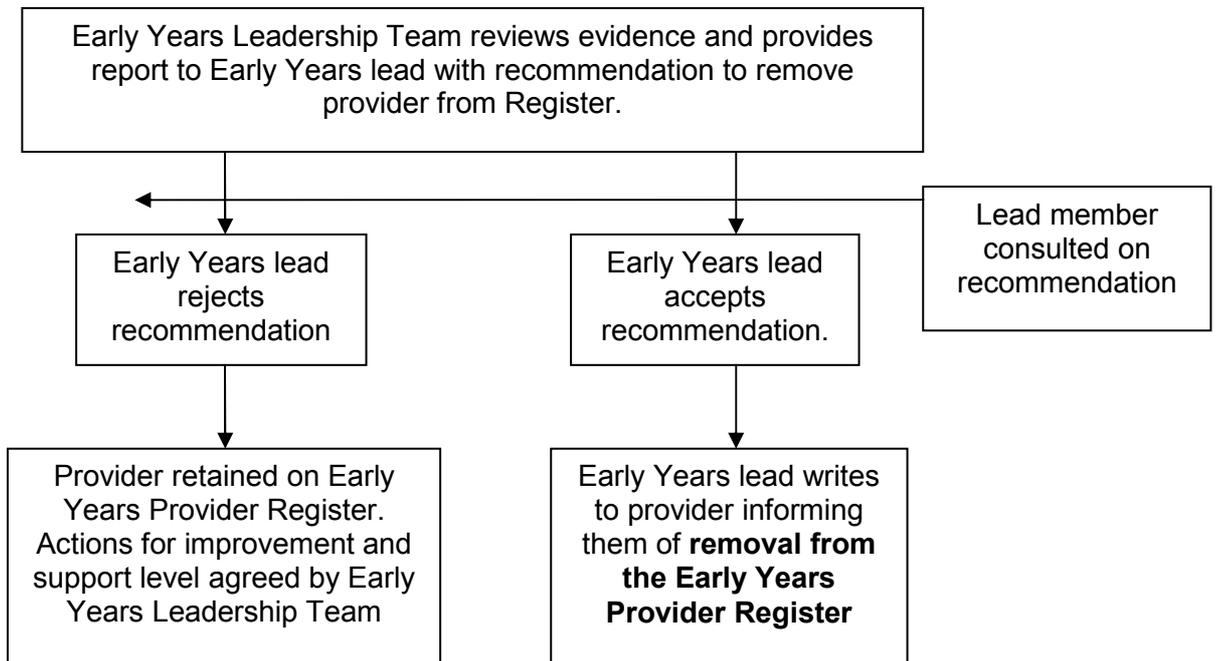
- 4.21 The Early Years Support Team will support the setting in evaluating its provision using an Environmental Rating Scale, see Appendix 3 in developing their Improvement Plan. The team will regularly review progress in implementing the Improvement Plan. Interim reviews against the plan will be held, as a minimum, once a term or three monthly (depending on the type of setting). A final review date will be agreed with the settings management and the Lead Practitioner. At final review the setting must be able to demonstrate that it:
- Can sustain the provision of a wide range of good quality experiences and positive interaction with children and families.
 - Has effective management and leadership in place.
 - Implements robust financial processes that adhere to our Audit procedures contained in the Early Years Funding agreement.
 - Has evidence of parental involvement and carries out and responds to consultation with parents.
 - Meets one or more of the additional eligibility criteria specified in The Statutory Guidance for Local Authorities on the Delivery of Free Early Education for Three and Four Year Olds and Securing Sufficient Childcare- September 2012.
- 4.22 Following completion of the Improvement Plan, the level of sustained improvement in the day to day practice in the setting will be jointly assessed by the setting and the Early Years Support Team, on an agreed date, using the relevant Environmental Rating Scale. The outcome of a re inspection by Ofsted during the improvement plan period will also be taken into account. However the Local Authority assessment and processes (for example use of The Setting Story and Environmental Rating Scales) may override this if the Authority is satisfied that the setting can evidence that it is likely to significantly improve on re-inspection or can evidence significant commitment to improving the quality of provision by meeting one or more of the additional eligibility criteria .All assessments of improvement will include the capacity and competence of the leadership, management and governance arrangements.

- 4.23 Failure to improve or sustain improvement within the agreed timescale will result in removal of Nursery Education Grant.
- 4.24 If a provider is being removed from the register they should not participate in a quality assurance scheme or offer student placements.

5. Process for intervention with early years providers following a satisfactory or inadequate OFSTED judgement



6. Process to remove provider from Early Years Provider Register



References

Allen, Graham; *Early Intervention - The Next Steps; An independent report to Her Majesty's Government*; January 2011.

Field, Frank; *The Foundation Years: preventing poor children becoming poor adults The Report of the Independent Review on Poverty and Life Chances*. December 2010.

Sylva, K; *The Effective Provision of Pre School Education (EPPE) Project*. 2004

Appendix 1

Statutory Guidance for Local Authorities on the Delivery of Free Early Education for Three and Four Year Olds and Securing Sufficient Childcare: September 2012, extract from page 8:

“Local authorities **should**:

3.4 Not refuse free entitlement funding to providers who have not yet been inspected by Ofsted, where the local authority is satisfied that the provision is of sufficient quality.

3.5 Not fund providers rated ‘inadequate’ by Ofsted unless the local authority is satisfied that the setting is likely to improve significantly at re-inspection or within an agreed timescale.

3.6 Secure alternative provision, as soon as is practicable, for children who are already receiving their free entitlement at a provider when it is rated ‘inadequate’ by Ofsted, and where the local authority is not satisfied that the setting is likely to improve at re-inspection or within an agreed timescale.

3.7 Only fund providers rated ‘satisfactory’ if they can also evidence a commitment to improving the quality of their provision by meeting at least one of the following additional eligibility criteria:

- active participation in a quality improvement programme that the local authority considers appropriate;
- active participation in a peer-to-peer support network (including childminding networks) that the local authority considers appropriate;
- assessed as sufficiently high quality through a local authority quality assessment system;
- a level of workforce qualifications that indicate higher quality provision (for example, all staff having or actively working towards a level 3 qualification, or having a graduate leader).

3.8 Consider whether to require providers rated ‘satisfactory’ to meet more than one of the additional eligibility criteria in para 3.7, in order to raise the quality of provision in the area or if there is sufficient high quality provision already available.

3.9 Consider whether to require providers rated good to meet one or more of the above additional eligibility criteria in para 3.7 to promote further quality improvement in their area.

3.10 Fund providers rated ‘good’ or ‘outstanding’ by Ofsted to deliver free early education places for three and four year olds, unless the local authority has reason to believe that the quality of provision has deteriorated significantly since their last Ofsted inspection, or the provider has ceased to meet any eligibility criterion (as set out in para 3.9) that the local authority required it to meet.

3.11 Ensure that providers are aware of the quality criteria they have to meet in order to deliver free places to three and four year olds.

3.12 Withdraw funding as soon as is practicable from providers who are not demonstrating the sufficient quality improvement required to deliver the free entitlement.”

<http://www.education.gov.uk/childrenandyoungpeople/earlylearningandchildcare/delivery/Free%20Entitlement%20to%20Early%20Education/g00209650/code-of-practice-for-las>

Appendix 2

Early Years Foundation Stage Quality Improvement Classification

The Setting Story

General Information

Setting Name:	Date Completed:					
Private <input type="checkbox"/>	Independent <input type="checkbox"/>					
Voluntary <input type="checkbox"/>	Local Authority <input type="checkbox"/>					
Name of Organisation/Registered Provider:						
Manager/Lead Practitioner/Owner/Childminder						
Setting Details	Contact Address (if different)					
Address:						
Telephone/Mobile:						
E-mail/Website:						
Registration Company Number (if applicable):						
Registration Charity Number (if applicable):						
Ofsted URN/DFES Number						
Previous Support Level (date):						
Approximate % availability of spaces:						
Locality/Children Centre area:						
Early Years Support Teacher Name:						
Development Worker Name:						
Are Conditions of Registration and Insurance Certificate displayed? Yes <input type="checkbox"/> No <input type="checkbox"/>						
Opening Times:		Mon	Tue	Wed	Thur	Fri
	open					
	close					

Children on roll Date:				Setting Age Range	
<2	2yrs	3yrs	4yrs	Youngest	Oldest

Total number of children with SEN	
Total number of children Early Years Action	
Total number of children Early Years Action Plus	
Total number of children with Inclusion Support Grant	
Total number of children with Local Support Package	
Total number of children with Statement/Requesting Statutory Assessment	
Total number of children with an SEN Funded Place if you are a SEN Funded Setting	
Total Number of 2 Year Olds Funded	
Total Number of Sure Care Places	
Total number of Children Looked After	
Total number of Children with a Pre-CAF	
Total number of children with a CAF	
Total number of children identified as CiN/Family of concern (Health Visiting definition)/Known to Social Care	
Total number of children with Child Protection Plan	

Settings Involvement	Comment
2 year old Funding Scheme/Community Placements	
Sure Care Placements	
ECaT Programme: Clubs attended? Audits returned?	
Social Care Placements	
Developmental Movement Play	
Inclusion Networks Attended	
Pre School Learning Alliance Committee Forums (if applicable)	
Quality Assurance (name):	
Healthy Early Years Award (HEYA)	
Southampton Music Service Project	
Attendance at Children Centre Multi Agency Forum	
Regular attendance at Lead Practitioner Meeting	

Notes

Date of Latest Ofsted Report											
Date of Last SEF Review											
Overall Effectiveness of the Early Years Provision			The Effectiveness of Leadership & Management of the Early Years Provision			The Quality of the Provision in the Early Years Foundation Stage			Outcomes for Children in the Early Years Foundation Stage		
Grade	OFSTED	SEF		OFSTED	SEF		OFSTED	SEF		OFSTED	SEF
How well does the setting meet the needs of the children in the EYFS?			How effectively is the EYFS led and managed?			The quality of the provision in the Early Years Foundation Stage			Outcomes of children in the Early Years Foundation Stage		
The capacity of the provision to maintain continuous improvement			The effectiveness of leadership & management in embedding ambition and driving improvement						The extent to which children achieve and enjoy their learning		
			The effectiveness with which the setting deploys resources						The extent to which children feel safe		
			The effectiveness with which the setting promotes equality and diversity						The extent to which children adopt healthy lifestyles		
			The effectiveness of safeguarding						The extent to which children make a positive contribution		
			The effectiveness of the setting's self-evaluation, including the steps taken						The extent to which children develop skills for the future		

	to promote improvement				
	The effectiveness of partnerships				
	The effectiveness of the setting's engagement with parents and carers				

Key: 4 = Inadequate 3 = Satisfactory 2 = Good 1 = Outstanding

Classification Criteria
Please refer to supporting document for evidence

	Red		Amber		Green	
<i>Focus area:</i>	Quality criteria for settings needing Intensive Support.		Quality Criteria for settings needing Medium Support		Quality criteria for settings receiving Light Support	
Ofsted Completed by EYST/DW	Satisfactory Ofsted Grade	<input type="checkbox"/>	Good Ofsted Grade	<input type="checkbox"/>	Outstanding Ofsted Grade	<input type="checkbox"/>
ECERS-R/etc Completed by EYST/DW	Inadequate provision (1 or 2) in 4 or more items	<input type="checkbox"/>	Range of scores between 1 and 7.	<input type="checkbox"/>	All scores 5 or above	<input type="checkbox"/>
Leadership and 3 Management Completed by EYST/DW	New manager or key staff in previous 12 months	<input type="checkbox"/>	Manager and/or key staff in 2 nd year of role	<input type="checkbox"/>	Manager and key staff stable for 2 years or more	<input type="checkbox"/>
	SEF grade for Leadership is 3	<input type="checkbox"/>	SEF grade for Leadership is 2	<input type="checkbox"/>	SEF grade for Leadership is 1	<input type="checkbox"/>
	Ofsted judgement on Leadership is 3	<input type="checkbox"/>	Ofsted judgement on Leadership is 2	<input type="checkbox"/>	Ofsted judgement on Leadership is 1	<input type="checkbox"/>
	Manager is unaware of Whistle Blowing Procedures	<input type="checkbox"/>	Manager is aware of procedures for managing allegations.	<input type="checkbox"/>	Manager has attended training that includes managing allegations.	<input type="checkbox"/>
	Manager/CP Lead has not had higher level safeguarding training within the last 2 years	<input type="checkbox"/>	Manager/CP Lead has had higher level safeguarding training within the last 2 years	<input type="checkbox"/>	Manager/CP Lead has had higher level safeguarding training within the last 2 years and has attended extra safeguarding briefings/training	<input type="checkbox"/>
	High level of staff changes (50% or more)	<input type="checkbox"/>	Staff changes (25% to 49%)	<input type="checkbox"/>	Staffing has been stable for past 12 months (under 25%)	<input type="checkbox"/>
	Below mandatory requirements for staffing qualifications – no plans for development of qualification levels of workforce .	<input type="checkbox"/>	Qualifications meet requirement and plans in place for staff development	<input type="checkbox"/>	EY Graduate practitioners in place/ Practitioners with EYP status; Plans in place to extend qualifications of current workforce	<input type="checkbox"/>
	Managers are not implementing written appraisals and supervisions with all staff	<input type="checkbox"/>	Managers are implementing comprehensive appraisals and supervisions with SMART targets set and reviewed for all staff	<input type="checkbox"/>	Targets are linked to individuals CPD, setting's action plan and SEF	<input type="checkbox"/>

Learning and Development Completed by EYST/DW	Non compliance or inconsistent implementation of the EYFS	<input type="checkbox"/>	Consistent implementation of EYFS across the setting	<input type="checkbox"/>	Effective implementation of EYFS across the setting	<input type="checkbox"/>
	The Learning and Development requirements are not met	<input type="checkbox"/>	Meeting statutory requirements	<input type="checkbox"/>	Assessment at all ages is precise, sharply focused and includes all those involved in the child's learning	<input type="checkbox"/>
	Staff have little or no understanding of the ECM outcomes; SEF grade for ECM is 3	<input type="checkbox"/>	Staff have a satisfactory understanding of the ECM outcomes; SEF grade is 2	<input type="checkbox"/>	All staff have a good understanding of the ECM outcomes; SEF grade is 1	<input type="checkbox"/>
	Learning Stories being used inconsistently to monitor and promote children's progress	<input type="checkbox"/>	Learning Stories completed and being used effectively to monitor and track children's progress	<input type="checkbox"/>	Learning Stories are monitored and used to secure timely interventions and support, based on a comprehensive knowledge of the child and their family. Strategies to support children's next steps in Learning at home are shared with parents/carers.	<input type="checkbox"/>

ECAT	Inconsistent submission or completion of audits	<input type="checkbox"/>	Audits completed accurately and submitted on time.	<input type="checkbox"/>		<input type="checkbox"/>
	Little evidence of next steps incorporated into Learning Stories and planning	<input type="checkbox"/>	Evidence of next steps are incorporated into Learning Stories and planning	<input type="checkbox"/>	Managers, ECAT Lead, SENCO and Parents work collaboratively to plan next steps	<input type="checkbox"/>
	Little monitoring of audit and use of data	<input type="checkbox"/>	ECAT lead monitors completion of audit and use of data.	<input type="checkbox"/>	Managers, ECAT Lead and SENCO monitor audit to ensure consistency and accuracy across the setting	<input type="checkbox"/>
	Inconsistent attendance at ECAT Club and/or gap task not completed	<input type="checkbox"/>	ECAT clubs are attended and gap tasks completed consistently	<input type="checkbox"/>	All staff are involved in gap task and evidence of impact is apparent	<input type="checkbox"/>
	Little ECAT information is cascaded to setting staff and parents/carers	<input type="checkbox"/>	ECAT information is cascaded to setting staff and parents/carers	<input type="checkbox"/>	Evidence of ECAT initiatives involving parents/carers and setting	<input type="checkbox"/>

	Red		Amber		Green	
<i>Focus area:</i>	Quality criteria for settings needing Intensive Support.		Quality Criteria for settings needing Medium Support		Quality criteria for settings receiving Light Support	
Parents Completed by EYST/DW	Limited or no information exchanged with parent/carers	<input type="checkbox"/>	Basic information exchanged with parents/carers	<input type="checkbox"/>	All parents have access to a full range of information	<input type="checkbox"/>
	Minimal engagement with parents	<input type="checkbox"/>	Engagement with parents is satisfactory	<input type="checkbox"/>	Strong parental engagement with continuous improvement	<input type="checkbox"/>
	No variance in methods of communications with parents	<input type="checkbox"/>	Variety in methods of communication with parents	<input type="checkbox"/>	Effective communication used to inform, advise and engage parents	<input type="checkbox"/>
Partnership Completed by EYST/DW	Limited or no information exchanged with professionals	<input type="checkbox"/>	Basic information exchanged with professionals	<input type="checkbox"/>	All professionals have access to a full range of information	<input type="checkbox"/>
	Minimal engagement with professionals	<input type="checkbox"/>	Engagement with professionals satisfactory	<input type="checkbox"/>	Strong professional engagement with innovative practice	<input type="checkbox"/>
	No variance in methods of communications with professionals	<input type="checkbox"/>	Variety in methods of communication with professionals	<input type="checkbox"/>	Effective communication used to inform, advise and engage professionals	<input type="checkbox"/>
Transition Completed by EYST/DW	Limited or inconsistent information sent to next provision	<input type="checkbox"/>	All relevant Information sent to next provision	<input type="checkbox"/>	Comprehensive information is sent to next provision	<input type="checkbox"/>
	Limited liaison with next provision	<input type="checkbox"/>	Some liaison with next provision	<input type="checkbox"/>	Regular liaison with next provision and planned transition experiences for children	<input type="checkbox"/>
	Limited information shared with other provisions attended if applicable	<input type="checkbox"/>	System in place to share information with other provisions attended if applicable	<input type="checkbox"/>	Effective communication channels are established to engage partnership working	<input type="checkbox"/>
	Limited evidence of transition planning or record sharing with parents/carers	<input type="checkbox"/>	Transitions planning and record sharing with parents/ carers is in place	<input type="checkbox"/>	Parents and carers are fully involved within the transitions	<input type="checkbox"/>
Sustainability & Business Completed by DW	No or unsatisfactory business plan in place	<input type="checkbox"/>	Satisfactory business plan in place	<input type="checkbox"/>	Business plan in place which is regularly reviewed monitored and updated.	<input type="checkbox"/>
	No or unsatisfactory 'cash flow' forecast in place	<input type="checkbox"/>	Satisfactory 'cash flow' forecast in place	<input type="checkbox"/>	'Cash flow' forecast in place and used and managed effectively	<input type="checkbox"/>
	Significant sustainability issues	<input type="checkbox"/>	Sustainability issues are being addressed	<input type="checkbox"/>	No issues of sustainability.	<input type="checkbox"/>
Inclusion Completed	Insufficient evidence of inclusive practice	<input type="checkbox"/>	Evidence of inclusive practice	<input type="checkbox"/>	Strong inclusive practice	<input type="checkbox"/>

by Area Senco	Vulnerable children are not identified or identified but not given targeted support	<input type="checkbox"/>	Vulnerable children are identified and supported effectively	<input type="checkbox"/>	Strategies/IEP's evident in planning and provision	<input type="checkbox"/>
	Limited attendance at CPD for SENCOs	<input type="checkbox"/>	Attendance at CPD has impact upon SEN practice	<input type="checkbox"/>	Attendance at CPD informs the review and evaluation of the SEN policy and provision	<input type="checkbox"/>
	Children at risk of low achievement not identified or not given targeted support	<input type="checkbox"/>	Children at risk of low achievement identified early and receive appropriate provision and target support as required	<input type="checkbox"/>		
	Limited regard to the SEN Code of Practice	<input type="checkbox"/>	There is regard to the SEN Code of Practice	<input type="checkbox"/>	SEN Code of Practice is fully implemented systematically monitored, evaluated & reviewed	<input type="checkbox"/>
Continuous Professional Development Completed by EYST/DW	Minimum requirements from LA [NEG agreement] are not met for CPD activity	<input type="checkbox"/>	Minimum requirements are met	<input type="checkbox"/>	Minimum requirements are exceeded	<input type="checkbox"/>
	No CPD plan linked to identify priorities of setting or linked to performance management	<input type="checkbox"/>	CPD plan linked to identified priorities and performance management with sound evidence of impact	<input type="checkbox"/>	Good evidence of impact of CPD undertaken and monitored by management	<input type="checkbox"/>
	No or limited attendance at external CPD events	<input type="checkbox"/>	Attendances at a range of CPD events	<input type="checkbox"/>	Attendance at a range of CPD events which links to identified priorities	<input type="checkbox"/>
	Satisfactory use of in-house training opportunities	<input type="checkbox"/>	In-house training opportunities are used well to meet the requirements of setting and workforce	<input type="checkbox"/>	Good evidence of impact of in-house training undertaken and monitored by management	<input type="checkbox"/>
	Child Protection/Safeguarding training for most staff in last 3 years	<input type="checkbox"/>	All staff have received CP/ Safeguarding training in the last 3 years	<input type="checkbox"/>	All staff have received CP/ Safeguarding training in the last 3 years plus additional Safeguarding training	<input type="checkbox"/>
			Currently undertaking QA Accreditation	<input type="checkbox"/>	Completed QA Accreditation	<input type="checkbox"/>
	Not completed or updated	<input type="checkbox"/>	Qualification audit tool is completed and regularly updated	<input type="checkbox"/>	A written copy of individual's CPD is kept in their personnel file	<input type="checkbox"/>

	Red		Amber		Green	
<i>Focus area:</i>	Quality criteria for settings needing Intensive Support.		Quality Criteria for settings needing Medium Support		Quality criteria for settings receiving Light Support	
Safeguarding and Welfare Completed by setting	Not all staff have an up to date understanding of Safeguarding and promoting children's welfare.	<input type="checkbox"/>	All practitioners have an up-to-date understanding of safeguarding children issues.	<input type="checkbox"/>	All practitioners have an up-to-date understanding of safeguarding children issues and are able to implement the safeguarding children policy and procedure appropriately with continuous improvement.	<input type="checkbox"/>
	No clear complaints procedures/log	<input type="checkbox"/>	There is an up to date complaints procedure displayed.	<input type="checkbox"/>	The complaints procedure is displayed clearly, is current and reviewed regularly and known to parents, including how to complain to OfSTED.	<input type="checkbox"/>
	Outings are a concern: i.e no written permission from parents, inadequate risk assessments	<input type="checkbox"/>	Risk assessments and ratios are satisfactory for outings.	<input type="checkbox"/>	Outings are carefully planned and there are written risk assessments in place.	<input type="checkbox"/>
	Concern about procedures for medicines or illness ie. Administering non prescribed medication	<input type="checkbox"/>	Clear procedures for administering medicines and excluding sick children are in place. including written consent forms	<input type="checkbox"/>	Effective implementation of the policy on administration of medicines and illness. Only named suitable staff administer medicines and exclusions are displayed for staff to see	<input type="checkbox"/>
	No First Aid trained person on site/outings at all times	<input type="checkbox"/>	Paediatric First Aid trained person in setting at all times	<input type="checkbox"/>	Majority of staff are paediatric first aid trained and there is someone always on site with full first aid at work.	<input type="checkbox"/>
	There are concerns about the food and drinks provided. Fresh drinking water is not readily available at all times. Those responsible for preparation and handling food are not competent to do so.	<input type="checkbox"/>	Meals, snacks and drinks are healthy, balanced, nutritious and varied. Fresh drinking water is readily available at all times.	<input type="checkbox"/>	Children and parents contribute to menus. Setting undertaking or completed H.E.Y.A.	<input type="checkbox"/>
	An Ofsted action regarding	<input type="checkbox"/>	No Ofsted welfare	<input type="checkbox"/>		

	welfare in the last twelve months which has been addressed but not yet imbedded into practice.		actions		
	Visitor book inconsistently completed	<input type="checkbox"/>	Visitors register is completed including date, time and contact details. System to verify the identity of visitors – badge ID requested and recorded	<input type="checkbox"/>	Visitor's badge given and worn <input type="checkbox"/>
	Not registered with Local Authority Environmental Health Department	<input type="checkbox"/>	Registered with Environmental Health and all practitioners have Food Hygiene	<input type="checkbox"/>	<input type="checkbox"/>
Suitable People	Limited or inconsistent induction procedures	<input type="checkbox"/>	There is a clear induction process. New staff are monitored appropriately	<input type="checkbox"/>	All new staff are monitored appropriately and allocated a mentor. Staff 1:1s are increased during the probationary period. <input type="checkbox"/>
	Staff often start work before all checks are completed.	<input type="checkbox"/>	Occasionally staff commence work prior to receiving a clear CRB but are always supervised appropriately with no lapses.	<input type="checkbox"/>	All references and checks are done prior to commencing work Portable CRB;s are never used <input type="checkbox"/>
	EY2s or enhanced CRBs are not in place for all relevant people.	<input type="checkbox"/>	EY2s and enhanced CRBs are completed appropriately and in place for all relevant people	<input type="checkbox"/>	EY2s, enhanced CRBs and EY3s are completed and in place for all relevant people. Processes for renewal and storage of information meets requirements. <input type="checkbox"/>
	Lead Practitioner and Deputy are often not on site	<input type="checkbox"/>	Lead Practitioner, competent Deputy or competent room leader are on site but not always with the children.	<input type="checkbox"/>	Lead practitioner or competent deputy are on site and working with the children. <input type="checkbox"/>
	Ratios have been a concern in the last twelve months.	<input type="checkbox"/>	Ratios meet legal requirement.	<input type="checkbox"/>	Ratios consistently exceed legal requirement. <input type="checkbox"/>
	An Ofsted 'Suitable Person' action identified in the past twelve months – which has been addressed but not yet imbedded into practice.	<input type="checkbox"/>	No outstanding Ofsted actions regarding 'Suitable People'	<input type="checkbox"/>	

	Red		Amber		Green	
<i>Focus area:</i>	Quality criteria for settings needing Intensive Support.		Quality Criteria for settings needing Medium Support		Quality criteria for settings receiving Light Support	
	Not all staff and committee members are aware of their roles and responsibilities.	<input type="checkbox"/>	All staff/committee/volunteers are aware of their roles and responsibilities.	<input type="checkbox"/>	All staff/committee/volunteers have a clear understanding of their roles and responsibilities and consistently apply them.	<input type="checkbox"/>
	Inconsistencies in the recruitment process.	<input type="checkbox"/>	Recruitment procedures are thorough	<input type="checkbox"/>	Manager and committee on recruitment panel have undergone Safer Recruitment Training	<input type="checkbox"/>
	Infrequent 1:1 supervisions that includes Safeguarding.	<input type="checkbox"/>	Half Termly 1:1 supervisions that includes Safeguarding	<input type="checkbox"/>	Monthly 1:1 supervisions that includes Safeguarding	<input type="checkbox"/>

Suitable premises, environment & equipment	A full risk assessment has not been completed in the past twelve months	<input type="checkbox"/>	A full written Risk assessment is in place and reviewed annually. Action taken to rectify identified issues within appropriate time scales	<input type="checkbox"/>	A full written Risk assessment is in place and reviewed each term, and more regularly if required. Actions taken to reduce any identified risks within realistic time scales.	<input type="checkbox"/>
	No fire drills have been practised	<input type="checkbox"/>	Fire drills are practised by all children and staff termly.	<input type="checkbox"/>	Fire drills are practised more than once per term using all exits and recorded in fire log. Fire training undertaken	<input type="checkbox"/>
	There are some cleanliness concerns that have been identified	<input type="checkbox"/>	Cleanliness is good.	<input type="checkbox"/>	Clear cleaning routine for the premises –inside and out and all resources and equipment. A designated place of safety is agreed	<input type="checkbox"/>

	There has been an Ofsted suitable premises action identified in the past twelve months and/or previous concerns have not been addressed.	<input type="checkbox"/>	No outstanding suitable premises, environment and equipment Ofsted actions	<input type="checkbox"/>		
	Concerns about the safety and security of the premises either indoor or outdoor.	<input type="checkbox"/>	Premises are safe and secure. Both indoor and outdoor.	<input type="checkbox"/>	The premises are safe and secure both indoor and outdoor with additional measures in place and there is effective management and reviewing.	<input type="checkbox"/>
	Not informing Ofsted about	<input type="checkbox"/>	Ofsted are informed	<input type="checkbox"/>		

	any notifiable changes, ie. to premises or effecting operations.		when there any notifiable changes			
Organisation	Inconsistent approach from Key Persons.	<input type="checkbox"/>	All children have a consistent key person who is clearly known to them.	<input type="checkbox"/>	There is evidence that key persons help children form secure emotional attachments and provide a strong base that promotes each child's well being and independence	<input type="checkbox"/>
	Children's next steps are not planned.	<input type="checkbox"/>	Children's next steps are planned and shared with parents.	<input type="checkbox"/>	Comprehensive next steps planned for each child using all available observations and evidence. E.g. Learning Stories, ECAT audit etc and shared with individual child	<input type="checkbox"/>
	There is little or no variety of resources and activities offered to the children both outside and inside	<input type="checkbox"/>	There is a variety of resources and activities offered to the children both outside and inside	<input type="checkbox"/>	There is a well balanced variety of resources and planned activities offered to the children both inside and out throughout each term	<input type="checkbox"/>
Documentation	The policies and procedures do not meet the requirement for the safe and effective management of the setting. Policies have not been reviewed within the past twelve months and/ or some concerns about policies, registers, or paperwork from staff, PDW or Ofsted with in the past twelve months	<input type="checkbox"/>	The policies and procedures meet the requirement for the safe and effective management of the setting. All policies have been reviewed in the past twelve months and amended as required.	<input type="checkbox"/>	All staff, parents and management committee are involved with amending/ updating policies and procedures and are reviewed and amended in line with any new legislation and current best practice.	<input type="checkbox"/>
	No certificates displayed and parents have no access to policies.	<input type="checkbox"/>	Certificates are displayed and parents have access to policies.	<input type="checkbox"/>	All certificates are displayed clearly for parents, staff and visitors. Parents are given copies of policies.	<input type="checkbox"/>
	Incomplete details and registers of children.	<input type="checkbox"/>	Details and Registers of children are clear and completed	<input type="checkbox"/>	Details and Registers of children are clear, completed, well organised and appropriately accessible.	<input type="checkbox"/>
ECERS-R and ITERS-R Personal Care Routines	Scores for Personal Care Routines are below minimal in more than one item.	<input type="checkbox"/>	Scores for Personal Care Routines are good, with no more than 1 item score below 5	<input type="checkbox"/>	Scores for Personal Care Routines are all 5 or above.	<input type="checkbox"/>

	Red		Amber		Green
<i>Focus area:</i>	Quality criteria for settings needing Intensive Support.		Quality Criteria for settings needing Medium Support		Quality criteria for settings receiving Light Support

Automatic alerts to support level: Completed by EYST/DW ANY of these statements automatically determine the level of support	Inadequate Ofsted or lower OfSTED grade than previously.	<input type="checkbox"/>						
	No SEF or evidence of reflective practice reviewed in last 12 months	<input type="checkbox"/>						
	Unforeseen circumstances indicate potential closure	<input type="checkbox"/>						
	New Registration	<input type="checkbox"/>						
	Failure to engage with LA support	<input type="checkbox"/>						
	Major building works or re-location	<input type="checkbox"/>						
	No 'Whistle-blowing' policy or procedures	<input type="checkbox"/>						
	No phone, social networking and camera policy	<input type="checkbox"/>						
	No Safeguarding Lead Officer or inadequate practice.					Name of Lead Officer:		
	No SENCO or inadequate SEN practice	<input type="checkbox"/>						
Red alert in Leadership and Management, Safeguarding and Welfare, Learning and Development	<input type="checkbox"/>							
No identified lead for ECAT or inadequate engagement								
Formula for support level	Setting requesting intensive support and can evidence justification	<input type="checkbox"/>	Setting requesting Medium Support and can evidence justification	<input type="checkbox"/>	Light Support <input type="checkbox"/>			

If less than 50% over all criteria boxes, the support level will be at the discretion of the EY Support Team in relationship to evidence provided.

Provisional overall support allocation	Total no. indicators	Agreed level of support
Light (Green)		
Medium (Amber)		
Intensive (Red)		

Allocation of Support to include (Specific)	Action	Responsibility

Completed by: _____

Date: _____

Team Manager: _____

Date: _____

For office use only	
Confirmed Categorisation:	
Letter sent:	
Responses/Conclusion:	

Appendix 3: Environmental Rating Scales

There are three scales used in Southampton.

The Early Years Environmental Rating Scale (ECERS-R)

ECERS-R is an internationally used scale which identifies, in an objective way, the quality of any early years setting. There are seven sub scales (with 49 items) rated at inadequate, minimal, good and excellent and provides a score for each item. Early years settings should aim to score 'good' across all seven sub scales with an aspiration to become 'excellent'. In this way settings will achieve a standard of provision which greatly exceeds the minimum standards inspected by OfSTED.

The Infant and Toddler Environment Rating Scale (ITERS)

This is a similar tool and used by settings working with children under 3.

The Family Child Care Rating Scale (FCCRS)

This may be used instead in Day Care or Childminder settings.

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DECISION-MAKER:	CABINET MEMBER FOR CHILDREN'S SERVICES
SUBJECT:	PRIMARY SCHOOL DEVELOPMENT
DATE OF DECISION:	29 JANUARY 2013
REPORT OF:	SENIOR MANAGER CHILDREN AND YOUNG PEOPLE STRATEGIC COMMISSIONING, EDUCATION AND INCLUSION
STATEMENT OF CONFIDENTIALITY	
None	

BRIEF SUMMARY

The Local Authority has a statutory responsibility for place planning, education provision and school organisation. School organisation covers all sectors of the education estate and is concerned with ensuring sufficient high quality education provision exists for the city's residents.

School Organisation legislation dictates two methods for establishing an all through primary from existing infant and junior schools. These are: discontinuing the unique reference number of one school and extending the age range of the remaining school (this amounts to the amalgamation/merger of two schools) - option 1; discontinuing both schools unique reference number and publishing a proposal to open a new school, either through a competition or after receiving exemption from the Secretary of State. This would need to be authorised by the Secretary of State or regulations - option 2.

Option 1 has been deemed the most appropriate in order to maintain some of the existing structures of one of the schools, i.e. Headteacher and Governing Body, and to keep the decision making process at a local level.

The term 'discontinue' is used as a technical term in line with statute. The principle of the proposal is to bring two schools together into one.

During the 2012 calendar year, three headteachers from co-located infant and junior schools offered their resignation/retirement. One is effective from the end of the Autumn term 2012 and the other two are effective from the end of the 2012/13 academic year. As a result of this, and in line formal discussions with governing body representatives and headteachers from across the city, on the Local Authority's strategic preference for a primary model of education, it is appropriate to consult on the possibility of developing three primary schools from the three sets of co-located infant and junior schools. The decision on which schools unique number discontinues is purely based on the school with the headteacher vacancy. In the main, all schools affected by this proposal are judged as 'Good' schools by Ofsted.

RECOMMENDATIONS:

- (i) To approve the commencement of three separate, six weeks, pre-statutory consultations. The three separate, but similar, proposals for consultation are:
 - Discontinuance of Bitterne Park Infant and expansion of Bitterne Park Junior to accommodate 4-11 year olds.

- Discontinuance of Oakwood Infant and expansion of Oakwood Junior to accommodate 4-11 year olds.
 - Discontinuance of Tanners Brook Junior and expansion of Tanners Brook Infant to accommodate 4-11 year olds.
- (ii) To approve the establishment of three steering groups for each pairing of co-located schools to oversee the consultation on the possibility of a transitioning to a primary.
- (iii) To delegate authority to the Director of Children’s Services and Learning, following consultation with the Head of Legal, HR and Democratic Services, to determine the final format and content of consultation in accordance with statutory and other legal requirements.
- (iv) Subject to complying with Financial and Contractual Procedure Rules, to delegate authority to the Director of Children’s Services and Learning, following consultation with the Cabinet Member for Children’s Services, to do anything necessary to give effect to the recommendations in this report.

REASONS FOR REPORT RECOMMENDATIONS

1. Children’s Services and Learning are committed to pursuing the development of all through primary schools where the situation allows. For instance:
- Where infant and junior schools are co-located and governing bodies seek support to establish a primary school.
 - If a headship of a co located infant/junior school becomes vacant.
- Currently in Southampton the education estate has:
- 18 infant schools - 3 of which are Academies
 - 14 junior schools - 2 of which are Academies
 - 28 primary schools - 3 of which are Academies
2. There are 14 pairings of Infant and Junior Schools, see table 1. These pairings often liaise and share resources but operate as separate, individual schools.

Table 1: School pairings	Current status
Fairisle Infant and Junior	Maintained schools
Ludlow Infant and Junior	Separate Academies
Shirley Infant and Junior	Separate Academies – members of same Trust
Hollybrook Infant and Junior	Infant Academy, Junior transitioning later
Bitterne C of E Infant and Junior	Maintained school
Bitterne Park Infant and Junior	Included in this consultation
Tanners Brook Infant and Junior	Included in this consultation
Oakwood Infant and Junior	Included in this consultation

Glenfield Infant and Beechwood Junior	Maintained schools
Maytree Infant and Mount Pleasant Junior	Maintained schools
Sholing Infant and Junior	Maintained schools
St Monica Infant and Junior	Maintained schools
Townhill Infant and Junior	Maintained schools
Valentine Infant and Heathfield Junior	Maintained schools – recently federated their Governing Bodies

3. There are three infant schools across the City that are separate with no co-located school. These are: Weston Shore Infant; Woolston Infant; and Wordsworth Infant. The latter is due to become a primary from September 2013.
4. Over the last year the Local Authority has been progressing the development of primary schools. The schools involved are: Weston Park Infant and Junior (will be an all through primary from January 2013), Banister Infant and Wordsworth Infant – the later two taking the first cohort of year 3 (age 7-8 year olds) from September 2013.
5. **Current proposal**
By the end of the academic year 2012/13, July 2013, three headships of six co-located schools will be vacant: **Bitterne Park Infant, Oakwood Infant and Tanners Brook Junior**. Consequent consultation on school reorganisation is being pursued. The reorganisation, if successful, will allow for the creation of three all through primary schools. The three primary schools would be developed through expanding the age range of one of the two co-located schools: **Bitterne Park Junior, Oakwood Junior and Tanners Brook Infant**. The basic performance data of the six schools included in the proposal is shown in Appendix 1.
6. Each new primary school will accommodate the full primary age range; 4 – 11 years of age. The schools will be renamed to recognise their primary status. For example: Bitterne Park Primary School, Oakwood Primary School and Tanners Brook Primary School.
7. If the proposals are implemented the governing body from the expanding school would be the governing body for the new primary school. The governing body of the discontinuing school would be disbanded. However, the Local Authority would encourage the remaining governing body to reconstitute and incorporate members of the governing body that is disbanding. It is hoped that this would make for a harmonious fusion between the two schools and would be for the benefit of the new primary school and its key stakeholders.
8. The Local Authority has discussed the proposal on becoming all through primary schools with the six governing bodies. **All six governing bodies have confirmed that they do not have an objection to the development of all through primary education**, on the site of the co-located schools. The individual governing bodies are concerned about school specific points. These are recorded in Appendix 2. The proposals have been shared with staff,

parents and pupils at all six schools, via a letter distributed from the Local Authority in December, see Appendix 3.

9. To support the consultation, it is proposed to establish three steering groups for each pair of co-located schools. The steering groups' purpose would be to draw together two governing bodies and school leadership teams to collectively address issues to aid the consultation. Membership of the steering groups would comprise, but not exclusively, of two headteachers, two business managers, representatives from the governing body and a Local Authority Officer. In addition, a professional advisory group will be established, facilitated by the Local Authority Primary Inspector, comprising initially the three head teachers who will head up the new Primary schools.
10. If the recommendations in this report are approved, the first of two, six week periods of consultation would take place. This is known as pre-statutory consultation and will involve the production of information documentation and questionnaires, as well as consultation drop-in meetings. Any queries or issues raised during the consultation, about the implementation of an all through primary school, will be picked up by the proposed steering groups referenced in recommendation (ii). If there are no significant objections to pre-statutory consultation, and subject to Cabinet approval, a second six week consultation period would take place, known as statutory consultation. Statutory notices would be published at all schools included in the proposals, published in the local newspaper and sent to the DfE's School Organisation department. After this, a final report would be taken to Cabinet requesting permission to implement the proposals.
11. **Primary Education**
Primary education can be delivered through: an infant and junior structure, a primary structure or all-through primary and secondary structure. Each model has pros and cons. This paper does not address the pro and cons of the different types of education structures, especially the current status quo – infant and junior configuration. Instead it focuses on outlining some of the benefits of primary education, specifically focussing on educational outcomes, professional outcomes and efficiencies of a combined structure.
12. **Educational outcomes – benefits, all through primary schools:**
 - Are in a stronger position to plan for continuity and progression through the key stages of learning, Early Years, Key Stage 1 and 2.
 - Provide longer timescale for schools to work closely with families, year R to year 6, seven years to progress successfully children's education progress.
 - Provide opportunities for pupils to work and play together over a longer period of time and develop greater understanding of diverse strengths, skills and personalities, which help them in later life.
 - Offer consistent approaches to inclusion, absences etc.
 - Increased opportunities for social development with older pupils having some appropriate pastoral responsibilities for younger children
13. **Professional outcomes – benefits, all through primary schools:**
 - Provide staff with greater opportunities to gain a broader and deeper understanding of the learning continuum for children from 4 to 11 years.
 - Build capacity in issues of staffing and can better plan for succession.

14. **Efficiency – benefits, all through primary schools:**

- A single, larger budget offers the opportunity to deliver quality more efficiently, through greater economies of scale.
- Reduced spend on leadership and governance arrangements.
- Increases spend on front line teacher, as a percentage of the whole school budget.

15. **Parental – benefits, all through primary schools:**

There is a direct benefit to parents in the admissions process. Parents have to apply to secure a place in an infant school, at year R and a junior school, at year 3. Only one application is required for primary school – for admission to year R.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

16. Two alternative proposals could be put forward, including the closure of the opposite school or the closure of both co-located schools and the establishment of a brand new primary school. These are addressed in points 17 and 18 and are not recommended.

17. Closure of the opposite school:

- To discontinue Bitterne Park Junior and expand Bitterne Park Infant. This option has not been proposed because the infant school will not have a permanent headteacher from January 2013. It is more logical for the school to be expanded to become a primary to be the one that has a headteacher.
- To discontinue Oakwood Junior and expand Oakwood Infant. The headteacher of the infant has offered her resignation based on retirement from July 2013. The junior school has a permanent headteacher. Both schools have a 'Good' Ofsted rating.
- To discontinue Tanners Brook Infant and expand Tanners Brook Junior. The headteacher of the junior school is due to retire; the infant school has a permanent headteacher. The junior school has recently been inspected, by Ofsted, and graded as 'requiring improvement'. In addition the junior schools KS2 results are below the city average. The infant school has a 'Good' Ofsted rating.

18. Discontinuance of each pair of co-located schools, infant and junior, and open a brand new primary school. The development of any new school, under the Education and Inspections Act 2006, requires that an open competition takes place to secure an academy provider. To open a maintained primary school without a competition would require authorisation by the Secretary of State or regulations.

DETAIL (Including consultation carried out)

19. The proposal to discontinue one school and expand the age range of the other has been put to all six governing bodies of the schools included in these proposals. While there is **no opposition to the premise of all through primary schools** there is concern over which school would discontinue and which would remain open. It seems logical that the school that has a headteacher vacancy is the one that would be discontinued with the remaining school expanding and the head of the latter being offered the position of headteacher of the new primary. The proposal on which school to expand and

which to discontinue in each pairing has been made on the simple basis of discontinuing the school in which the Headteacher vacancy exists. Although either the infant or junior school would have to discontinue to facilitate these proposals, the intention is to bring together the positive elements of both schools, thus establishing a strong all through primary school.

- Bitterne Park Infant school is proposed to discontinue because the Headteacher of the Infant has resigned. Both schools are judged as 'Good' by Ofsted. The junior has been identified as a rapidly improving school.
 - Oakwood Infant school is proposed to discontinue because the Headteacher is retiring at the end of the 2012/13 academic year. Both schools are judged, by Ofsted, as 'Good'.
 - Tanners Brook Junior school is proposed to discontinue because the Headteacher is retiring at the end of the 2012/13 academic year. The junior school was recently inspected, by Ofsted, and was judged as 'Requiring improvement'. The infant school, when last inspected by Ofsted, in June 2012, was judged as 'Good'.
20. The six governing bodies affected by these proposals were asked to consider whether the governing body would support the Local Authority's intention to commence a consultation on a proposal to extend the age range of one of the two co-located schools and discontinue the other school, thus forming an all through primary school. The responses from each governing body are contained in Appendix 3 along with the Local Authority responses to the various questions posed by governors.

RESOURCE IMPLICATIONS

Capital/Revenue

21. All three sets of infant and junior schools are co-located on the same sites so no significant capital works will be required. Whilst individual schools would like to explore opportunities for physically linking the two schools, through a walk way or observatory etc, it is not necessary. Consequently there is no anticipation that there will be any capital implications if the proposal is implemented after consultation. Some alterations may need to be made to signage and insignia at the schools. These costs can be met through the individual schools budget. Changes may also need to be made to telephone, IT, fire alarm and security systems – so that they operate across both school buildings – if the proposals are taken forward.
22. The revenue costs of all schools are funded through the Dedicated Schools Grant. The number of pupils at the school will not alter as a result of this proposal so the school will receive a budget similar to the combined budgets of the current infant and junior schools minus one flat rate allocation, estimated to be £114,000 in 2013/14. However, the Minimum Funding Guarantee ensures that in each case the new primary school would lose no more than 1.5% of the combined infant and junior school budgets.
23. There may be some additional funding available to schools going through this process in the form of a school reorganisation payment.

Property/Other

24. There are no property implications as a result of this proposal. The schools will continue to operate on the same site and in the same buildings, only under the guise of one primary school as opposed to separate infant and junior schools.
25. The school may be required to reorganise the structure of staff, for instance: administrative staff, site manager, caretakers, cleaners, if this proposal is approved. There will be no TUPE transfer of staff as all employees at the schools are employed by Southampton City Council and will continue to be so if the proposals are implemented.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

26. Alterations, changes, creation or removal of primary provision across the city is subject to the statutory processes contained in the School Standards and Framework Act 1998 as amended by the Education and Inspections Act 2006. Proposals for change are required to follow the processes set out in the School Organisation (Prescribed Alterations to Maintained Schools) Regulations 2007 as amended. Discontinuance (closure) of schools is governed by the School Organisation (Establishment and Discontinuance of Maintained Schools)(England) Regulations 2007.
27. Statutory Guidance on bringing forward proposals applies, which requires a period of pre-statutory consultation (and additional rounds of pre-statutory consultation if further viable options are identified during initial consultation) which must take part predominantly within school term time to meet the requirements of full, open, fair and accessible consultation with those most likely to be affected (pupils, parents and staff often being on vacation or otherwise unavailable during school holiday periods) followed by publications of statutory notices, representation periods and considerations of representations by Cabinet. This consultation is scheduled for the second half of the spring term.

Other Legal Implications:

28. In bringing forward school organisation proposals the Local Authority must have regard to the need to consult the community and users, the statutory duty to improve standards and access to educational opportunities and observe the rules of natural justice and the provisions of the Human Rights Act 1998, article 2 of the First Protocol (right to education) and equalities legislation.

POLICY FRAMEWORK IMPLICATIONS

29. This proposal is in accordance with the Children and Young People's Plan.

AUTHOR:	Name:	James Howells	Tel:	023 8091 7501
	E-mail:	James.howells@southampton.gov.uk		

KEY DECISION? Yes

WARDS/COMMUNITIES AFFECTED:	Bitterne Park, Millbrook, Coxford
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SUPPORTING DOCUMENTATION

Appendices

1.	Performance data for Bitterne Park Infant & Junior, Oakwood Infant & Junior and Tanners Brook infant & Junior
2.	Governing Bodies responses to proposed consultation
3	Letter to schools parents/pupils from Local Authority

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

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

Equality Impact Assessment and Other Background documents available for inspection at: Infrastructure, Children's Services & Learning, 4th Floor One Guildhall Square, Southampton City Council, Civic Centre, Southampton, SO14 7LY

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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NI 72: 6+ PSE, CLL & 78 points 2010-12

	2010	2011	2012	Diff 2010-11	Diff 2011-12
Bitterne Park Infant School	63.6%	58.9%	54.0%	-4.7%	-4.9%
Oakwood Infant School	74.6%	56.7%	74.1%	-17.9%	17.5%
Tanner's Brook Infant School	56.7%	44.9%	62.8%	-11.7%	17.8%
Southampton	53.3%	55.7%	56.2%	2.4%	0.5%
National	56%	59%	64%	3.0%	5.0%

Phonics 2012 @ 9.01am 20/07/2012

	A	D	WT	WA
Bitterne Park Infant School			53.3%	46.7%
Oakwood Infant School		1	25.8%	72.6%
Tanner's Brook Infant School		2	62.8%	34.9%
Southampton	9	49	41.0%	56.8%
National				58%
A = Absent	Indicates an increase			
D = Disapplied	Indicates a decrease			
WT = Working Towards	A stronger shade indicates more variance from the average			
WA = Working At (32 Threshold)				

KS1 Maths

	2010		2011		2012		Difference L2+			Difference L3+		
	%L2+	%L3+	%L2+	%L3+	%L2+	%L3+	2009-10	2010-11	2011-12	2009-10	2010-11	2011-12
BITTERNE PARK INFANT SCHOOL	96.6	29.2	92.0	20.5	91.1	16.7	1.1	-4.6	-0.9	-8.6	-8.8	-3.8
OAKWOOD INFANT SCHOOL	95.0	33.3	96.6	34.5	96.8	31.7	0.8	1.6	0.3	10.3	1.1	-2.7
TANNERS BROOK INFANT SCHOOL	90.8	17.1	93.9	23.2	97.6	22.4	0.9	3.1	3.7	11.5	6.1	-0.8
LA Results	90.3	22.0	91.1	22.2	91.2	22.1	1.7	0.8	0.2	1.2	0.2	-0.1
National Results	89.0	20.0	90	20	91**	22**	0.0	1.0	1.0	-1.0	0.0	2.0

KS1 Reading

	2010		2011		2012		Difference L2+			Difference L3+		
	%L2+	%L3+	%L2+	%L3+	%L2+	%L3+	2009-10	2010-11	2011-12	2009-10	2010-11	2011-12
BITTERNE PARK INFANT SCHOOL	95.5	43.8	93.2	35.2	87.8	28.9	0.0	-2.3	-5.4	0.5	-8.6	-6.3
OAKWOOD INFANT SCHOOL	93.3	33.3	93.1	36.2	95.2	33.3	-2.8	-0.2	2.1	8.3	2.9	-2.9
TANNERS BROOK INFANT SCHOOL	88.2	19.7	87.8	26.8	92.9	29.4	2.8	-0.4	5.1	-0.5	7.1	2.6
LA Results	85.2	28.1	85.6	27.7	87.5	28.1	3.2	0.4	1.9	4.4	-0.4	0.4
National Results	85.0	26.0	85.0	26.0	87**	27**	1.0	0.0	2.0	0.0	0.0	1.0

KS1 Writing

	2010		2011		2012		Difference L2+			Difference L3+		
	%L2+	%L3+	%L2+	%L3+	%L2+	%L3+	2009-10	2010-11	2011-12	2009-10	2010-11	2011-12
BITTERNE PARK INFANT SCHOOL	95.5	21.3	85.2	20.5	84.4	5.6	10.0	-10.3	-0.8	0.2	-0.9	-14.9
OAKWOOD INFANT SCHOOL	91.7	21.7	91.4	22.4	93.7	19.0	-4.5	-0.3	2.3	0.5	0.7	-3.4
TANNERS BROOK INFANT SCHOOL	78.9	3.9	80.5	13.4	88.2	12.9	-5.3	1.5	7.7	-11.8	9.5	-0.5
LA Results	81.9	14.1	83.2	13.6	83.3	13.6	3.9	1.3	0.2	3.3	-0.5	0.0
National Results	81	12	81	13	83**	14**	0.0	0.0	2.0	0.0	1.0	1.0

KS2 results based on the 2012 DfE performance tables released (13/12/2012)	Both English and Mathematics L4+	Value Added	OVERALL ABSENCE RESULTS 2011/12 excluding the summer term	2 Levels progress KS1 - KS2 English	2 Levels progress KS1 - KS2 Maths
	%	2012	%	%	%
Bitterne Park Junior School	83%	100.3	3.9%	89%	90%
Oakwood Junior School	89%	100.6	3.7%	95%	93%
Tanners Brook Junior School	70%	98.7	4.4%	77%	81%
Local Authority Average	77%	NA	5.0%	87%	85%
National Average	79%	100	4.4%	89%	87%

KS2 results based on the 2011 DfE performance tables released (15/12/2011)					
	%	2011	%	%	%
Bitterne Park Junior School	78%	98.9	4.1%	82%	76%
Oakwood Junior School	57%	97.8	3.8%	58%	72%
Tanners Brook Junior School	65%	99.2	5.2%	80%	75%
Local Authority Average	73%	-	5.4%	82%	82%
National Average	74%	100	5.1%	84%	83%

KS2 results based on the 2010 DfE performance tables released (14/12/2010)					
	%	2010	%	%	%
Bitterne Park Junior School	72%	99.4	4.5%	91%	72%
Oakwood Junior School	76%	98.9	3.9%	74%	71%
Tanners Brook Junior School	59%	99	5.6%	70%	77%
National Average	73%	100	5.4%	84%	83%
Local Authority Average	71%		5.8%	81%	80%

Ofsted - last three inspections			
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	Jan-12	Sep-05	Sep-99
Bitterne Park Infant	Good	Good	Good

	Sep-12	May-11	Dec-07
Bitterne Park Junior	Good	Satisfactory	Good

	Jan-11	Jul-08	Feb-04
Oakwood Infant	Good	Good	Good

	Mar-10	Mar-07	Nov-02
Oakwood Junior	Good	Satisfactory	Effective/Good

	Jun-12	Sep-08	Mar-04
Tanners Brook Infant	Good	Satisfactory	Good

	Nov-12	Sep-10	Jan-08
Tanners Brook Junior	Requires Improvement	Satisfactory	Satisfactory

School Name	Total Absence - % of sessions missed due to overall absence 2009- 2012																
	Overall school 2010	RAISE online FSM similar schools 2010	Overall National 2010	Overall school 2011	RAISE online FSM similar schools 2011	Overall National 2011	Overall school 2012 Provisional	RAISE online FSM similar schools 2012	Overall National 2012	Gap between School and RAISE online FSM 2010	Gap between School and RAISE online FSM 2011	Gap between School and RAISEonline FSM 2012	Gap between School and National 2010	Gap between School and National 2011	Gap between School and National 2012	School improvement 2010-11	School improvement 2011-12
Bitterne Park Infant School	4.40	4.90	5.30	4.16	4.66	5.14	3.9	4.30	4.40	-0.50	-0.50	-0.40	-0.90	-0.98	-0.50	-0.24	-0.26
Bitterne Park Junior School	4.50	5.10	5.30	4.05	4.76	5.14	3.9	4.50	4.40	-0.60	-0.71	-0.60	-0.80	-1.09	-0.50	-0.45	-0.15
Oakwood Infant School	4.40	5.00	5.30	4.60	4.93	5.14	4.9	4.40	4.40	-0.60	-0.33	0.50	-0.90	-0.54	0.50	0.20	0.30
Oakwood Junior School	3.90	5.50	5.30	3.81	5.39	5.14	3.7	4.60	4.40	-1.60	-1.58	-0.89	-1.40	-1.33	-0.69	-0.09	-0.10
Tanners Brook Infant School	6.90	5.70	5.30	5.43	5.69	5.14	5.0	4.80	4.40	1.20	-0.26	0.20	1.60	0.29	0.60	-1.47	-0.43
Tanners Brook Junior School	5.60	5.70	5.30	5.21	5.51	5.14	4.4	4.80	4.40	-0.10	-0.30	-0.39	0.30	0.07	0.01	-0.39	-0.80

	Fixed term exclusions as a % of the pupil group		Gap between School and National Fixed Term Exclusions 2010	Gap between School and National Fixed Term Exclusions 2011
	2010	2011		
Bitterne Park Infant	0	0	-0.9	-0.91
Bitterne Park Junior	0	0	-0.9	-0.91
Oakwood Infant	0	0	-0.9	-0.91
Oakwood Junior	0.87	1.28	-0.03	0.37
Tanners Brook Infant	1.62	7.14	0.72	6.23
Tanners Brook Junior	14.42	8.24	13.52	7.33
LA	2.15	1.67		
National	0.9	0.91		

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The Local Authority put forward the proposal to create an all through primary from existing pairings of infant and junior schools to all six governing bodies of the affected schools. The proposal that was put to each governing body is highlighted in bold, the governing response/questions are in standard text and the Local Authority's response to the governing bodies questions are underlined in italics. Please note the governing body comments are listed in date order beginning with the comment that was most recently received.

Bitterne Park Infant comments (in response to the proposal to close the infant and expand the junior) – 10 December

What would the justification in the change be, since from the outset it had been stated that the Junior School would be closing?

Following opportunities arising across the city, with other schools, we have revisited the issue of which school to close. We have had this discussion with each of the three pairings of schools. As the head of the infant is leaving and the junior has a head, we are proposing to now close the school with the head that is leaving.

When did the possible change come about? This was only indicated to me late on Friday.

In preparing the cabinet paper last Thursday, the change came about.

What real differences would this make in the organisation of a new Primary School?

There would be little difference – either way.

Would all staff in the Infant School have their contracts 'closed' and re-written?

No. Staff are employees of the local authority and they would remain that. We would instigate a staffing structure review across the two workforces if the primary development is agreed.

Would the organisation of three Primary Schools impact on timelines?

No. the timescale remains the same.

Bitterne Park Infant comments – (in response to the proposal to close the junior and expand the infant) 7 December

Further to the meeting between representatives from the Local Authority, Bitterne Park Infant School and Bitterne Park Junior School on 19th November 2012, and after further correspondence and discussion between members of our Governing Body, I am writing to inform you that the Governing Body of Bitterne Park Infant School agree to the Local Authority's intentions to commence a consultation on a proposal to extend the age range of Bitterne Park Infant School, from ages 4-7 to 4-11, and close Bitterne Park Junior School, thus forming an all through primary school.

As a Governing Body we have given this a great deal of thought and we understand that we will have the opportunity to communicate our position, and express any concerns or support for the proposal, during the consultation process.

Bitterne Park Infant comments (in response to the proposal to close the junior and expand the infant) – 26 November

- Who will be invited to the meeting? (LEA, Governors, Parents, Staff)
- What will be on the agenda? *Any meeting will have one item – the development of a primary school.*
- Would it be a forum in which questions regarding children, parental input, school organisation, staffing etc, can be put? Yes
- Regarding the logistics, will it be held jointly at one school? (There may be problems with the timings offered if this is the case, with regards to cover for children during the school day). *Yes, this can be.*
- I understand that the Junior School Governing Body are to meet this week and will formalise their response to the proposal for consultation. Since our meeting is on 11th December, would this not invalidate the date of 10th Dec? The date of 10th is set by

cabinet. The hope was that the governing body would have sufficient time between our meeting and the 10th to consider and response. It does not need a full meeting.

- What is the expected procedure after 11th Dec? Outlined below.

Step 1: I, on behalf of the LA, ask the governing bodies a question.

Step 2: the two governing bodies discuss and respond to the question posed by the LA.

Between steps 2 and 3, and before 10 Dec 2013, the Governing bodies of both schools offer a response to the question James sent through to LA.

Step 3: I submit a 'Forward Plan' report to democratic services – 10 Dec 2012.

Step 4: Democratic services publish the 'Forward Plan' report on the city council website.

Step 5: I produce a report for Cabinet on 29th January 2013.

Between steps 4 and 5 we, LA, can produce a letter setting out that we are asking cabinet to approve consultation.

Step 6: Cabinet consider the report – 29 January 2013.

Step 7: LA produce consultation documents and letters for parents.

Step 8: LA circulate consultation and letters to parents, via the school – 6 February 2013.

Step 9: LA and schools hold separate or joint meetings with parents and staff. I would suggest there are two meetings. Mtg 1: staff. Mtg 2: parents. Both should be on school site.

Step 10: 27th March LA collate the response, produce a report for cabinet with a recommendation. The LA will share with Chairs of governors the report.

Step 11: Cabinet consider the report – 16th April 2013.

Bitterne Park Junior comments (in response to proposal to consult on the development of an all through primary school from the existing infant and junior)

"The Interim Executive Board of Bitterne Park Junior are supportive of the request to undertake pre-statutory consultation on the development of a primary school."

Oakwood Infant School (in response to proposal to consult on the development of an all through primary school from the existing infant and junior)

"The Governing body of Oakwood Infant school do agree to support the LA on the undertaking of a consultation."

Oakwood Junior comments (in response to the proposal to close the infant and expand the junior) – 6 December

Is the proposal which is now going to cabinet different? In other words, is it changing from:
"The Local Authority would like to ask both governing bodies to support the intention to commence a consultation on a proposal to extend the age range of one of the schools and to close the other school, thus forming an all through primary school."

to: "The Local Authority would like to ask both governing bodies to support the intention to commence a consultation on the development of a primary school"?

If this is the case, as the Oakwood Junior School governing body has already expressed its agreement to the development of a primary school based on a neutral starting point, do we need to restate our agreement to the new wording?

Whilst I appreciate that you are not able to comment in detail at this stage about the points I raised in my previous email, I would be interested to know whether the consultation timeframes would allow for the new school to open on 1 September 2013. Perhaps you would be able to talk in more detail about this when we meet.

Local Authority Response:

1. *We are asking governing bodies to agree with the Local Authority request to pursue a consultation – on the development of a primary school. The report to cabinet could state several things. The exact wording is being discussed with our solicitors. As soon as we have confirmation of the exact wording I will send this through to you. I will definitely have the wording by the time we meet. The wording options, at the moment include, but not exclusively:*
 - *Cabinet are asked to approve a pre-statutory consultation for the development of a primary school;*
 - *Cabinet are asked to approve a pre-statutory consultation for the development of a primary school, through closing one school and expanding one; or*
 - *Cabinet are asked to approve a pre-statutory consultation for the development of a primary school, through closing (a named school) school and expanding (a named school) school.*
2. *There is no need to restate your intentions. I will use your wording below, in the cabinet report.*
3. *The timetable could allow, if the consultation was approved, for the opening of a new primary by September 2013. This would require a lot of work over the summer term, running in parallel with the final statutory consultation period. As we can not guarantee the consultation will be approved, the work invested during the summer term could be deemed wasteful. But if it is accepted, it would allow for a September 2013 opening.*

Oakwood Junior comments (in response to the proposal to close the infant and expand the junior) – 30 November

The governing body of Oakwood Junior School met last night to formally consider the proposal you put to... [the headteacher and chair of governors] by telephone at the weekend.

As you know... [the headteacher and chair of governors] agreed in principle to the consultation process beginning on the basis of the question you put to us:

"The Local Authority would like to ask both governing bodies to support the intention to commence a consultation on a proposal to extend the age range of one of the schools and to close the other school, thus forming an all through primary school."

This is a neutral question which allows for an open and evidenced-based consultation about which school to close and which school to extend, and we fully support this. It has long been the view of the Oakwood Junior School governing body and leadership that the Oakwood schools should combine to form a primary school.

However, the consultation as presented at the meeting last night takes, as its starting point, the default position that the junior school will close and the infant school will remain open and extend its age range.

This is a position which the governing body of Oakwood Junior School does not, and cannot, support.

To be clear:

- The governing body fully supports the creation of a primary school on the Oakwood site
- The governing body fully supports a position where the decision about which school to close is subject to open, transparent, evidence-based consultation
- The governing body would support a position where consultation begins on the basis of the school with the headship vacancy being closed, and the school with the incumbent head remaining open and extending its age range.
- The governing body **does not** support the Local authority going to consultation with the default starting position being the closure of the junior school.

Tanners Brook Infant Comments (in response to the proposal to close the junior and expand the infant) – 6 December

... [the headteacher and chair of governors] have discussed the proposal for becoming an all through Primary with TBIS and TBJs, and have received replies from the Governing Body. The governing body fully support the proposal to cabinet in becoming a primary. However, do have a few concerns, which we'd like you to note:

- 1) Funding – Would there be additional funding to support the transition process? On some occasions we can secure additional funding. *We can discuss this further when we meet. The decision would be based on need. Governors would like an early indication of what the budget would be, for 3 form entry primary school, so that a staffing structure for the new school could be drawn up. I will ask finance if they can model the future schools funding and will provide this as soon as possible.*
- 2) Size of the school – The Governing Body would request that it become a 3 form entry school. *As we discussed, a change in PAN requires a formal consultation. It will be harder to run two consultations simultaneously. I would suggest on completion of the primary development consultation, we set a timeframe for a new consultation regarding PAN.*
- 3) Support – Would SCC be able to provide support and guidance for the leadership team. *Yes, support would be readily available. I would ask the team to work with the current leadership team to identify specific support.*
- 4) Closure of TBJs – Can you please confirm in writing that Tanners Brook Juniors School will be closing, and Tanners Brook Infants School will be expanding? *Any closure will be based on the consultation being agreed. I can confirm that we are proposing to expand the Infant school and close the Junior school.*
- 5) Head – The Governing Body would like confirmation that the current Head of the Infant school would become the Head of the Primary school. Can you please confirm? *If the proposal was accepted the current head would be offered the position. The head would have a choice to accept or reject the position.*

Tanners Brook Junior comments (in response to the proposal to close the junior and expand the infant) – 14 December

Firstly, whilst we accept that LA policy dictates that the issue is considered when a vacancy arises, the timing in this instance is of great concern. There was a feeling among the majority that we are being rushed into a process and seemingly being presented with a fait accompli. Not only does the school have to deal with the resignation of the Head, but we have also been set some challenging targets for improvement by OFSTED which requires urgent consideration and action. I think it is fair to say that whilst some of us agree in principle that a through Primary might improve outcomes for the children, at this stage we feel we have only been presented with arguments for delivery of the LA policy and a budget saving. There has been no undertaking to re-invest any resource savings in the school infrastructure or buildings.

It is clear that there is evidence both for and against conversion in terms of benefits to the children, but it seems that creating a new school from scratch has the most identifiable benefit for children since there seems to be some consensus that it is not the size or range of a school that improves outcomes, but the ethos of the school and the quality of teaching. We have not been told anything yet that leads us to believe that either of these factors will be improved by creating a single primary school, nor as already stated, is there any indication that money will be made available to change the physical separation of the two schools and create a cohesive environment.

There are some other unanswered questions yet:

What are our options if we do not consider that the time is right to convert - interim Head, etc.?

Whilst the focus for the school is on improving standards the two activities can run in tandem. We are not promoting an alternative.

Will (or must) the Infant school dissolve and re-constitute its Governing Body?

The expanding school will be asked to reconstitute and draw new membership from the Governing Body of the closing school

Are teaching staff TUPE'd to the new Primary school? What arrangements will there be for consultation with the staff (teachers, LSAs, admin and site)?

If Cabinet approves the pre-statutory consultation, mediated sessions should be set up for staff to discuss the proposal.

What are the Governor's and LA's obligations to them and for consultation with Trade Unions?

Consultation with the Trade Unions is necessary and will be managed collectively by the school Governing Body and LA.

Is there an expectation that the new school will increase in size even more than currently planned?

At present, it is planned that Tanners Brook Infant will remain as 4 form entry infant, although this will be reviewed in the New Year after year R applications have been received. If the number of places allocated is significantly below 120, it may be that the PAN of the infant school is reduced back to 90. The PAN of the new primary will be the same as the PAN of the infant at the time of implementation (September 2013).

There also seemed to be an expectation that, if she so desired, the Infant's HT would be made HT of the new primary. Whilst we have every respect for... [the headteacher of the infant school], as Governors of the Junior school we are not best placed to judge if this would be the right appointment. As a matter of good governance we must have some assurance that we can assess any applicant by means of a transparent and credible appointment process.

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Agenda Item 19

Appendix 3

Letter to parents/carers of Bitterne Park Infant and Junior school parents and pupils

CHILDREN'S SERVICES AND LEARNING

CYP Strategic Commissioning, Education and Inclusion Division

Southampton City Council
4th Floor, One Guildhall Square
Civic Centre
Southampton
SO14 7LY

Direct dial: 023 8083 4023

13 December 2013

Email: Alison.alexander@southampton.gov.uk

Dear Parent,

We are writing to inform you about a proposal that the Local Authority is putting forward which affects your child's school.

Following the notification that the head teacher of Bitterne Park Infant School is leaving, the Local Authority have discussed the opportunity with the infant and junior school governing bodies, of the development of an all through primary school by integrating Bitterne Park Infant School and Bitterne Park Junior school. In order to develop a primary school from two existing schools, one school has to be closed and one expands its age range.

The Local Authority wishes to consult with local parents, employees of the two schools, the governing bodies and other community representatives on the development of one primary school, instead of two separate schools on one site. The consultation process would involve a meeting in which your views and opinions can be voiced.

Our proposal would be to close one of the schools and expand the age range of the other so that it could accommodate 4-11 year olds. Consequently, children would enter the Primary school in Year R and remain at the school until the end of Year 6. The significant change would be that there would be one head teacher and governing body for the primary school. The school buildings and numbers of pupils at the school will not change.

To instigate the consultation a report will go to Southampton City Council's Cabinet meeting on 29 January 2013 and, if the decision is approved, a pre-statutory consultation period will take place in February and March. A document to this effect will be published on the SCC website on 13 December, so we felt it prudent to inform you about the proposal. The schools have correctly adhered to the stipulated legal procedures regarding notifying parents. We apologise if any possibly inaccurate information has reached you before this date.

If the recommendations in the cabinet report are approved, further details on the proposals and the consultation will be available in January and February.

Regards



Alison Alexander
Deputy Director Children's Services and Learning

Letter to parents/carers of Oakwood Infant and Junior school parents and pupils

CHILDREN'S SERVICES AND LEARNING

CYP Strategic Commissioning, Education and Inclusion Division

Southampton City Council
4th Floor, One Guildhall Square
Civic Centre
Southampton
SO14 7LY

Direct dial: 023 8083 4023

Email: Alison.alexander@southampton.gov.uk

Please ask for: Alison Alexander

Our ref: AA/10122012

Dear Parent

I am writing to inform you about a proposal that the Local Authority is putting forward which affects your child's school.

The head teacher of Oakwood Infant School recently notified us of her intention to retire at the end of the academic year. Following this notification, the Local Authority has discussed the opportunity with the infant and junior school governing bodies that instead of appointing a new head teacher to the infant school, Oakwood Infant and Oakwood Junior schools are integrated to form an all through primary school.

The Local Authority wishes to consult with pupils, local parents, and employees of the two schools, the governing bodies and other community representatives on the development of one primary school, instead of two separate schools on one site.

Our proposal would be to close one of the schools and expand the age range of the other so that it was open to 4-11 year olds. Consequently, children would enter the Primary school in Year R and remain at the school until the end of Year 6 and parents would not have to apply for a Year 3 place as they currently do. The significant change would be that there would be one head teacher and governing body for the primary school instead of a head teacher and governing body for each of the two schools. The school buildings and numbers of pupils at the school will not change.

To instigate the consultation, a report will go to Southampton City Council's Cabinet meeting on 29 January 2013 and, if the decision is approved, a pre-statutory consultation period will take place in February and March. A document to this effect will be published on the Southampton City Council website on 13 December, so we wanted to let you know about the proposal in advance.

If the recommendations in the cabinet report are approved, further details on the proposals and the consultation will be available in January and February.

Yours sincerely



Alison Alexander

Deputy Director: Children's Services and Learning

Letter to parents/carers of Tanners Brook Infant and Junior parents and pupils

CHILDREN'S SERVICES AND LEARNING

CYP Strategic Commissioning, Education and Inclusion Division

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Dear Parent

We are writing to inform you about a proposal that the Local Authority is putting forward which affects this school.

The head teacher of Tanners Brook Junior recently notified us of her intention to leave at the end of the academic year. Following this notification, the Local Authority have discussed the opportunity with the junior and infant school governing bodies that instead of appointing a new head teacher to the junior school, Tanners Brook Infant and Tanners Brook Junior schools are integrated to form an all through Primary School.

The Local Authority wishes to consult with local parents, employees of the two schools, the governing bodies and other community representatives on the development of one Primary school, instead of two separate schools on one site.

Our proposal would be to integrate both schools which would require an expansion of one of them to accommodate 4-11 year olds. Consequently, children would enter the Primary school in Year R and remain at the school until the end of Year 6. The significant change would be that there would be one head teacher and governing body for the primary school instead of a head teacher and governing body for each of the two schools. The school buildings and numbers of pupils at the school will not change.

To instigate the consultation a report will go to Southampton City Council's Cabinet meeting on 29 January 2013 and, if the decision is approved, a pre-statutory consultation period will take place in February and March. A document to this effect will be published on the Southampton City Council website on 13 December, so we felt it prudent to inform you about the proposal.

If the recommendations in the cabinet report are approved, further details on the proposals and the consultation will be available in January and February.

Yours sincerely



Alison Alexander
Deputy Director; Children's Services and Learning

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