

COUNCIL MEETING

Wednesday, 18th November,
2020
at 2.00 pm

Virtual Meeting - Please Note:

A link to this meeting will be available on Southampton City Council's website at least 24hrs before the meeting

This meeting is open to the public

Members of the Council

The Mayor – Chair

The Sheriff – Vice-chair

Leader of the Council

Members of the Council (See overleaf)

Contacts

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WARD	COUNCILLOR	WARD	COUNCILLOR
Bargate	Bogle Noon Dr Paffey	Millbrook	G Galton S Galton Taggart
Bassett	Hannides B Harris L Harris	Peartree	Bell Houghton Keogh
Bevois	Barnes-Andrews Kataria Rayment	Portswood	Cooper Mitchell Savage
Bitterne	Murphy Prior Streets	Redbridge	McEwing Spicer Whitbread
Bitterne Park	Fuller Harwood White	Shirley	Chaloner Coombs Kaur
Coxford	Professor Margetts Renyard T Thomas	Sholing	J Baillie Guthrie Vaughan
Freemantle	Leggett Shields Windle	Swaythling	Bunday Fielker Mintoff
Harefield	P Baillie Fitzhenry Laurent	Woolston	Mrs Blatchford Hammond Payne

PUBLIC INFORMATION

Role of the Council

The Council comprises all 48 Councillors. The Council normally meets six times a year including the annual meeting, at which the Mayor and the Council Leader are elected and committees and sub-committees are appointed, and the budget meeting, at which the Council Tax is set for the following year.

The Council approves the policy framework, which is a series of plans and strategies recommended by the Executive, which set out the key policies and programmes for the main services provided by the Council. It receives a summary report of decisions made by the Executive, and reports on specific issues raised by the Overview and Scrutiny Management Committee. The Council also considers questions and motions submitted by Council Members on matters for which the Council has a responsibility or which affect the City.

PUBLIC INVOLVEMENT

Questions:- People who live or work in the City may ask questions of the Mayor, Chairs of Committees and Members of the Executive. (See the Council's Constitution ref Part 4 Council Procedure Rules 10.8)

Petitions:- At a meeting of the Council any Member or member of the public may present a petition which is submitted in accordance with the Council's scheme for handling petitions. Petitions containing more than 1,500 signatures (qualifying) will be debated at a Council meeting. (See the Council's Constitution ref Part 4 Council Procedure Rules 10.1)

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

Deputations:- A deputation of up to three people can apply to address the Council. A deputation may include the presentation of a petition. (See the Council's Constitution ref Part 4 Council Procedure Rules 10.7)

MEETING INFORMATION

Use of Social Media:- The Council supports the video or audio recording of meetings open to the public, for either live or subsequent broadcast. However, if, in the Chair's opinion, a person filming or recording a meeting or taking photographs is interrupting proceedings or causing a disturbance, under the Council's Standing Orders the person can be ordered to stop their activity, or to leave the meeting. By entering the meeting room you are consenting to being recorded and to the use of those images and recordings for broadcasting and or/training purposes. The meeting may be recorded by the press or members of the public.

Any person or organisation filming, recording or broadcasting any meeting of the Council is responsible for any claims or other liability resulting from them doing so.

Details of the Council's Guidance on the recording of meetings is available on the Council's website.

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

Southampton: Corporate Plan 2020-2025 sets out the four key outcomes:

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

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

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

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

Proposed dates of meetings	
2020	2021
15 July	24 February (Budget)
16 September	17 March
18 November	19 May (AGM)

CONDUCT OF MEETING

FUNCTIONS OF THE COUNCIL

The functions of the Council are set out in Article 4 of Part 2 of the Constitution

RULES OF PROCEDURE

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

BUSINESS TO BE DISCUSSED

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

QUORUM

The minimum number of appointed Members required to be in attendance to hold the meeting is 16.

DISCLOSURE OF INTERESTS

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

DISCLOSABLE PECUNIARY INTERESTS

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

- (i) Any employment, office, trade, profession or vocation carried on for profit or gain.
- (ii) Sponsorship: Any payment or provision of any other financial benefit (other than from Southampton City Council) made or provided within the relevant period in respect of any expense incurred by you in carrying out duties as a member, or towards your election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
- (iii) Any contract which is made between you / your spouse etc (or a body in which the you / your spouse etc has a beneficial interest) and Southampton City Council under which goods or services are to be provided or works are to be executed, and which has not been fully discharged.
- (iv) Any beneficial interest in land which is within the area of Southampton.
- (v) Any license (held alone or jointly with others) to occupy land in the area of Southampton for a month or longer.
- (vi) Any tenancy where (to your knowledge) the landlord is Southampton City Council and the tenant is a body in which you / your spouse etc has a beneficial interests.
- (vii) Any beneficial interest in securities of a body where that body (to your knowledge) has a place of business or land in the area of Southampton, and either:
 - a) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body, or
 - b) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which you / your spouse etc has a beneficial interest that exceeds one hundredth of the total issued share capital of that class.

Other Interests

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

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

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

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

Principles of Decision Making

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

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

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.

Richard Ivory
Service Director, Legal and Business Operations
Civic Centre, Southampton, SO14 7LY

Tuesday, 10 November 2020

TO: ALL MEMBERS OF THE SOUTHAMPTON CITY COUNCIL

You are hereby summoned to attend a meeting of the COUNCIL to be held on WEDNESDAY, 18TH NOVEMBER, 2020 virtually via Microsoft Teams at 2:00pm when the following business is proposed to be transacted:-

1 APOLOGIES

To receive any apologies.

2 MINUTES (Pages 1 - 14)

To authorise the signing of the minutes of the Council Meeting held on 16th September, 2020, attached.

3 ANNOUNCEMENTS FROM THE MAYOR AND LEADER

Matters especially brought forward by the Mayor and the Leader.

4 DEPUTATIONS, PETITIONS AND PUBLIC QUESTIONS

To receive any requests for Deputations, Presentation of Petitions or Public Questions.

5 EXECUTIVE BUSINESS REPORT (Pages 15 - 22)

Report of the Leader of the Council outlining business undertaken by the Executive since September 2020

6 MOTIONS

(a) Proposed by Councillor Fitzhenry

This Council calls on the Labour Executive to suspend all parking charges across our city centre and district centre car parks until spring 2021, to help protect local jobs and to support our cities businesses, key workers and residents.

(b) Proposed by Councillor Fitzhenry

A successful city needs visible and accountable political leadership, as such this Council regrets the lack of political leadership from the current Executive.

Council calls on the current Labour Executive to start taking proper accountability for its decision making and the impacts of its decisions, especially now at a time when people in our City and our staff need strong and accountable political

leadership and support.

(c) Proposed by Councillor Professor Margetts

“The Southampton City Council calls on the UK government to join with us to end holiday hunger. We call on the government to commit to fully fund holiday food provision for every child on free school meals in Southampton for the next three years. Further, we call on the government to support the development of a longer term plan to ensure that every child in Southampton is food secure.

We call on the government to develop and fund a long-term approach so that all children are well fed throughout the year, including during school holidays.

We welcome the recent u-turn by the government to fund holiday food provision. We regret that this decision came after the recent October half term holiday, that put our children at risk of hunger. During the recent half term break in October Southampton City Council, together with local community groups, restaurants and other groups, stepped up to ensure every child on free school meals in the city had access to food during the holiday. The people of Southampton showed that they will not stand by while children go hungry, but this ad hoc approach it is not a sustainable way to ensure food security for all our children.

Now is the time to address long term food insecurity in Southampton. Over 9000 children now depend on free school meals, and family use of food banks has been rising sharply over recent years. This will only get worse as the effects of Covid-19 on job losses and loss of family income increase. Food security is a fundamental human right, no child should go to bed hungry. This is bad for them in the short and long term and our children deserve the best possible start in life.

(d) Proposed by Cllr Keogh

This Council is both alarmed and concerned at the decision of the Education Skills Funding Agency (ESFA) to withdraw its financial support for the proposed merger of Southampton City College and Itchen College.

This decision, that the ESFA had previously been in support of, will only cause continued anxiety and uncertainty for the staff and students of Southampton's three FE institutions and City College in particular. This is now the third merger proposal that has rejected in recent years for City College.

This Council calls on the Cabinet member for Children and Learning to write to the Secretary of State for Education requesting that the future of FE provision in the City of Southampton is given the most urgent of attention and priority and a viable solution to the current issue is found as quickly as possible and that the Government guarantees to provide the necessary finance and support.

Young people are being disadvantaged as a result of funding issues in this sector and the current Covid pandemic has only highlighted that challenges faced by the three FE institutions in the City.

We all want the very best of facilities, structures and opportunities for our young people in this City. It is further the intention of this Council that this letter is signed by the leaders of both parties in the Council and the City's three MP's.

(e) Proposed by Cllr Hammond

This Council recognises that the democratic process is sacrosanct, and elections held in Southampton must be free, fair and easy to participate in.

The upcoming local election (May 2021) will be like no other. Set during the worst global pandemic in nearly 100 years, it will require changes to proceed safely. Council believes that our residents must be able to safely participate in our local democracy.

Although we recognise that there are different ways to vote, the most convenient way is to register for a postal vote and vote at home. Whilst we do publicise this option, it is not widely known that Postal Voting is available to anyone who requests it and take-up is currently 15% of the electorate.

Council resolves that it enhances its publicity around postal voting and continues its work with the Electoral Commission on the national campaign to raise awareness.

Furthermore, due to the extraordinary circumstances, Council calls on the Government and the Electoral Commission to consider an opt-out system of mass postal voting, as an interim measure, helping to ensure that everyone who wishes to vote can do so. Those that wish to vote in person and not by post, would still be able to do so at a polling station.

7 QUESTIONS FROM MEMBERS TO THE CHAIRS OF COMMITTEES OR THE MAYOR

To consider any question of which notice has been given under Council Procedure Rule 11.2.

8 APPOINTMENTS TO COMMITTEES, SUB-COMMITTEES AND OTHER BODIES

To deal with any appointments to Committees, Sub-Committees or other bodies as required.

9 TEMPORARY STAFF CONTRACT □ (Pages 23 - 32)

Report of the Cabinet Member for Customer and Organisation seeking approval for the procurement of a new contract for the supply of temporary agency staff.

10 IT INVESTMENT PLAN (Pages 33 - 46)

To consider the report of the Cabinet Member for Customer and Organisation, detailing the proposed IT Strategy and associated Investment Plan.

11 STATEMENT OF LICENCING POLICY □ (Pages 47 - 96)

Report of the Cabinet Member for Stronger Communities seeking approval of the Statement of Licensing Policy.

12 SACRE CHANGES TO MEMBERSHIP PROPOSAL AND REVIEW (Pages 97 - 112)

Report of the Cabinet Member for Adult Social Care seeking approval of recommended changes from SACRE to its Constitution.

13 SOUTHAMPTON COVID SALIVA TESTING PROGRAMME (Pages 113 - 118)

Report of the Chief Executive to note progress of the pilot phases of the saliva testing programme and the planned expansion of the programme.

14 OVERVIEW AND SCRUTINY: ANNUAL REPORT 2019/20 (Pages 119 - 130)

Report of the Chair of the Overview and Scrutiny Management Committee detailing the Overview and Scrutiny Annual Report 2019/20 in accordance with the Council's Constitution.



Richard Ivory
Service Director – Legal and Business Operations

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SOUTHAMPTON CITY COUNCIL

MINUTES OF THE COUNCIL MEETING HELD ON 16 SEPTEMBER 2020

Present:

The Mayor, Councillor Mrs Blatchford
The Sheriff, Councillor Houghton
Councillors P Baillie, Barnes-Andrews, J Baillie, Bell, Bogle, Bunday, Chaloner, Coombs, Cooper, Fielker, Fitzhenry, G Galton, S Galton, Guthrie, Hammond, Hannides (Except item 36), B Harris, L Harris, Harwood, Houghton, Kataria, Kaur, Keogh, Laurent, Leggett, Professor Margetts, McEwing, Mintoff, Mitchell, Noon, Dr Paffey, Payne, Prior, Rayment, Renyard, Savage, Shields, Spicer, Streets, Taggart, Vaughan, Whitbread, White and Windle

25. APOLOGIES

It was noted that apologies had been received from Councillor Fuller.

26. MINUTES

RESOLVED: that the minutes of the Meeting held on 17th July, 2020 be approved and signed as a correct record.

27. ANNOUNCEMENTS FROM THE MAYOR AND LEADER

- (i) The Mayor congratulated Councillor Fuller on his marriage this week.
- (ii) The Mayor renewed her Pledge. Mayor's Pledge
Whilst the quorate of Councillors were in the Chamber for the March Council meeting the last time everyone was in the Chamber was for the February Council Tax setting.

In doing things differently as the Mayor, for example a video story for the Library more recently at the beginning of the month I did a video which can be seen on the Sea City Facebook page called 'Inside the Civic Centre' where you can remind yourselves of what the Chamber looks like. Others have been interested as it has had 7.8 thousand views.

This was to be a year with activities connected with Mayflower 400. Will Rosie who created the Mayflower mosaic trail commissioned by Councillor Peter Baillie had his work marked last week by the Sheriff.

I was able to attend an open air event at the Mayflower Memorial on August 15th the date of the 1620 sailing of the Mayflower and Speedwell. I would like to share just part of what I read as a letter to those departing.

'Never before have we so clearly understood the anguish of the Wampanoag people, who before your arrival, were decimated by a great plague, which they did not know and could not treat. We have learnt from working with

representatives of this tribe and are enriched by the experience. We commit to ensuring that all our school children learn their story’.

Before and since your journey, many people have come to Southampton in search of a new life, either following in your trail across the Atlantic or landing and remaining here to set up home. For many this has not been an easy transition. Whilst our gates have been open, that has not always been the case with hearts and minds. In this anniversary year we have sought to better understand the history of all our communities and will continue to do so; we do this to build a safer more inclusive and friendly City.

Like you, people today still suffer poverty, the threat of violence, and persecution for their religious and political beliefs. We have pledged to be a City Of Sanctuary, to be tolerant, safe and welcoming, to support refugees and asylum seekers. As Mayor, I remake this pledge today.’

Statements from the Leader of the Council, the Monitoring Officer and the Chief Executive.

(i) Councillor Hammond, Leader of the Council.

Following the cancelation of the two boat shows last week, and the subsequent debate in the city and on social media, I wanted to explain, what happened and why this decision was taken.

Firstly, it’s important to remember that we have low infection rates as a city. Currently half that of the national average. This has been due to the compliance and vigilance of the people of Southampton, but also the phenomenal effort of dedicated public servants, that as Councillors we all recognise.

The boat show is an important event in the city’s calendar and one which many people enjoy and provides a boost to the local economy. When British Marine approached the council in June, we had concerns, but worked with them to try and host an event that was as safe as possible. We agreed to the event on the proviso, that if the local or national picture deteriorated, then we reserve the right to use Public Health powers to cancel the event. We made it clear to organisers that they would be proceeding at their own risk. We made it clear that our priority was always to keep our people safe.

As Members will be aware, last week (Wednesday 9 September), the prime minister, along with the chief medical officer, presented to the nation worrying data about the rise of Covid-19 infections across the country. None of us should be in any doubt that the easing of lockdown restrictions is at an end, with a new ‘rule of 6’ being introduced from Monday of this week. Yesterday in Parliament, the Health Secretary announced that tests would be rationed because of the ongoing failure to sort out capacity issues.

Our Director of Public Health urgently reviewed the new data, considered the local context and public health officers visited the site - concluding that the two boat shows, created an unacceptable public health risk as Covid-19 cases were and are still on the rise. The events were set to attract up to 20,000 visitors from across the country coming into Southampton.

The cancellation was a public health decision, based on the evidence, expertise and training, of people who've worked tirelessly to keep us safe. The overriding reason for making this decision was about minimising the spread of infection. This was about the safety of those working at the show. This was about the safety of those visiting the show. This was about the safety of people working in Southampton who would be in contact with visitors from across the country.

This was also about protecting the future of the local economy. We fortunately have a low infection rate in Southampton, but like elsewhere, rates are rising again. And when rates rise, too high, the result is local lockdowns. Look at Birmingham, Bolton, Blackburn, Leicester and Luton to see the impact that this has on economies which were starting to reopen. When local lockdowns happen, venues close again, pubs and restaurants can only serve takeaway food and drinks, restrictions are placed on who we can and cannot see. The cost to the local economy would be far reaching and outweigh a 10-day event, no matter how significant and how much we all wanted it.

Madame Mayor, I would like to express my apologies to the exhibitors, organisers, visitors and local businesses who were impacted. I appreciate that the timing was frustrating and that they were disappointed it couldn't go ahead. But this virus doesn't respect our people or our plans. When the advice changes, the guidance altered, then so must we. We didn't have weeks to act, we had hours and we communicated with the organisers as soon as we could.

Members will be aware that an appeal was made by British Marine to the Secretary of State for Health and Social Care. Our evidence was submitted over the weekend to the Government and they've reviewed our position. I am pleased to report that our decision to cancel the Boat Show has been upheld.

As Councillors, we need to take our eye off the election in May and focus on doing the right thing in the here and now. We can try to stir divisions and target individuals or we can accept the reality of the situation and put our people before party.

Members, this pandemic is the worst seen in a hundred years. Too many have lost loved ones, endured hardships and faced setbacks. But worst of all, it is far from over yet. As a council, there are no easy decisions. But we won't shy away from making those tough calls and providing the leadership through this crisis.

(ii) Statement from the Monitoring Officer

Councillors, I am aware that the cancellation of the Boat Shows last week were, and remain, matters of concern and there are differing and strong views on the action that the Director of Public Health took after seeking advice. Although I have not seen them I am aware that there have been many posts on social media and some comments refer to officers of the Council. In the circumstances I think it is important that as the Council's solicitor and Monitoring Officer I take this opportunity to restate the overall parameters of the Members Code of Conduct which all councillors need to abide by in the role as an elected councillor.

Whilst the Code is not there to stifle debate or opinion there are boundaries. The General Obligations include the need to treat others with respect and the need to conduct yourself in a manner that upholds the Council's high standards of conduct. If a councillor falls below this standard there may be a breach of the Code.

In addition the Council has adopted a Member and Officer Protocol which specifically details the expectations of both. I would again like to remind members of the overall requirements but in particular paragraph 3.2

“At the heart of the Code, and this Protocol, is the importance of mutual respect. Member / Officer relationships are to be conducted in a positive and constructive way. Therefore, it is important that any dealings between Members and Officers should observe standards of courtesy and that neither party should seek to take unfair advantage of their position or seek to exert undue influence on the other party.”

In addition 3.4 and 4.2 states...

“A Member should not raise matters relating to the conduct or capability of an Officer in a manner that is incompatible with the objectives of this Protocol. This is a longstanding tradition in public service. An Officer has no means of responding to such criticisms in public.”

“Certain statutory officers have specific roles. These are addressed in the Constitution. Their roles need to be understood and respected by all elected Members.”

The Protocol’s Conclusion at paragraph 13.1 states

“Mutual understanding, openness on these sorts of sensitive issues and basic respect are the greatest safeguard of the integrity of the Council, its Members and Officers.”

Councillors, I would request that you are mindful of the Code, the Protocol and in particular the specific parts I have highlighted. Thank you

(iii) Statement from Chief Executive

Following on from what our Solicitor and Monitoring Officer has just said I would like to briefly sum up the position as your Chief Executive.

The Council was faced with a very difficult position last week. No decision was taken lightly; it was one of last resort. A great deal of thought was given to the options and the city’s Director of Public Health has the most unenviable pressure of responsibility in this global pandemic and has worked tirelessly since January virtually 24/7 to fight this horrible virus for us all in the city as well as being the region’s specialist in epidemiology. This director had a very difficult decision to make but in the current pandemic it would have been wrong to ignore revised Government guidance, emerging new legislation, the increase in Covid cases nationally and the impact 20,000 visitors may have had on the city’s residents notwithstanding the efforts that the events organisers had gone to make the events Covid secure. There is an incredible weight on all paid executives in the system of public service at the moment, a weight to balance the health of our communities with that of the health of the economy.

As the Monitoring Officer has said the Council has high standards; I expect those of myself and my colleagues and they are to equally expected of you as elected councillors serving all of the city. Good governance stems from the very top of any organisation, I understand that and know that you do as councillors. Therefore overt and public criticism of any paid executives of the council, the Director of Public Health included, not least without all of the facts to hand is unwelcome and unjustified and

does not display the appropriate behaviours regarding respect for non-political roles. I would respectfully ask members to reflect on this and refrain from doing so in the future, not least in these unprecedented times.

28. DEPUTATIONS, PETITIONS AND PUBLIC QUESTIONS

The Council received and noted the following deputations:

- (a) From Amy Farmer, Yasmin Spreadbury and Michael Kibuuka regarding the Help Us Move on Project.
- (b) From Ahmed Sasso and Sam Waddington on behalf of the Southampton Community hate crime third party reporting network, led by the Disability group 'SPECTRUM'.
- (c) Alex Williamson regarding the Wave Trust 7030 Campaign.

29. EXECUTIVE BUSINESS REPORT

The report of the Leader of the Council was submitted setting out the details of the business undertaken by the Executive.

The Leader and the Cabinet made statements and responded to questions.

The following questions were submitted in accordance with Council Procedure Rule 11.1

1. Costs relating to Bassett Avenue

Question from Councillor S Galton to Councillor Leggett

Could the Cabinet Member reveal the final cost of the Bassett Avenue measures, from Winchester Road roundabout to the Chilworth roundabout. Could the costs be further broken down in to how much was the initial cone only scheme; and then how much was purely for the painting of the lanes/removal of the cones and finally how much is then the removal of the lane paint and restoration of the road to the pre measures state.

Answer

We are yet to receive the invoicing for removal works completed recently such as the removal of the top section of Bassett Avenue but will have these final costs in October as part of our standard invoicing and note that whilst the remainder of the trial scheme is in place the scheme remains live and with final costs yet to be received but is forecast to come in below the budget allocation.

2. Parking at the Common

Question from Councillor S Galton to Councillor Leggett

Recent data has shown that the number of cyclists on Hill Lane, South of Wilton Road increased by just 14 when compared to the last data we held (February 2019). Given we were comparing a winter weather day, with a summer day (13th July) and that other data shows 3 or 4 times more cyclists go through the

common itself; would you now immediately reinstate some of the Common side parking along Hill Lane that has been lost; but especially on the section between Bellemoor Road and Burgess Road?

Answer

Data has been collected monthly on cycle traffic on the Common. August figures were higher than July and the baseline which was established pre-COVID.

Comparing figures now as to where we were is very different. We are, however, committed to review in line with the experimental TRO once the September figures are available.

3. Children's Services

Question from Councillor J Baillie to Councillor Hammond

How aware were you of the issues in Children's Services?

Answer

As you would expect I didn't see the entirety of the whistleblowing concerns until the report was finalised. Which we've transparently shared with Councillors and the public.

Obviously, I was aware of the improvements needed from our Ofsted inspections and the themes of the Appreciative inquiry - which the Whistleblowing concerns reiterated.

Within a week of the concerns being raised, we had appointed Malcolm Newsam (Independent Consultant) who subsequently published his Learning Report.

4. Question from Councillor J Baillie to Councillor Hammond

Children and Families Scrutiny Panel

Will you commit to making all information available to the Children and Families Scrutiny Panel in order for proper scrutiny to take place?

Answer

The Children and Families Scrutiny Panel determines its agenda and area of focus for each meeting, and requests specific information from Children's and Learning Services to allow proper scrutiny to take place. The administration is committed to sharing all relevant information with the panel, in order that the panel can add full value to the work of the services. Officers are diligent in providing the information requested by the panel in time for every meeting and I commit to ensuring that continues.

5. Question from Councillor S Galton to Councillor Paffey

Children's Social Care Services

Concerns were raised at the Children and Families Scrutiny Panel over issues not being picked up by the Leadership or Executive teams, despite these being flagged by that same Panel. Does the Cabinet Member accept his role in failing to identify and address the issues within Children's Social Care Services, despite the evidence of serious problems that needed urgent attention?

Answer

It was unclear which issues you were claiming had not been picked up and dealt with; if you wish to identify and evidence these I will happily provide a written response.

The Learning Report is a separate matter. At the Children and Families Scrutiny Panel, I stated that I do take responsibility for those issues for which I have politically responsibility. Along with the Council leadership, we have apologised, accepted the findings the report upheld, and committed to making the changes necessary, which will be subject to ongoing scrutiny.

6. Question from Councillor S Galton to Councillor Leggett

Citizen Energy

Citizen Energy is on course to have cost the Council around £200,000 in operational deficit for the period 2018-21. Add this to the £60+ million the parent company has cost the tax payer so far. How on earth can this be justifiable spending, when the energy costs we have been putting our most vulnerable residents on, isn't even the cheapest 100% renewable energy they could secure from the open market?

Answer

It is a sad situation. Citizen Energy had 1500 customers making a combined save of £75k. They were consistently cheaper than the big six energy

companies. We are in discussions regarding the contract process and it is a shame they couldn't complete the contract term. Figures will be available once Robin Hood Energy complete their investigation and a termination agreement between the two companies is made available.

7. Question Councillor Bell to Councillor Leggett

Bus Lanes Bitterne Road West

Does the Council have any plans to remove the temporary bus lanes along Bitterne Road West on the same basis that they have now agreed to remove them on Basset Avenue?

Answer

The Council has committed to a review process in line with the Experimental Traffic Regulation Order process and will undertake further reviews of the schemes using the data.

8. Question from Councillor S Galton to Councillor Leggett

Citizen Energy

Does the Cabinet Member think it is right that Citizen Energy should now seek to secure the public energy supply contract that Southampton City Council will put out via an open procurement process; given the parent company may not even exist in a matter of months or weeks?

The Mayor interjected and suggested a response be made outside of the meeting.

9. Question from Councillor S Galton to Councillor Shields

Traveller Incursion

As part of the traveller incursion press release you stated a major incident was avoided. Could you detail what major incident would have occurred if events had gone differently on the 21st August?

Answer

A 'major incident' in this context is where the police feel the need to intervene due to a breach of Section 61 of the Criminal Justice and Public Order Act (1994) and where one of the key trigger points, as defined in guidance produced by the Association of Chief Police Officers, has been activated. Prompt intervention by the local neighbourhood police team was able in this particular instance to avert any need for escalation.

10. Question to Councillor S Galton from Councillor Hammond

Green Transport Recovery Plan

At the 3rd August Cabinet Meeting you dismissed the OSMC request to pause any future plans, such as Millbrook Road West bus lanes, as you stated this was not within the Green Transport Recovery Plan. Could you explain why this item is in the Green Transport Recovery Plan documents, and accounts for around a quarter of the £4.2M cost of the identified schemes to date?

Answer

For everyone's benefit - the Scrutiny meeting was on the Green Transport Recovery Plan and not our entire Transport strategies.

Ultimately, The Millbrook Road West scheme is a Transforming Cities Fund initiative, which your government has endorsed by giving us in excess of £50 m. It wasn't a standalone project in the GTRP. Which was what we was discussing.

We will use some of the GTRP monies to accelerate certain transport schemes, which this TCF project is one of.

A number of these projects will be delivered over the next three years and include full consultation on that scheme proposals prior to any implementation

11. Question from Councillor S Galton to Councillor Paffey

Playing Fields

Following our last Council meeting you, and other Labour Councillors publicly stated you had "blocked attempts by local Tories to take playing fields away from a Southampton school" – why did you make this mis-leading and wholly inaccurate statement as my motion was very clear; any pocket park or additional activities would not interfere with the primary use of pitches for team games and recreational play?

Answer

The facts have been made clear on numerous occasions. The whole field is designated as school playing fields. As a goodwill gesture the field was made available for people to use over recent years. The whole site is now needed for education purposes. Due to the building works at St. Mark's School, playing field space is restricted and cannot be carved up to provide a pocket park. At July's Council meeting an amended Motion did commit the Council to exploring the possibility of a public park in the area, but this is not the right site for it.

30. MOTIONS

(a) Councillor Guthrie moved and Councillor Streets seconded

This Council recognises that since the nationwide restrictions have become more relaxed, car usage in Southampton has been on the increase. As the City's residents return to work, their children go back to school and the roads bear the weight of a larger number of vehicles, this Council understands that many motorists have found their journey time extended following the decision to install bus and cycle lanes on some of the main routes leading into the city centre as part of the Green Transport Recovery Plan.

This Council acknowledges that cleaner air cannot be achieved if traffic in the city is made to idle longer on the city's main arterial routes than it was prior to the manifestation of the GTRP's programme.

As a result, this Council pledges to halt the roll out of the GTRP, reconsider the implementation of its programme, and remove the schemes currently in place on the city's roads whilst sufficient data is gathered on traffic levels within Southampton. This will be used to assess the viability of the GTRP in its current form and determine it's future role in improving the city's air quality.

UPON BEING PUT TO THE VOTE THE MOTION WAS DECLARED LOST

RESOLVED: that the motion be rejected.

(b) Councillor Fitzhenry moved and Councillor Hannides seconded

This Council has lost confidence in the Cabinet Member for Green City and Place to make objective decisions on behalf of this city's transport requirements.

Decisions are being made to the detriment of many of our residents and businesses within our city because of the ever increasing influence of a small minority over the cabinet member.

More now than ever, this city requires clear and strong political leadership to help us emerge from this crisis, not the pursuit of an ideological approach of "forcing people from their cars" by the cabinet member.

Therefore, Council calls on the Leader of the Council to remove Councillor Leggett from his position immediately.

UPON BEING PUT TO THE VOTE THE MOTION WAS DECLARED LOST

RESOLVED: that the motion be rejected.

31. QUESTIONS FROM MEMBERS TO THE CHAIRS OF COMMITTEES OR THE MAYOR

It was noted that no requests for Questions from Members to the Chairs of Committees or the Mayor had been received.

32. APPOINTMENTS TO COMMITTEES, SUB-COMMITTEES AND OTHER BODIES

Councillor Fitzhenry had been appointed to Overview and Scrutiny Management Committee, replacing Councillor P Baillie and Councillor Bunday had been appointed to Licensing (General) Sub-Committee.

33. FINANCIAL MONITORING FOR THE PERIOD TO END OF JULY 2020 AND COVID-19 BUDGET MATTERS

Report of the Cabinet Member for Finance and Income Generation detailing the financial monitoring for the period to the end of July 2020 and COVID-19 Budget matters.

RESOLVED:

General Revenue Fund:

- i) Noted the forecast outturn position as outlined in this report, including for business as usual and COVID-19 costs.
- ii) Approved addressing the budget shortfall as outlined in paragraphs 8 to 16 and table 1 of Appendix 3. This means using £9.6M of corporate budgets, a £2.7M underspend at period 4, after applying £4.16M from the Social Care demand reserve to eliminate the Children & Learning overspend and £1.5M of in-year savings.

Capital Programme

- iii) Noted the revised General Fund and HRA capital programme as outlined in this report.
- iv) Approved the delays to capital scheme works and the application of new funds other than borrowing to support the capital programme as outlined in paragraphs 19 to 20 of Appendix 3 and annexe 3.2.
- v) Approved the proposed revised General Fund capital programme to 2024/25 and its financing as shown in annex 2.5 of Appendix 2.
- vi) Approved the proposed revised HRA capital programme to 2024/25 and its financing as shown in annex 2.5 of Appendix 2.

NOTE – FOR THE SUBSTANTIVE RESOLUTION: Councillors Barnes-Andrews, Mrs Blatchford, Bogle, Bunday, Chaloner, Coombs, Cooper, Fielker, Hammond, Kataria, Kaur, Keogh, Leggett, Margetts, McEwing, Mintoff, Mitchell, Noon, Paffey, Payne, Renyard, Rayment, Savage, Shields, Spicer, Taggart, Whitbread and Windle.

NOTE – ABSTAINED THE SUBSTANTIVE RESOLUTION: Councillors J Baillie, P Baillie, Bell, G Galton, S Galton, Guthrie, Fitzhenry, Hannides, B. Harris, L. Harris, Harwood, Houghton, Laurent, Prior, Streets, Vaughan and White.

34. REVISIONS TO THE CONSTITUTION - MEMBERS' QUESTIONS AT COUNCIL

Report of the Leader of the Council seeking approval to revisions to the Council's Constitution regarding Members' Questions at Council.

RESOLVED to amend the Constitution's Council Procedure Rules in relation to Members Questions as detailed in the amended report.

35. EXCLUSION OF THE PRESS AND PUBLIC - EXEMPT PAPERS INCLUDED IN THE FOLLOWING ITEM (IF NEEDED)

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

The appendix is considered to be exempt from general publication 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 commercially sensitive information related to the proposed lease document for the Studio 144 North facility.

36. SUPPORTING OUR CULTURAL AND CREATIVE INDUSTRIES THROUGH THE AWARD OF A LEASE AND GRANT TO MAYFLOWER ACADEMY LIMITED AS THE PROPOSED NEW TENANT AND OPERATOR FOR STUDIO 144 (NORTH)

Report of the Cabinet Member for Culture and Homes seeking approval to enter into a lease and grant to Mayflower Academy Limited as the proposed new tenant and operator for Studio 144 (North).

RESOLVED

- (i) To grant delegated authority to the Head of Property Services, following consultation with the Service Director: Legal and Business Operations, to finalise the detailed terms and enter into a new 35 year lease with Mayflower Academy Limited for the Studio 144 North facility, subject to all standard processes and due diligence. This lease will be based on the heads of terms agreed between MAL and the Council in appendix 1.
- (ii) To grant authority to the Head of Culture and Tourism to award a grant of £511,250 over two financial years (£221,250 for 20/21 and £290,000 for 21/22) to MAL to deliver community based cultural activity emanating from the Studio 144 north facility.

NOTE: Councillor Hannides declared a pecuniary interest and withdrew from the meeting for this item.

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DECISION-MAKER:		COUNCIL	
SUBJECT:		EXECUTIVE BUSINESS REPORT	
DATE OF DECISION:		18 November 2020	
REPORT OF:		LEADER OF THE COUNCIL	
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Felicity Ridgway Policy & Strategy Manager	Tel: 023 8083 3310
	E-mail:	felicity.ridgway@southampton.gov.uk	
Executive Director	Name:	Mike Harris, Executive Director Business Services and Deputy Ch Executive	Tel: 023 8083 2882
	E-mail:	mike.harris@southampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
None			
BRIEF SUMMARY			
This report outlines the Executive Business conducted since the last Executive Business Report to Full Council on 16 September 2020.			
RECOMMENDATIONS:			
	(i)	That the report be noted.	
REASONS FOR REPORT RECOMMENDATIONS			
1.	This report is presented in accordance with Part 4 of the Council's Constitution.		
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED			
2.	Not applicable.		
DETAIL (Including consultation carried out)			
3.	My last Executive Business report was made to this Council in September 2020. This report outlines the activity of the Cabinet of the Council and activities to progress the priorities set out in the Council's Corporate Plan 2020-2025 since September.		
	Communities, culture and homes		
4.	On 7 October, Southampton publicly launched its bid to be UK City of Culture 2025, following the launch of the Commercial Strategy on 17 September. The news was shared across many media channels and the launch video, made by Solent University's Asten Holmes-Elliott was shared far and wide throughout the day to very positive feedback.		
5.	The Bid team were also delighted to announce the first four ambassadors: Craig David (pop star), Shelina Permalloo (celebrity chef), Lawrie McMenemy MBE (former manager of Southampton FC) and Lord Vaizey (former Minister for Culture). They recorded short videos explaining what Southampton means to them, and why they're excited to support the bid. You can find out more and get involved at www.southampton2025.co.uk . The Council is proud to be a		

	leading partner on this journey which aims to involve residents, businesses and partners from across the city and region.
6.	Our Cultural Services team strive to be at the fore front of celebrating the diversity of the heritage and communities in our city and providing access to resources. I was proud to learn that we have been awarded the status of 'Libraries of Sanctuary'; a true testament to welcoming culture and behaviours of our staff.
7.	This initiative was set up by City of Sanctuary UK to recognise the important role libraries can also play in providing a safe and welcoming space for people seeking sanctuary and for other new arrivals in our communities. Southampton is already a City of Sanctuary and I am delighted that our libraries have now become only the third library service in the country to be awarded the prestigious Library of Sanctuary title, and the first in the City of Sanctuary South West Region.
8.	We celebrated Libraries Week 5-10 October with a series of online events and activities. The celebrations were particularly poignant this year given the important role libraries have played in supporting people throughout the pandemic, even whilst closed.
10.	As part of the Mayflower400 programme our Museums teams have also been working with the CLEAR project (a local organisation working with refugees and asylum seekers) to develop English for Speakers of other languages (ESOL) resources for city residents which will be trialled during the winter months and a whole new set of educational resources developed with the Wampanoag nation have been produced for schools.
11.	Continuing our inclusion theme, I am delighted that a new exhibition <i>Face of Britain</i> , curated by the artist Nahem Shoa, has opened at the City Art Gallery and runs until 20 February 2021. It featured on BBC South and had an ITV film crew film. The exhibition contains portraits by outstanding artists who have painted British individuals from the 17th century to the present day, including works from Southampton's collection together with a selection of Shoa's own striking oil paintings of black and mixed race sitters. Launched to coincide with Black History Month, <i>Face of Britain</i> asks the pertinent question 'What does it mean to be British in 2020?'
12.	In October our employment and skills team celebrated over 30 years of service in the city, at a time when supporting the most vulnerable and marginalised has never been more important. The team have worked with over 10,000 residents who are disadvantaged in some way, and dedicated Employment Officers have supported 3,300 individuals into paid employment in the last three decades. The service has also supported approximately 2,500 voluntary placements and enabled 4000 individuals to complete training courses.
13.	The successful launch of our COVID 19 Community Champions programme has already attracted support from 200 volunteers, with plans to produce translated online media and future campaigns underway. The materials have been distributed widely across the city by teams of officers, councillors and the Police; using these as an opportunity to engage with businesses, community run buildings and places of worship.

14.	The council's two new environmental protection officers started on 21 September 2020. The officers are focussed on investigating fly tipping within the city and pursuing enforcement action against offenders. The officers are engaging with residents and businesses who are identified as failing to comply with the duty of care when disposing of waste material and are will use a range of enforcement tools including fixed penalties when appropriate.
15.	In October we demonstrated this commitment, with a significant prosecution following a successful investigation into a fly-tip in Romsey, working with our colleagues in Test Valley Borough Council. The fly-tipper, who was a resident of Southampton, admitted to fly-tipping at Southampton's Magistrate's court on 21 October, after previously failing to show up for court on October 16 and was handed a substantial £1,600 fine, ordered to pay £839.50 in costs and £240 in compensation.
16.	Southampton City Council has been awarded a Home Office government grant of £153,929 to fund COVID-19 Marshals. The Marshals will patrol the city centre and local district centres across Southampton over the winter months. COVID-19 Marshals will be part of a new campaign launching soon to encourage people to play their part in keeping Southampton safe. In their role COVID-19 Marshals will engage with the public to keep people informed and help them to follow national safety guidelines.
17.	I am delighted that MAST Mayflower Studios have been awarded significant grant funding from Arts Council England to support the provision of cultural activities in the north building of Studio 144, following the approval of the lease and grant from Southampton City Council in September. The Mayflower Theatre Trust has established Mayflower Academy Ltd to operate MAST Mayflower Studios and will be a key cultural partner within the city. This is a important step towards bringing the city together as we pursue our UK City of Culture ambitions.
18.	Southampton was pleased to support Hate Crime week by promoting a range of children's designs for tackling hate crime via social media. Officers also attended a range of online seminars organised by SPECTRUM Centre for Independent living, which were attended by a range of agencies from across the city. Southampton's Hate Crime Reporting Centre network received coverage on the local community radio station Unity 101, which provided a useful opportunity to promote plans for Hate Crime Week and to communicate to listeners the importance of its work in general.
19.	<p>This year we are commemorating Remembrance Day differently, as we come together to honour the sacrifices that our armed forces and civilians have made in a way that ensures we all adhere to important social distancing guidelines. This includes an online Remembrance ceremony, a map of the war memorials in Southampton and encouraging residents to decorate their windows with homemade poppies to pay their respects. This year is poignant because we marked the 75th anniversary of VE Day in May, VJ Day in August and it is also the 100th anniversary of the unveiling of The Cenotaph war memorial in Watts Park. Our Remembrance activity has included:</p> <ul style="list-style-type: none"> • A short, closed Remembrance ceremony with key members of the armed forces community in attendance which was filmed and shared on Council social media channels on Sunday 8 November. • History of the Cenotaph: Councillor Sue Blatchford, Mayor of Southampton, told the story of the Cenotaph which was also shared on

	<p>Council social media channels on the anniversary of the unveiling of the Lutyens designed memorial.</p> <ul style="list-style-type: none"> • A new Remembrance bench has been unveiled at Veracity Sports Ground between Itchen and Merryoak. • Lamp posts around The Cenotaph were decorated with poppies • The Southampton 02 Guildhall will be illuminated red on Sunday 8 and Wednesday 11 November.
	Green City
20.	<p>New data has shown that the city saw improvements in air quality during the lockdown period (March-June 2020). As with many cities across the country, the reduction in road traffic led to lower levels of nitrogen dioxide (NO₂) recorded during this time. Compared to similar periods in 2019, average NO₂ levels across the city reduced by 12% as total road traffic fell by up to 55%. The Green City Plan details over 60 actions that the council will deliver over the next three years to create a cleaner, greener, healthier and more sustainable city.</p>
21.	<p>In September our Green City plan took another step forward with the introduction of nine new greener, lower emission waste collection fleet vehicles, which replaced older models. These new vehicles produce around 80% less nitrogen oxide gases than their predecessors in Southampton as well as a 50% reduction in microparticle emissions. The new waste collection vehicles will offer renewed performance reliability, with reduced off-road downtime due to faults or breakdowns, alongside greatly improved levels of emissions.</p>
22.	<p>We have now completed works to improve walking and cycling in Bevois Valley. This initiative was part of the Transforming Cities Programme which was awarded £57M by the government Department for Transport earlier this year and sets out a range of bold and ambitious infrastructure projects to improve public transport and make the city a more attractive place for walking and cycling.</p>
23.	<p>Clean Air Day took place on 8 October and we pushed the whole event online via our social media channels. This included video, images, quizzes, posts and reposts using newsfeeds and stories across a range of social media platforms.</p>
24.	<p>Shirley Infant School, Mansbridge Primary School and Freemantle C of E Community Academy are all beginning School Streets schemes in November. The initiative will see the roads outside the schools closed to vehicles at drop-off and pick-up times to provide more space for social distancing and create a greener, healthier and more pleasant atmosphere on the school run. The measures will also contribute to a safer environment, giving more families the confidence to walk, cycle or scoot to school instead of travelling by car.</p>
25.	<p>Work will start in November in St Denys to create an Active Travel Zone, an area where small changes are made to the streets and roads to improve walking and cycling for short journeys. This follows collaboration with residents to develop a plan for addressing their concerns regarding traffic levels, safety and air quality in the area.</p>
	Place Shaping
26.	<p>I am delighted to announce that the Central parks, St. James Park and Riverside Park in Southampton have achieved the Green Flag Award for 2020.</p>

	On 14 October, in celebration of this excellent achievement and to show support for high quality green spaces and the fantastic staff and volunteers, we lit Queens Park green.
27.	The City Service School Grounds Operations Team have won 3 lots of a Hampshire County Council Tender. A massive thank you to Graham Pugh, Nick Yeats and our partners for delivering the winning bids. The contracts will bring in approximately £750k of income and will mean City Services will take on an additional 10 members of staff to deliver these contracts. A major success for the economic recovery programme.
28.	In September we took a big step towards our future plans for a game changing Rapid Bus Corridor running from Totton and Hythe to Southampton city centre, commencing works Mountbatten Way. The project is part of an innovative programme of transport schemes funded by the Government's Transforming Cities Fund (TCF), which in March this year awarded £57m to Southampton City Council and Hampshire County Council following a successful joint bid to the Department for Transport.
29.	In October we started work at the A334 Thornhill Park Road/Hinkler Road junction as part of plans to reduce congestion on the eastern approach into Southampton. Balfour Beatty Living Places, will renew the traffic signals at the junction to help improve the journey times of people driving on this major route carrying 15,000 vehicles a day.
30.	The £360,000 scheme is being funded by Highways England as part of a wider package of measures to improve traffic flows and provide better information to people driving into Southampton from Junction 7 of the M27. This follows the completion at the start of this year of the council's major £5.8m project to improve journey times on the A3024 Bursledon Road.
31.	Following feedback on the Bedford Place Inside-Out scheme, we have made some changes to enhance the scheme including removing some of the temporary signage, repositioning some of the planters and introducing a part time closure on Winchester Street, working with Police and Synergy Security to carry out security patrols and ensure a safe environment at night time. Together with Go! Southampton and Solent Showcase Gallery, we commissioned a local artist to spray paint some of the concrete barriers installed as part of the scheme. This has helped to bring the scheme further to life and brighten up the local area. We are carrying out surveys to monitor and evaluate how the scheme is working and are continuing to meet weekly with local businesses to get their regular feedback.
	Wellbeing
32.	The Southampton Covid-19 Saliva Testing Programme continues with a second phase to pilot the application of convenient, non-invasive saliva testing in educational settings where there is a higher risk of infection. Four schools, along with students and staff at the University of Southampton, have been participating in weekly testing since 21st September 2020, and this will continue until the end of term in December. The programme has approximately 15,000 participants registered with approx. 2000 tests per week being facilitated. The pilot phase is being evaluated, and testing will continue through to the end of term. In parallel, work on scaling up laboratory testing is going ahead, with the aim of expanding the programme in the new year.

33.	In November the fourth COVID-19 testing site opened in Southampton. The council worked with Mitie (the government's contractor) to open this new site, who are delivering on behalf of the Department for Health and Social Care as part of the Government's UK-wide drive to increase testing for Covid19. The testing sites can be located at the O2 Guildhall, Avenue Campus Carpark, Woodley Road Car Park in Woolston and Marlborough Road Car Park (South) in Shirley.
34.	In response to Covid-19 and the need to adapt services for adults with learning disabilities and their carers, the Integrated Commissioning Unit has established a Carers Co-production Group. The purpose of the group is to ensure carers voices are heard by the Council and Clinical Commissioning Group (CCG) at this difficult time when there are multiple new challenges for carers of adults with learning disabilities.
35.	The Integrated Commissioning Unit's Placement Service arranges placements and packages of care for adults in Southampton with care and support needs. The team has demonstrated excellent resilience and flexibility over the last 6 months. The team have been instrumental in facilitating rapid and appropriate hospital discharges from hospital during the pandemic and have reduced the average wait times from referral received to placement/package start date from 9.75 days to 5.5 days during this challenging period.
Successful, sustainable business	
36.	To celebrate its tenth anniversary, the Southampton Highways Service Partnership has just published 10 Years Together, a brochure which looks back over its achievements from the start of the contract between Southampton City Council and Balfour Beatty Living Places. In addition a video can be accessed via https://youtu.be/BUNmr0vcB2g
37.	In April we launched the SOBOT a chatbot on our website. We have introduced the chatbot to help our customers get answers to their questions quickly, easily and whenever they want. SOBOT can answer questions relating to council tax, waste and recycling, roads and parking, housing and planning and is currently available on over 550 pages of the council website. Since April we've received over 12,000 customer enquiries with SOBOT with a high success rate. Based on the questions our customers ask the chatbot has also allowed us to identify gaps and improve our online content.
38.	Southampton City Council initiated a project with Microsoft to launch the Microsoft Office 365 suite in early 2020. Despite significant disruption to the project caused by COVID-19, the project launched in September 2020 with a full roll-out to all staff. This means that staff have access to a cloud-based system which is both more secure and easier to access. Roll-out also included a support programme for staff to help with learning about the new software, which is ongoing. The project team were particularly pleased to receive 80+ staff applications to become Champions and provide additional support to their colleagues. The project continues with more technology being released including, but not limited to, better document security provisions and migration of our telephony system to be compatible with Teams (a core 365 product).

RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
39.	None
<u>Property/Other</u>	
40.	None
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
41.	As defined in the report appropriate to each section.
<u>Other Legal Implications:</u>	
42.	None
RISK MANAGEMENT IMPLICATIONS	
43.	None
POLICY FRAMEWORK IMPLICATIONS	
44.	None

KEY DECISION?	No
WARDS/COMMUNITIES AFFECTED:	All
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	None

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	No
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Data Protection Impact Assessment

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

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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Summary of Questions to Executive Wednesday, 18 November, 2020



QUESTION	FROM	GROUP	TO	SUBJECT
1.	Councillor Hannides	CONS	Councillor Hammond	Reduction in income
QUESTION	In view of the anticipated reduction in income from business rates, council tax and fees, what measures are the Executive taking to mitigate this and what action is being taken to support local businesses, boost the local economy and save local jobs?			
2.	Councillor Fitzhenry	CONS	Councillor Hammond	Southampton Airport Expansion Proposal
QUESTION	Can the Leader outline the Cabinets political position on the Southampton Airport Expansion proposal?			
3.	Councillor Fitzhenry	CONS	Councillor Leggett	Bedford Place
QUESTION	Will the Cabinet member outline his criteria for the re-opening of Bedford Place?			
4.	Councillor S Galton	CONS	Councillor Leggett	Cost of Bassett Avenue temporary road measures
QUESTION	It has now been 2 months since I asked for the breakdown of costs related to the Bassett Avenue road measures in September's meeting. I have yet to receive an answer from yourself or officers. Can you provide this information yet: The total cost of the Bassett Avenue temporary road measures (related to cycle lane re-provision) between			

CON = Conservative Group, LAB = Labour Group

QUESTION	FROM	GROUP	TO	SUBJECT
	<p>the Winchester Road roundabout and the Chilworth Roundabout.</p> <p>The breakdown of this total cost to include a breakdown of the costs of:</p> <ul style="list-style-type: none"> • The initial cone only scheme • The removal of the cones and the painting of lines • The cost of removing the lines and restoring the road to its original condition 			
5.	Councillor S Galton	CONS	Councillor Hammond	Blue Badge Parking Charges
QUESTION	<p>The Executive have chosen now to introduce new blue badge parking charges, using the justification of ensuring a turnover of vehicles and citing the Government's decision to expand the blue badge scheme.</p> <p>Officers have confirmed to me that this decision was progressed before the decision of the new national restrictions and it was made and justified prior to Covid-19 pandemic.</p> <p>As such, will the Leader agree to postpone any of these new charges or trials, until we can fully assess the impact of Covid-19 on our City and District centres.</p> <p>In considering your response I would urge you to consider the following points:</p> <ul style="list-style-type: none"> • In the cabinet report it states the decision is in the interests of all users. Given the challenges those living with a disability face, and the excess of parking choice and capacity across our City – is it not the right thing to do to support our most vulnerable by not introducing new taxes? • We have only seen a 20% increase in blue badge holders since the Government rightly expanded the criteria; and many of our car parks are currently operating at between 50-60% capacity; reflecting the significant drop in footfall due to Covid-19. • Officers have always stated this isn't about raising revenue – at a time we don't have a capacity issue in our car parks why carry on with these proposals, unless you want to raise more revenue from blue badge holders? • The purple pound may actually prove crucial in reviving and changing how our City and District centres survive and adapt to the post COvid-19 world – if this isn't about revenue raising there can be no argument against re-thinking your plans, in light of the much changed situation we are now in. 			

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Agenda Item 9

DECISION-MAKER:	CABINET COUNCIL		
SUBJECT:	TEMPORARY STAFF CONTRACT		
DATE OF DECISION:	20 OCTOBER 2020 (CABINET) 18 NOVEMBER 2020 (COUNCIL)		
REPORT OF:	COUNCILLOR RAYMENT, CABINET MEMBER FOR CUSTOMER AND ORGANISATION		
<u>CONTACT DETAILS</u>			
Executive Director	Title	Executive Director Business Services	
	Name:	Mike Harris	Tel: 023 80832882
	E-mail	Mike.harris@southampton.gov.uk	
Author:	Title	Head of Organisational Development	
	Name:	Chris Bishop	Tel: 023 80832087
	E-mail	Christopher.bishop@southampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
Not applicable			
BRIEF SUMMARY			
<p>Southampton City Council has a contract in place for the supply of temporary agency staff. The Council contracted with Hays Specialist Recruitment Limited in 2016, for a maximum duration of four years. The contract was due to finish in September 2020 and because of the impact of COVID-19 the Council entered into a similar contract with Hays until 31 March 2021 using a pre-procured 'framework' to provide continuity of service.</p> <p>There is a need to procure a new contract for the supply of temporary agency staff. It is recommended this contract will be for a duration of three years with an option for a one year extension. Based on past trends, the current spend over the four year period is £38M, with new contract arrangement for such a potential spend requiring approval by Full Council. However, the Council aims to spend significantly less than this. This report therefore seeks approval to commence a formal procurement process and, following a tender process, to award a contract to provide temporary agency staff.</p>			
RECOMMENDATIONS:			
COUNCIL			
	(i)	<p>Subject to approval of Cabinet recommendations (i) - (iii) below, to agree to the revised contract arrangements for the supply of temporary staff, which based on existing spend has incurred a cost averaging around £9.5m per annum based on current demand and use. This is for a maximum period of four years (three years initially, with an option to extend to a fourth year).</p>	

CABINET		
	(i)	Subject to approval of Council recommendations (i) above, that approval is given for the procurement of a Neutral Vendor contract for the supply of temporary agency staff.
	(ii)	That authority is delegated to the Service Director Human Resources and Organisational Development to carry out a procurement process for the delivery of a Neutral Vendor contract for temporary agency staff as set out in this report, and to enter into a contract for the delivery of the service in accordance with the Contract Procedure Rules.
	(iii)	To authorise the Service Director Human Resources and Organisational Development to take all necessary actions to implement the proposals contained in this report.
REASONS FOR REPORT RECOMMENDATIONS		
1.		Southampton City Council will always have the need for some temporary staff, and in certain fields will need these staff at an hour's notice. This applies in particular to essential customer facing roles, such as those in social care and waste and recycling, as well as those roles supporting our cultural and visitor economy. The reasons for this include covering unforeseen absences such as sickness and also to fill vacancies that would lead to service failure if not backfilled prior to them being filled permanently.
2.		The Council Recruitment team assist managers to recruit employees on a fixed-term basis if a temporary post is needed for longer than six months. The intention is for this team to fulfil temporary staff requests of less than six months in future, wherever this is achievable. However, the Council will still need to use agencies for some specialist staff, particularly because these staff often stay with specialist agencies that provide regular work across several employers as opposed to single assignments.
3.		The recruitment of temporary agency staff must be done effectively and compliantly, and therefore the Council should seek to have a contract in place with a supplier with a flexible network of agencies to provide this service. The current arrangement terminates at the end of this Financial Year and a formal and compliant procurement process must take place in advance of this date to ensure continuity of service. Undertaking a formal procurement process will ensure the Council achieves best value for money, as well as factoring in other considerations such as local employment in line with the Social Value and Green City Procurement policy. It will also ensure compliance with Council Financial and Procurement rules.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED		
4.		There is no option to withdraw this service as the Council would not have all staff required to meet essential service needs and would lead to service failures, including for example, support for vulnerable persons and waste collection.
5.		The Council has applied its Southampton City Council First (SCC First) policy and determined that the Council Recruitment team will begin recruiting temporary staff for periods of less than six months. This SCC First assessment has determined that this team will not, however, be able to source all temporary staff, as some specialists are only available via particular agencies such as those for solicitors and IT professionals.

6.	Extending the current contract by means of a procurement exemption is not a viable alternative option as it would not be compliant with public procurement law and leaves the Council at significant risk of legal challenge.
DETAIL (Including consultation carried out)	
7.	The Council aims to minimise the need for, and the volume of temporary staff and thereby reduce spend on this. For example, Human Resources and Organisational Development will work with service managers to identify their current and future workforce needs, and then assist with attraction activity and filling posts with permanent staff wherever possible.
8.	The Council Recruitment team will in future, ensure the provision of temporary workers for general, office based and some specialist posts for periods of less than six months, as they do for fixed-term positions. Temporary staff for some frontline, specialist and/or professional roles will still need to be supplied by specific agencies though, who hold people on their "books" and provide regular work for such individuals. This will ensure that for specialist roles there is a ready provision of available workers to meet identified and hard to fill posts across the diversity of services provided by the Council.
9.	Hays Specialist Recruitment Limited have been the supplier of temporary agency staff since 2016 and the average spend per annum across the last three years for all agency staff was £9.5M. As the Managed Service Provider, Hays is a Master Vendor, meaning they have their own agency to fulfil requests for temporary staff, as well as 2 nd tier provision through other recruitment agencies. Research has been carried out to explore other options to a Master Vendor. An alternative contract type is Neutral Vendor, where the Managed Service Provider does not have their own agency.
10.	Stakeholder engagement, liaison with neighbouring Local Authorities, and cost modelling have been undertaken to help identify future options for temporary staff recruitment. All Heads of Service were asked to identify factors that should be considered prior to awarding a new contract. One example provided is to ensure that local agencies can be utilised that are available at unsociable hours, and that managers can liaise directly with them. All points raised will be taken into account in the Managed Service Provider procurement process.
11.	It has been identified that many Local Authorities who switched to having a Master Vendor from Neutral Vendor, then moved back to a Neutral Vendor model. Reasons given for this include overall it being more expensive and managers felt like an "us & them" way of working.
12.	Portsmouth City Council recently entered in to a 2 nd contract with a Neutral Vendor provider. The rationale behind this decision was that this model had achieved 8.5% savings, efficiencies, and 97% of spend going through the contract, which in recent months has moved to 100%. Feedback from service managers had also been good.
13.	Portsmouth City Council's own recruitment team are a 1 st tier supplier within their contract for all un-qualified roles (not social care) and these are used in the first instance, thereby saving money. This is the approach Southampton City Council intend to take.
14.	The contract with Hays for temporary agency staff was due to finish September 2020. At that time of initial COVID-19 lockdown, the Council was

	in the process of determining procurement options, but this work was delayed as a direct result of diverting resources to deal with the pandemic-related matters. As a temporary measure, a new contract was awarded to Hays using the ESPO MSTAR3 framework to ensure consistency in service and compliance. The contract terms broadly replicate those in place for the previous four years.
15.	This contract expires at the end of the current Financial Year. There is therefore a need to undertake formal procurement for a new single supplier for the supply of temporary agency staff. This will enable delivery of a competitive and high quality service. In turn, this will support the Council's priority outcome of Successful, Sustainable Business.
16.	It is proposed to seek a three year contract with an option to extend by a fourth year via the ESPO MSTAR3 framework. This is in line with industry standards and will enable consistency of service during that period.
17.	The MSTAR3 framework is available to use from April 2019 to April 2021 with a further two year extension period. This framework is fully compliant with public procurement law. Service providers have already been assessed and this framework is widely used by the public sector across the country. The framework is now in its third generation and is more flexible than ever.
18.	The MSTAR3 framework contract terms require standard timeframes to be met for the provision of suitably qualified and experienced temporary agency workers. The Council will be able to agree more localised targets where needed, for example to ensure immediate cover for waste and recycling drivers, and will seek to introduce measures and requirements consistent with the Social Value and Green City Procurement Policy. Performance will be monitored against the specified timeframes and requirements.
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
19.	The average spend per annum across the last three years for temporary agency staff was £9.5M, so total spend over 4 years on that trend could be around £38M. Comparing MSTAR3 prices, based on actual Council billable hours in the 12 months before the COVID-19 pandemic, has shown that savings can be made of up to approximately £200K per year by moving to a Neutral Vendor. This is considerably more than the current £20K per annum saving target. Savings in the main are due to reduced agency and Master Vendor fees. Additional savings should be made from minimising off-contract spend too. It should be noted that the Council is not committed to minimum levels of expenditure or usage of the contract. The Council also aims to minimise the need for temporary staff, so future spend should be less.
<u>Property/Other</u>	
20.	There are no known property or other implications.
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
21.	S.112 Local Government Act 1972 permits a Local Authority to appoint such staff as it thinks fit in order to deliver its functions. S.111 Local Government Act 1972 and S.1 Localism Act 2011 permits a Council to do anything calculated to facilitate the delivery of its powers, functions and duties and this includes entering into contracts and service arrangements necessary to deliver those functions.

Other Legal Implications:	
22.	Procurement will be subject to compliance with public procurement legislation and the Council's Constitution and policies.
RISK MANAGEMENT IMPLICATIONS	
23.	The main risks of the temporary agency staff contract are financial and operational, in terms of the levels of demand for temporary staff and off-contract spend and to stop service failure. Recruitment will work with the Human Resources Business Partners and service managers to identify their current and future workforce needs, and then assist with attraction activity and filling posts with permanent staff wherever possible. This should reduce the overall need for agency staff.
24.	The Council will ensure that spend is channelled through the contract through effective contract management and support to hiring managers. The Head of Organisational Development, who is now responsible for Recruitment, and the Head of Supplier Management and their teams are already working together in this regard. Regular meetings are being jointly held with the service provider, spend is being monitored and investigated, and both Recruitment and the service provider will proactively liaise with hiring managers. Through this activity it is aimed to achieve close to 100% on-contract spend, as Portsmouth City Council did in the first few years of their Neutral Vendor contract.
POLICY FRAMEWORK IMPLICATIONS	
25.	Procurement of a new temporary agency staff contract will have no direct impact on the Council's Policy Framework. However, it will support delivery of the Council's priority outcome of Successful, Sustainable Business in the Council's Corporate Plan 2020-2025.
KEY DECISION?	Yes (Cabinet element)
WARDS/COMMUNITIES AFFECTED:	Not applicable
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	ESIA
Documents In Members' Rooms	
1.	None
Equality Impact Assessment	
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	Yes
Data Protection Impact Assessment	
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.	Yes
Other Background Documents	
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



Equality and Safety Impact Assessment

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

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

Name or Brief Description of Proposal	Temporary Staff Contract from 1 st April 2021
Brief Service Profile (including number of customers)	
There is a need to procure a new contract for the supply of temporary agency staff to start 1 st April 2021. The aim is for this contract to be for a duration of three years with an option for a one year extension. Spend on temporary staff has averaged around £9.5m per annum across the last three years.	
Summary of Impact and Issues	
The Temporary Staff Managed Service Provider will be responsible for ensuring that they and agencies they use comply with the Equality Act 2010 and any other law relating to discrimination (whether in age, race, gender, religion, disability, sexual orientation or otherwise) in recruitment and employment. The Customer Agreement will outline these expectations, including agency monitoring requirements. There is a general risk that agency staff and hiring managers are affected by unconscious and conscious bias in the recruitment process.	
Potential Positive Impacts	
The Southampton Social Value Procurement Framework is designed to help achieve the Council’s Social Value Outcomes and this contract should help with achieving some of these. For example, providers will be required to help create and sustain good quality employment in Southampton, reduce barriers to and ensure fairness in employment, and improve access to the labour	

market for young people in Southampton.

Responsible Service Manager	Jacqui Neil
Date	10 th November 2020
Approved by Senior Manager	Chris Bishop – Head of Organisational Development
Date	10 th November 2020

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	Potential that individuals could not be selected for Temporary Agency work due to unconscious bias linked to age, such as perceived lack of experience if a young person.	<p>Agencies ensure their Temporary Staff pools contain individuals of all ages.</p> <p>Use CVs that do not show age.</p> <p>Agency staff and hiring managers receive training on bias and how to avoid this influencing selection decisions. This will aid all impact areas.</p>
Disability	<p>Potential that individuals could not be selected for Temporary Agency work due to unconscious bias linked to disability, such as perceived limitations due to disability.</p> <p>Possibility for individuals to not perform as well in selection activities.</p>	<p>Agencies ensure that hiring managers only know of disabilities after selection process, unless reasonable adjustments are required as part of the process.</p> <p>Ensure that all written information produced or used is as accessible as possible to people with disabilities.</p> <p>Guaranteed interviews if meet essential criteria.</p>
Gender Reassignment	No specific impact	
Marriage and Civil	No specific impact	

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Partnership		
Pregnancy and Maternity	No specific impact	
Race	Potential that individuals could not be selected for Temporary Agency work due to unconscious bias linked to race, such as limited use of the English language and accent.	Ensure that all written information produced or used is as accessible as possible to people whose level of literacy in English is limited.
Religion or Belief	No specific impact	
Sex	Potential that individuals could not be selected for Temporary Agency work due to unconscious bias linked to sex, such as perceived general behaviours and skills of men and women.	Ensure all individuals receive the same questions and are scored in the same way, with shortlisting and panel members rating people separately initially.
Sexual Orientation	No specific impact	
Community Safety	No specific impact	
Poverty	No specific impact	
Health & Wellbeing	No specific impact	
Other Significant Impacts	None	

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Agenda Item 10

DECISION-MAKER:	COUNCIL		
SUBJECT:	IT Investment Plan		
DATE OF DECISION:	18 November 2020		
REPORT OF:	CABINET MEMBER, CUSTOMER & ORGANISATION		
<u>CONTACT DETAILS</u>			
Executive Director	Title	Executive Director Business Services / Deputy Chief Executive	
	Name:	Mike Harris	Tel: 023 8083 2882
	E-mail	Mike.Harris@southampton.gov.uk	
Author:	Title	Head of IT	
	Name:	Gavin Muncaster	Tel: 023 8083 3000
	E-mail	Gavin.muncaster@southampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
Not Applicable			

BRIEF SUMMARY

A five-year investment plan for IT and Digital services has been created to ensure that work started through the Desktop Refresh and Smart Ways of Working projects is completed and that there is a clear plan for ongoing investment in IT and Technology through to 2025.

The plan has been developed following the return of IT Services to an in-house provision and the establishment of a refocused internal IT Service. The Investment Plan will enable a continuation of service improvements and ensure that high-quality, effective IT services can be delivered in future years. It also enables front-line services to plan properly for the service improvements they need that depend on modern IT infrastructure and systems.

RECOMMENDATIONS:

(i)	To approve the identified IT Investment Plan for inclusion in future budgets. For the capital programme this means an extra £8.530m as follows: <ul style="list-style-type: none"> (a) the addition of £7.343M to the Customer and Organisation programme funded by Council Resources and approval to spend this sum in years 2021/22 to 2024/25 as detailed in paragraph 24 and (b) the addition of £1.187M to the HRA programme funded by Council Resources and approval to spend this sum in years 2021/22 to 2023/25 as detailed in paragraph 24.
(ii)	To support the IT Investment Plan approval is sought for a General Fund revenue budget allocation of £4.108M as indicated in paragraph 25 over the period 2021/22 to 2024/25 which will be built into the Council's Medium Term Financial Strategy.
(iii)	To agree the themes identified as the basis of an updated IT Strategy, with delivery supported by the identified investment plans

(iv)	Subject to contract review, approve the ongoing contract for support and maintenance of software to support the Revenues and Benefits service. The overall spend of the contract is expected to be in the region of £1.2m over 6 years (2 years initially with options to extend). Costs are covered in existing budgets.
(v)	To delegate authority to the Executive Director Business Services and Head of IT, following consultation with the Executive Director Finance and Commercialisation and the Cabinet Member for Customer and Organisation plus the Cabinet Member for Finance and Income Generation, to vary the programme subject to changing requirements and new technologies in future years, within the existing and agreed resource allocation.

REASONS FOR REPORT RECOMMENDATIONS

1.	There is an increasing reliance on technology to be able to deliver council services, and this has only increased with recent events. Effective IT and Digital Services are essential to maintaining service delivery, but also enable service improvement and resulting cost reductions. The proposed Investment Plan provides a longer-term vision of the funding required to support and develop services and allows for these requirements to be more clearly identified in medium-term financial plans.
2.	Recent investment in desktop IT equipment and Microsoft 365 services has proven invaluable throughout the COVID response. The Investment Plan will enable positive gains made over this period to continue to be embedded and ensure that IT and Digital services continue to improve and support different ways of working.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3.	Continue with no long-term investment plan: This was rejected as it will lead to increased risk of failure of IT systems and services, and will lead to continued and ad-hoc requirements for funding to resolve issues.
4.	Not approve on-going spend on key systems: This was rejected as core platforms are essential for services such as Housing, Council Tax, Revenues and Benefits to run. Without the ongoing support and maintenance charges services could not function. Budget is already in place for these systems.

DETAIL (Including consultation carried out)

5.	Until 2019 the IT service was provided externally. Capital investment plans were brought forward by the provider at the Council's request, but mostly on a project-by-project basis. The new proposed IT Strategy and Investment Plan provide a comprehensive long-term framework for the Council that offers a stable planning environment for the IT service and its customers.
6.	The investment plan originally developed in late 2019 identified future costs for hardware, infrastructure, resource and software investments required to deliver IT services over the next 5 years. This has been revised and updated following work with different service areas to ensure their requirements are reflected in the plan. Additional changes have been made following COVID-19 to ensure the Plan reflects potential changes to the way that services are delivered in the future. It also reflects the activities and purchases needed to support delivery of the IT Strategy.
7.	Whilst there has been welcome investment over the last two years in IT equipment through the Desktop Refresh and SWoW projects, and software investments with commitment to Microsoft 365, the Investment Plan comes forward against a backdrop of

	a number of years where the operating life of underlying hardware, such as networking and switches, was extended to the maximum. There is now a requirement to renew these assets and get them back to the right level of specification and support.
8.	The Investment Plan has been developed in conjunction with all services across the council and therefore represents the technology requirements to allow ongoing development of service area applications and digital solutions for the Housing, Council Tax, Social Care, Revenues and Benefits services, as well as addressing underlying IT infrastructure requirements.
9.	Consultation was undertaken, through the Executive Management Board and direct with application system owners, to establish a roadmap of developments on enhancements, and to identify areas that would benefit from new IT provision. Feedback from this process has been incorporated into the plan. Details are included in the appendix 'IT Investment Plan 2020-2025'.
10.	The Investment Plan enables a significant programme of work through to 2025. To give structure to this programme five themes have been established and will form an updated IT Strategy and deliver plan. The five themes are as follows:
11.	Theme 1: Strong Foundations – An IT infrastructure to support a modern, flexible and resilient organisation whilst maintaining the highest levels of security for systems and data.
12.	Theme 2: Right tools – Ensuring staff and Members have the right tools for the job through a combination of equipment, software and access.
13.	Theme 3: Skilled workforce – Providing the right knowledge, training and services to support a skilled workforce that can make the most of our technology investments.
14.	Theme 4: Future tech – Ensuring that as the strong foundations and right tools are embedded, Southampton City Council is a leader in the use of new technology including AI, Robotics, Internet of Things, and in supporting Smart Cities objectives
15.	Theme 5: Partnerships and commercialism – expanding existing and establishing new partnerships to explore opportunities for shared working and services, and identifying potential commercial opportunities that IT Services could offer.
16.	For each theme, high- level deliverables are defined and these will be used as the basis of detailed delivery plans as projects and funding becomes available.
17.	A number of critical items for capital investment were identified that would be required whilst the full Investment Plan was developed. This funding of £1.723m was approved for the current budget year. No further capital allocation is required in the current financial year.
18.	The Investment Plan focusses on areas where new funding is required, but it is noted that a number of key applications, which are already funded through existing revenue budgets, are also coming to the end of their current contract periods over the period of the proposed investment plan. There is a need to procure new contracts, or complete a procurement exercise to replace these systems.
19.	Certain applications are critical to the delivery of SCC services, including Housing, Council Tax, Revenues and Benefits and Social Care services. At the current time there is still a split of support for IT systems and services across a number of areas of the council. As part of the proposals all IT support will be centralised and become part of the corporate IT team.

20.	In each case an evaluation has taken place, or will take place, as to whether there is a need to go to market for an alternative or whether a new contract should be signed for support and maintenance on the current solution including consideration of the hosting platform at the time. There is no expectation that the services can be delivered without the appropriate software application and due to the value of the contracts approval is sought to commit to on-going revenue spend in these service areas.
21.	The key system that requires a new contract at this stage is Revenues and Benefits, which has a current budget of £250k per annum, with costs expected to reduce for a new contract. A new contract will be established for six years (initial term two years with option to extend).
22.	An important element of the Strategy is to maximise the value from core systems that have already been procured across the Council, such as Microsoft 365, and ensure they are adopted as corporate standards. It is likely to be possible to retire some customised systems in favour of tools that are available as part of the 365 suite. As part of this, a range of support and training tools is being provided, ensuring that (with the appropriate change management support) maximum value is derived from the use of updated and new technology.
23.	The Investment Plan represents a significant investment in IT and Digital services but one that will enable on-going significant improvements in service delivery. Adopting and exploiting new technologies such as robotics, automation and AI will ensure that Southampton remains at the forefront of technology and digital services.

RESOURCE IMPLICATIONS

Capital/Revenue

24.	IT Strategy: Capital Spend Summary						
		For info: 2020-21	2021- 22	2022- 23	2023- 24	2024- 25	Total
	Type	£000	£000	£000	£000	£000	£000
	Application upgrade / Enhancement	75	484	338	270	270	1,437
	Compliance Requirement	90	90	0	0	0	180
	Infrastructure Requirement	189	1,575	465	440	195	2,864
	Equipment Refresh or Replacement	1,369	2,235	882	666	620	5,772
	Funded by						
	General Fund		3,507	1,515	1,306	1,015	7,343
	HRA		877	170	70	70	1,187
	Total additional requirement						8,530
	Previously approved	1,723					1,723
	Grand Total for IT Strategy	1,723	4,384	1,685	1,376	1,085	10,253

Extra capital investment for the IT strategy for capital costs is £8.530M, per the table above. When added to £1.723M already approved and included in the current year, this will bring total capital investment to £10.253M in support of the IT strategy.

The additional investment proposed for the programme will be funded by council resources. The capital financing budget will be adjusted on the assumption that this would be incurred via borrowing, which will be factored into the Medium Term Financial Strategy. The council also has £4.3m held in a digital strategy reserve. However, due to Covid and associated costs, all use of reserves is under review, and may be subject to change.

Estimated capital financing costs for the extra £7.4M General Fund investment are approximately £8.00M, and for the extra £1.2M HRA investment is £1.27M, assuming the associated borrowing is taken over 5 years and at current interest rates (rates may differ when borrowing is incurred).

25.

IT Strategy: Revenue Budget Summary

Type	For Info		Additional Requirement				Total £000
	2020-21	2021-22	2022-23	2023-24	2024-25		
	£000	£000	£000	£000	£000		
Application upgrade / Enhancement	51	126	126	311	126	740	
Compliance Requirement	150	397	345	265	265	1,422	
Infrastructure Requirement	99	337	244	244	287	1,209	
Equipment Refresh or Replacement	35	206	183	243	243	910	
Support Services	40	40	40	40	40	200	
Total: Previously approved / in-year	375					375	
Total Extra General Fund budget needed		1,106	938	1,103	961	4,108	
Grand Total for IT Strategy	375	1,106	938	1,103	961	4,481	

26.

27.

In 2020-21 £0.375M of revenue investment for the IT Plan is already being delivered through in-year budgets. As indicated in the table, a further £4.108M is required in support of this plan from 2021/22 to 2024/25.

28.

Direct savings of £385k per annum have already been identified through reducing or removing contracts, and cost reductions enabled by flexible working. Significant capital cost avoidance enabled by the introduction of cloud services are realised with an expected additional requirement of £1.5-2m that would have otherwise been required.

29.	<p>The investment of £25k identified for production of a desk-booking system utilising in-house tools will avoid revenue costs of £190k over the period as it will remove the requirement to procure a solution.</p> <p>As each individual scheme or project identified in the investment plan is developed, detailed benefits, including savings, will be identified. The investments will enable a mixture of direct cost reductions, efficiencies and productivity gains as well as potential for increased income generation. Investment each year will be subject to a more detailed case setting out the benefits, including savings, before spending goes ahead. Cash savings are an expected benefit to arise from streamlining processes and increased efficiency from the investment but at this stage this cannot be accurately quantified.</p>
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Property/Other

30.	No direct property implications; however, investments identified will allow improvement to the connectivity and IT provision in all retained properties.
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LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

31.	Section 111 Local Government Act 1972 and Section 1 Localism Act 2011
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Other Legal Implications:

32.	Any purchasing that is required will be completed via the appropriate procurement route.
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RISK MANAGEMENT IMPLICATIONS

33.	Individual projects enabled by the investment plan would be subject to their own risk management processes as part of the appropriate project delivery or procurement approach.
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POLICY FRAMEWORK IMPLICATIONS

34.	The corporate business plan 2020-2025 identifies a Successful, Sustainable Business as a key theme, reflecting the need for sustainable and agile services.
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KEY DECISION?	No
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WARDS/COMMUNITIES AFFECTED:	
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SUPPORTING DOCUMENTATION

Appendices

1.	IT Investment Plan 2020-25 (Excel)
2.	ESIA

Documents In Members' Rooms

1.	None
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Equality Impact Assessment

Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.	Yes
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Data Protection Impact Assessment		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.		No
(Individual projects funded from the investment plan would be expected to have their own DPIA's completed if required)		
Other Background Documents		
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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IT Strategy Capital Spend Summary

Type	2020-21 £000	2021-22 £000	2022-23 £000	2023-24 £000	2024-25 £000	Total £000
Application upgrade / Enhancement	75	484	338	270	270	1,437
Compliance Requirement	90	90	0	0	0	180
Infrastructure Requirement	189	1,575	465	440	195	2,864
Equipment Refresh or Replacement	1,369	2,235	882	666	620	5,772
Support Services	0	0	0	0	0	0
Funded by						
General Fund		3,507	1,515	1,306	1,015	7,343
HRA		877	170	70	70	1,187
Total additional requirement						8,530
Previously approved	1,723					1,723
Grand Total for IT Strategy	1,723	4,384	1,685	1,376	1,085	10,253

2020-21 Funding previously agreed

IT Strategy Revenue impact Summary

Type	2020-21 £000	2021-22 £000	2022-23 £000	2023-24 £000	2024-25 £000	Total £000
Application upgrade / Enhancement	51	126	126	311	126	740
Compliance Requirement	150	397	345	265	265	1,422
Infrastructure Requirement	99	337	244	244	287	1,209
Equipment Refresh or Replacement	35	206	183	243	243	910
Support Services	40	40	40	40	40	200
Funded by						
Previously approved / in-year	375					375
General Fund		1,106	938	1,103	961	4,108
Total additional requirement						4,108
Grand Total	375	1,106	938	1,103	961	4,481

2020-2021 Additional spend to be managed in-year

Capital

Type	2020-21 £000	2021-22 £000	2022-23 £000	2023-24 £000	2024-25 £000	Total £000	Funding
Application upgrade / Enhancement							
Business World Phase 2	20	230	220	220	220	910	GF
SQL Reporting Services	0	0	0	0	0	0	GF
Telephony Integration	10	0	0	0	0	10	GF
Bartec City Services IT Plan	0	204	68	0	0	272	GF
IT Technical Project Management	45	50	50	50	50	245	GF
Subtotal	75	484	338	270	270	1,437	
Compliance Requirement							
Server Refresh 2008	50	0	0	0	0	50	GF
SQL Upgrade	40	0	0	0	0	40	GF
Server Refresh 2012	0	0	0	0	0	0	GF
VMWare Server Licensing	0	0	0	0	0	0	GF
Microsoft 365 additional users	0	0	0	0	0	0	GF
Information Strategy and Governance	0	90	0	0	0	0	
Subtotal	90	90	0	0	0	180	
Infrastructure Requirement							
Edge Network Support	0	0	0	0	0	0	GF
Citrix Access Gateway Support	0	0	0	0	0	0	GF
Wi-Fi Support (QUOLCOM)	0	0	0	0	0	0	GF
SCOM Maintenance Scheduler	0	0	0	0	0	0	GF
Insurance claims handling system	60	0	0	0	0	60	GF
Housing Improvement - Northgate Upgrade	0	500	0	0	0	500	HRA
IT Staff Visual Studio upgrade (10 staff)	6	0	0	0	0	6	GF
GIS Mapinfo Upgrade (25 x licence & support)	38	0	0	0	0	38	GF
Client Case Management - Phase 2	0	250	50	50	50	400	GF
Application Rationalisation	0	220	220	220	0	660	GF
Housing Improvement - Device Refresh	0	70	70	70	70	280	HRA
Better Care self-serve financial assessment tool	0	35	0	0	0	35	GF
Desk booking / office management system	25	0	0	0	0	25	GF
Network Control Access	40	120	0	0	0	160	GF
CCM PDS	0	105	0	0	0	105	GF
Rentsense Case Management	0	50	0	0	0	50	GF
Application upgrade implementation resource	20	75	75	75	75	320	GF
Core Switch Upgrade and Maintenance	0	150	50	25	0	225	GF
Subtotal	189	1,575	465	440	195	2,864	
Equipment Refresh or Replacement							
VMWare Server Upgrade	0	100	0	0	0	100	GF
Housing Improvement - Total Mobile (Phase 2)	50	300	100	0	0	450	HRA
Bandwidth upgrade	0	0	0	0	0	0	GF
Video/Hybrid Meeting tools	0	50	0	0	0	50	GF
Telephony Headsets	75	65	0	140	0	280	GF
Desktop Refresh	1025	1425	510	510	510	3,980	GF
Security Firewall Upgrade	20	0	0	0	0	20	GF
DR Access Gateway Replacement	0	25	0	0	0	25	GF
Firewall and Load Balancers	34	20	22	0	0	76	GF
UPS Replacement	25	0	0	0	0	25	GF
Virtual server / Core infrastructure upgrade	0	15	125	16	110	266	GF
Libraries public PC upgrade	0	102	0	0	0	102	GF
Wifi solution for Libraries	0	20	0	0	0	20	GF
Improved bandwidth to SCC libraries	0	0	0	0	0	0	GF
Domain Controller replacement	0	4	0	0	0	4	GF
Housing Server replacement	0	7	0	0	0	7	HRA
Appointeeship CM system	0	45	0	0	0	45	GF
Contact Centre Telephony	125	0	0	0	0	125	GF
WebSense Hardware replacement	0	12	0	0	0	12	GF
Print Integration	0	0	100	0	0	100	GF
Wi-Fi Replacement	15	45	25	0	0	85	GF
Subtotal	1,369	2,235	882	666	620	5,772	
Support Services							
Additional Desktop Resource	0	0	0	0	0	0	GF
Subtotal	0	0	0	0	0	0	
Total Capital Spend	1,723	4,384	1,685	1,376	1,085	10,253	

Revenue

Type	2020-21 £000	2021-22 £000	2022-23 £000	2023-24 £000	2024-25 £000	Total £000
Application upgrade / Enhancement						
Business World Phase 2	15	15	15	200	15	260
SQL Reporting Services	1	1	1	1	1	5
Telephony Integration	0	5	5	5	5	20
Bartec City Services IT Plan	15	15	15	15	15	75
IT Technical Project Management	20	90	90	90	90	380
Subtotal	51	126	126	311	126	740
Compliance Requirement						
Server Refresh 2008	0	0	0	0	0	0
SQL Upgrade	0	0	80	0	0	80
Server Refresh 2012	60	60	60	60	60	300
VMWare Server Licensing	0	132	0	0	0	132
Microsoft 365 additional users	90	180	180	180	180	810
Information Strategy and Governance	0	25	25	25	25	100
Subtotal	150	397	345	265	265	1,422
Infrastructure Requirement						
Edge Network Support	60	60	60	60	60	300
Citrix Access Gateway Support	11	11	11	11	11	55
Wi-Fi Support (QUOLCOM)	4	4	0	0	0	8
SCOM Maintenance Scheduler	4	4	4	4	4	20
Insurance claims handling system	0	0	0	0	0	0
Housing Improvement - Northgate Upgrade	0	0	0	0	0	0
IT Staff Visual Studio upgrade (10 staff)	0	0	0	0	0	0
GIS Mapinfo Upgrade (25 x licence & support)	0	8	8	8	8	30
Client Case Management - Phase 2	0	115	0	0	0	115
Application Rationalisation	0	0	0	0	0	0
Housing Improvement - Device Refresh	0	0	0	0	0	0
Better Care self-serve financial assessment tool	0	0	26	26	26	78
Desk booking / office management system	0	0	0	0	0	0
Network Control Access	0	0	0	0	43	43
CCM PDS	0	0	0	0	0	0
Rentsense Case Management	0	100	100	100	100	400
Application upgrade implementation resource	0	15	15	15	15	60
Core Switch Maintenance	20	20	20	20	20	100
Subtotal	99	337	244	244	287	1,209
Equipment Refresh or Replacement						
VMWare Server Upgrade	0	0	0	0	0	0
Housing Improvement - Total Mobile (Phase 2)	0	0	0	0	0	0
Bandwidth upgrade	35	130	130	130	130	555
Video/Hybrid Meeting tools	0	0	0	0	0	0
Telephony Headsets	0	0	0	0	0	0
Desktop Refresh	0	0	0	0	0	0
Security Firewall Upgrade	0	0	0	0	0	0
DR Access Gateway Replacement	0	0	0	0	0	0
Firewall and Load Balancers	0	0	0	0	0	0
UPS Replacement	0	0	0	0	0	0
Virtual Server upgrade	0	0	0	0	0	0
Libraries public PC upgrade	0	0	0	0	0	0
Wifi solution for Libraries	0	0	0	0	0	0
Improved bandwidth to SCC libraries	0	20	20	20	20	80
Domain Controller replacement	0	0	0	0	0	0
Housing Server replacement	0	0	0	0	0	0
Appointeeship CM system	0	0	23	23	23	69
Contact Centre Telephony	0	46	0	0	0	46
WebSense Hardware replacement	0	0	0	0	0	0
Print Integration	0	0	0	60	60	120
Wi-Fi Replacement	0	10	10	10	10	40
Subtotal	35	206	183	243	243	910
Additional Desktop Resource	40	40	40	40	40	200
Subtotal	40	40	40	40	40	200
Total Revenue Spend	375	1,106	938	1,103	961	4,481

Notes

On-going development of application and capacity to support effectively in the cloud environment
 Licensing for access to additional features within application
 New support contract relating to integration of telephone into MS Teams
 Next stages of improvements to BARTEC solutions, integration and better processes. Part funded through City services
 Significant number of projects that need capacity for PM to deliver effectively

SQL 2008 is end of life and requires upgrade/replacement
 A number of applications require jump ro SQL 2019 to remain supported
 Additional license costs to ensure that all Windows servers are in the appropriate level.
 Updated version of VMWare due in 21-22 and upgraded licensing will be required
 Current gap in users on payroll versus those with access to SCC IT Logins. Will ensure equitable access

Needs renewing, no funding currently
 Needs renewing, no funding currently
 Needs renewing, no funding currently
 Needs renewing, no funding currently
 Current system (iCad LACHS) needs replacement and updating.
 Housing application version is out of support. Requires upgrade and then new features used to change business delivery.
 Key tool for IT Application development and requires upgrading.
 Requires updating as current version not supported on Win10
 Ensures capacity for on-going work on CCM once live so system does not stagnate.
 To allow development work or capacity to ensure that applications are consolidated and costs released where functionality overlaps
 Ensures that housing Trades staff can have access to appropriate equipment and rolling replacement funded as non-standard equipment.
 Will allow ASC financial assessments to be completed in a more timely manner.
 To support management off office environment post COVID and in flexible manner
 Upgrading remote access solutions, and the expected revenue costs in latter years
 Integration of Health systems with social care platform
 Current application is unfunded in service and replacement needs to be sought
 Support to enable upgrading of application services to ensure compliance and compatibility with O365
 Core network switches become end of life and need replacing end of life network equipment

On-going improvements to ensure that work progressed through current project continues
 Improved connectivity across sites and externally
 Updated equipment, tools and training supporting members. Inc. new laptops and headsets/speakers. Also equipment for meeting rooms.
 Replacement of avaya handsets and software requires headsets. Also links with better virtual meetings. Will avoid replenishing £240k of handsets
 Completion of replacement of out of date desktop equipment, and establishment of on-going replacement in the future to ensure we remain up to date
 Required to keep firewalls maintained and secure
 Replacement of disaster recovery gateway for Dockgate 202
 Required to expand capacity for web and remote access
 Secondary power supply replacement in key datacentre areas
 Ensuring the virtual server environment (supports 90% of on premise applications) remains up to date and supported
 Public facing PC's for customers - greater use of digital tools for public
 Supporting greater access for public and staff
 Increased bandwidth enabled where possible in yrs 2-5
 Replace out of date / end of life domain controller
 Replace end of life housing server
 Implement a solution for managing appointeeship clients - currently managed via spreadsheet/access database
 Replace the Avaya contact centre telephony platform
 Web filtering server / hardware to be replaced
 Integration of print services and new associated hardware and software
 Expanded programme to ensure covers all buildings not just Civic and OGS

Capacity for service desk team to support new services



Equality and Safety Impact Assessment

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

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

Name or Brief Description of Proposal	IT Investment Plan 2020-2025
Brief Service Profile (including number of customers)	
The IT Investment plan sets out identified IT and Technology investments required through to 2025. It covers a range of projects and initiatives that will support the organisation to deliver services identified in the Corporate Plan.	
Summary of Impact and Issues	
There are no impacts or issues identified in the proposal, however the investment opens the possibility for greater access to, and accessibility of services offered by Southampton City Council.	
Potential Positive Impacts	
<p>The programme of work enabled by the IT investment gives a range of positive impacts.</p> <p>These include improved physical access to digital services through enhancement of access in community locations such as libraries for any users who may not have access themselves.</p> <p>New technology investments will allow further improvements on the accessibility of digital services and more channels of access to be developed, all of which will help ensure the widest possible access services is possible and helping to reduce the risks of digital exclusion.</p>	

Responsible Service Manager	Gavin Muncaster
Date	06/11/2020
Approved by Senior Manager	
Date	

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	No issues identified but potential improvements through enablement of improved accessibility options for services.	
Disability	No issues identified but potential improvements through enablement of improved accessibility options for services.	
Gender Reassignment	No issues identified	
Marriage and Civil Partnership	No issues identified	
Pregnancy and Maternity	No issues identified	
Race	No issues identified	
Religion or Belief	No issues identified	
Sex	No issues identified	
Sexual Orientation	No issues identified	
Community Safety	No issues identified but potential improvements through enablement of improved access to services.	
Poverty	No issues identified but potential improvements through enablement of improved access to services.	
Health & Wellbeing	No issues identified but potential improvements through enablement of improved access to services.	
Other Significant		

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Impacts		

DRAFT

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000DECISION-MAKER:	COUNCIL
SUBJECT:	STATEMENT OF LICENSING POLICY (INCLUDING REVIEW OF THE LATE NIGHT LEVY)
DATE OF DECISION:	18 NOVEMBER 2020
REPORT OF:	CABINET MEMBER FOR STRONGER COMMUNITIES

CONTACT DETAILS

Executive Director	Title	Executive Director, Communities, Culture & Homes	
	Name:	Mary D’Arcy	Tel: 023 8083 4611
	E-mail:	Mary.D’Arcy@southampton.gov.uk	
Author:	Title	Licensing Manager	
	Name:	Phil Bates	Tel: 023 8083 3523
	E-mail:	Phil.bates@southampton.gov.uk	

STATEMENT OF CONFIDENTIALITY

N/A

BRIEF SUMMARY

As a Licensing Authority, Southampton City Council has a duty to produce a Statement of Licensing Policy in line with the Licensing Act 2003 legislation. The Statement of Licensing Policy is fully reviewed every five years and must be adopted before January 2021 by Full Council. Before adopting the policy, the council has a duty to consult on any proposed changes to the policy.

This paper outlines the review of the policy which has been undertaken by officers of the council, working with colleagues in Hampshire Constabulary, and the proposed changes to the policy following consultation.

In addition, section 133 of the Police Reform and Social Responsibility Act 2011 allows the authority to determine to cease or alter the Late Night Levy after following a consultation process. This report details the consultation responses relating to the Late Night Levy in Southampton.

RECOMMENDATIONS:

	(i)	To approve and adopt the Southampton Statement of Licencing Policy 2021 - 2026
	(ii)	Subject to approval of recommendation (i) to approve the cessation of the Late Night Levy

REASONS FOR REPORT RECOMMENDATIONS

1.	The Licensing Act 2003 requires the council to publish a Statement of Licensing Policy and review it every 5 years. The current policy expires in January 2021. The policy is an outline of the approach that the council must adopt in consideration of any application under the Licensing Act 2003 and associated legislation.
2.	The Late Night Levy has been reviewed alongside the review of the policy, due to a number of changes to the night time economy landscape in Southampton and nationally since the introduction of the Levy in 2015.

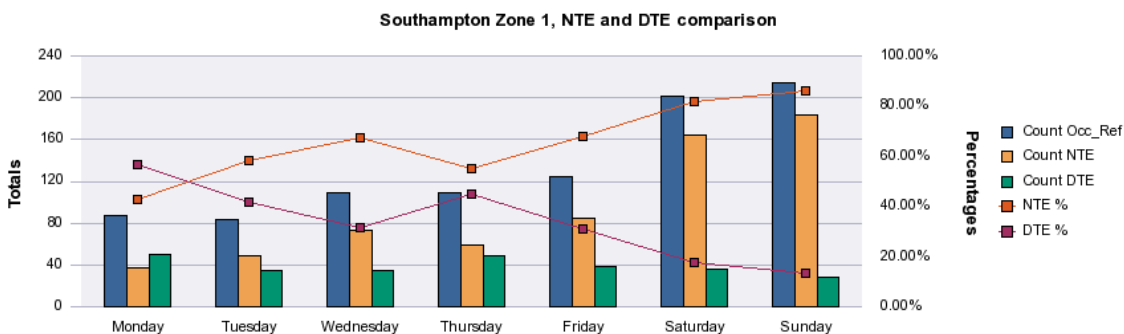
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
3.	Not to review and publish a Statement of Licensing Policy. This option has been rejected because it is a legislative requirement for the council to publish a Statement of Licensing Policy.
DETAIL (Including consultation carried out)	
	Background
4.	The Licensing Act 2003 (the Act) requires licensing authorities to publish a "Statement of Licensing Policy" every five years, which sets out how they intend to exercise their functions. The policy sets out a general approach to making licensing decisions. Each application will be considered on its own individual merits and the discretion of the Licensing Authority in relation to applications is only used if relevant representations are made.
5.	The policy relates to all those licensing activities identified as falling within the provisions of the Act (Part 1 Section 1) namely: <ul style="list-style-type: none"> • Retail sale of alcohol; • Supply of alcohol to club members; • The supply of hot food and/or drink from any premises between 11 p.m. and 5 a.m.; • Provision of "Regulated Entertainment" – to the public, to club members or with a view to profit. "Regulated Entertainment" is defined as: <ul style="list-style-type: none"> ○ A performance of a play; ○ An exhibition of a film; ○ An indoor sporting event; ○ Boxing or wrestling entertainment; ○ A performance of live music; ○ Any playing of recorded music; ○ A performance of dance; ○ Provision of facilities for making music; ○ Provision of facilities for dancing.
6.	In promoting the licensing objectives, the Licensing Authority has a number of key aims and purposes which should be the principal aims for everyone involved in licensing work and are therefore integral to the policy. They include: <ol style="list-style-type: none"> 1. Protecting the public and residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises; 2. Giving the police, licensing officers and responsible authorities the powers they need to effectively manage and police licensed premises and take action against those premises that cause problems; 3. Recognising the important role which licensed premises play in our local communities and economy by minimizing the regulatory burden on business, encouraging innovation and supporting responsible premises; 4. Providing a regulatory framework for the sale of alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and 5. Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.

	Statement of Licensing Policy								
7.	The current Southampton City Council Statement of Licensing Policy was adopted by Full Council in November 2015 and is due to expire in January 2021. Before adopting a new policy, the council has a duty to consult on any proposed changes to the policy. Consultation on the draft updated policy went live on 20 th July 2020 and closed on 11 th October 2020.								
8.	Overall, there were 40 separate written responses to the consultation. Of those who responded, 36 responded via the online questionnaire and 4 were received through emails and letters. Responses were received from a range of stakeholders with different interests in the consultation. Views were received from: <ul style="list-style-type: none"> • Business owners and operators • The Business Improvement District (BID) • Overview and Scrutiny Management Committee (OSMC) • Southampton City Council Environmental Health and Public Health teams; and • Residents 								
9.	The questionnaire provided respondents with the opportunity to provide free text comment on specific elements of the policy (the Cumulative Impact Policies and the Late Night Levy) as well as comment generally on the Statement of Licensing Policy. Overall, 29 of 31 respondents felt that the policy was easy to understand and 20 of 31 felt that it provides sufficient information. A total of 11 respondents provided comments about additional content for the policy, disagreements, or suggestions for change.								
10.	In addition, representations on the policy were received from the Director of Public Health. These were predominantly in respect of strengthening the licensing policy to promote safety and reduce harm, particularly around alcohol use, to support the aims of the Safe City and Alcohol Strategies.								
11.	After careful review of the Statement of Licensing Policy, officers found that the previous policy remained largely accurate and fit for purpose. Although there have been some changes to the landscape of the city, the majority of the policy adopted in 2016, remains relevant to the needs of the city.								
12.	Therefore, the proposed amendments to the existing policy are predominately minor technical amendments and clarifications on process and legislation. <table border="1" data-bbox="316 1563 1465 1881"> <thead> <tr> <th>Section</th> <th>2021/ 2026</th> </tr> </thead> <tbody> <tr> <td>1. Vision Statement</td> <td>No changes.</td> </tr> <tr> <td>2. Introduction</td> <td>Updated to reflect latest consultees</td> </tr> <tr> <td>3. City Profile</td> <td> <ul style="list-style-type: none"> • Updated to reflect latest data. • Updated to include more information on the impacts of alcohol on Southampton. • Link to the Southampton Data Observatory added. </td> </tr> </tbody> </table>	Section	2021/ 2026	1. Vision Statement	No changes.	2. Introduction	Updated to reflect latest consultees	3. City Profile	<ul style="list-style-type: none"> • Updated to reflect latest data. • Updated to include more information on the impacts of alcohol on Southampton. • Link to the Southampton Data Observatory added.
Section	2021/ 2026								
1. Vision Statement	No changes.								
2. Introduction	Updated to reflect latest consultees								
3. City Profile	<ul style="list-style-type: none"> • Updated to reflect latest data. • Updated to include more information on the impacts of alcohol on Southampton. • Link to the Southampton Data Observatory added. 								

	4. Licensing Process	<ul style="list-style-type: none"> • Inclusion of a paragraph detailing that individuals applying for a licence for the sale of alcohol must be entitled to work in the UK. • Updated clarification of conditions. • Inclusion on bullet point conditions for determining licensing applications. • Decision making process updated to add clarity on Hearings and how the council would manage representations outside of the court.
	5. Southampton Policies Affecting Licensing	<ul style="list-style-type: none"> • Updated information on PSPOs reflecting policy already agreed by the council. • Proposed removal of the Late Night Levy. • Inclusion of a section called 'Promotion of Alcohol' where the licensing authority in partnership with other responsible authorities will monitor alcohol promotions.
	6. Management of Premises	<ul style="list-style-type: none"> • Inclusion of an additional section called 'council expectations' following feedback from Public Health to promote licensing objectives and to provide information about how the council expects licenced premises to act.
	7. Cumulative Impact Policy	<ul style="list-style-type: none"> • The 'stress areas' have been identified in consultation with Hampshire Constabulary. These are the 'Bedford Place Stress Area', the 'Above Bar Street Stress Area", and the 'Bevois Valley Stress Area'. Inclusion of link to the licensing website so where residents can learn more of what premises are licenced in Southampton.
	8. Children	No changes.
	9. Enforcement	No changes.
	10. Appendix C	Added links to supplementary guidance.
Cumulative Impact Assessment Policies		
13.	Some areas in the city may have such numbers of licensed premises/activities that it becomes a focal point for large groups of people to congregate and eventually leave. This can create exceptional problems of crime, disorder, noise and other nuisance. In these areas the council imposes stricter controls to reflect the cumulative impacts which the area may experience because of a licensing decision. These controls are detailed in the Cumulative Impact Policies (CIPs).	
14.	The Licensing Authority wishes to support businesses to create a vibrant social economy and need to balance this with its other responsibilities to support the licensing objectives. Each case is determined on its own merits and any application able to demonstrate it will not adversely impact the licensing objectives should have its application granted.	
15.	The Cumulative Impact Policies deal with the following matters: <ul style="list-style-type: none"> • Identified stress areas • The basic operation of the policy • How hearings will deal with applications within stress areas • How evidence of Cumulative Impact is dealt with outside of a stress area 	

	<ul style="list-style-type: none"> How hearings will apply the CIP to applications from within or out of a stress area. 																																			
16.	The areas in which these policies apply have been reviewed in consultation with Hampshire Constabulary, the proposal is that these should remain, as in the 2016 policy, the three areas designated being the “Bedford Place Stress Area”, the “Above Bar Street Stress Area” and the “Bevois Valley Stress Area”.																																			
17.	During the consultation, respondents were asked their opinion on the proposed ‘stress areas’ in Southampton and if they appropriately cover the areas of the city where a higher number of people congregate around licenced premises. Of the 36 respondents who replied to this section, 25 people agreed or strongly agreed that this was the case, 9 neither agreed or disagreed and 2 disagreed or strongly disagreed.																																			
18.	The majority of respondents had positive comments on the cumulative impact policies/ stress areas and agreed with the proposed areas. Of the 15 comments received on CIPs 6 respondents provided suggestions on the operation of CIP and 5 had comments regarding stress areas. These comments included suggestions to add additional CIP areas in Oxford Street and Portswood, and to extend further duties onto licence holders in the CIP areas.																																			
19.	The successful and vibrant night time economy in Southampton attracts tourists, local residents and students to the various licensed venues. Whilst these venues are spread across the city centre and district centres, as well as being interspersed in residential areas, there are clear clusters of venues in the three identified areas. These clusters of venues have impacts both on crime and policing, as well as on the residents and business operating in these areas, in relation to noise and street cleanliness.																																			
20.	<p>In operational policing terms, Southampton is divided into four areas (Central, East, North and West). The night time economy is predominately situated in Southampton Central. A greater percentage of crime types which can be linked to alcohol and the night time economy takes place in the central area:</p> <table border="1"> <thead> <tr> <th></th> <th>Central</th> <th>East</th> <th>North</th> <th>West</th> </tr> </thead> <tbody> <tr> <td>Violence with injury</td> <td>35%</td> <td>20%</td> <td>18%</td> <td>27%</td> </tr> <tr> <td>Violence without injury</td> <td>29%</td> <td>21%</td> <td>19%</td> <td>31%</td> </tr> <tr> <td>Rape</td> <td>36%</td> <td>16%</td> <td>20%</td> <td>28%</td> </tr> <tr> <td>Sexual assault</td> <td>35%</td> <td>18%</td> <td>21%</td> <td>26%</td> </tr> <tr> <td>Drug possession</td> <td>38%</td> <td>17%</td> <td>16%</td> <td>29%</td> </tr> <tr> <td>Public Order</td> <td>34%</td> <td>18%</td> <td>18%</td> <td>30%</td> </tr> </tbody> </table> <p>(2018 data. Sergeant Julian Ainsworth: Licensing and Harm Reduction)</p>		Central	East	North	West	Violence with injury	35%	20%	18%	27%	Violence without injury	29%	21%	19%	31%	Rape	36%	16%	20%	28%	Sexual assault	35%	18%	21%	26%	Drug possession	38%	17%	16%	29%	Public Order	34%	18%	18%	30%
	Central	East	North	West																																
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21. The peak days for policing demand are Friday, Saturday and Sunday, with night time economy incidents accounting for the majority of all incidents reported, as demonstrated in the graph below representing crime in the Bedford Place area:



(2018 data. Sergeant Julian Ainsworth: Licensing and Harm Reduction)

22. Hampshire Constabulary experiences peaks in crime, including violence and public order, in the early hours of the morning over the weekend period, linked to the licensed venues operating in the city centre beyond midnight and also linked to the night time economy zones. Current CIP stress zones (shown in red) have the highest level of flags added to crimes linking them to the night time economy:

	2016	2017	2018
London Road/Bedford Place	556	631	657
Above Bar/Vincent's Walk	562	623	624
High St / Oxford St / Town Quay	491	599	579
Bevois Valley / St Marys	595	650	580
West Quay Road and Leisure World	320	371	333

(Sergeant Julian Ainsworth: Licensing and Harm Reduction)

23. The night time economy continues to draw Police resources into the city centre to deal with violence and public order incidents. Following careful review of the available data, evidence confirms that London Road and Bedford Place, Above Bar and Vincent's Walk, and Bevois Valley and St Mary's, continue to be the area of high demand. The recommendation is therefore to continue the CIP policies in the three stress areas in the existing Licensing Policy, as proposed. It is noted that concerns have been raised regarding anti-social behaviour and the impacts of the night time economy in other areas in Southampton and police and licensing teams will continue to monitor these areas. CIPs can be reviewed as and when required, following consultation.

Late Night Levy

24. The council introduced the Late Night Levy in April 2015. The Late Night Levy is an annual charge paid by licensed premises selling alcohol between 00:01 and

	06:00 hours as a contribution towards the cost of late-night policing, addressing anti-social behaviour and street cleansing.												
25.	The night time economy has changed dramatically over the last few years with visitors seeking alternative experiences to conventional licensed bars and restaurants. This has resulted in venues facing increasing financial challenges. COVID-19 continues to place significant pressures on the hospitality industry, with a cumulative impact of a significant period of closure, ongoing social distancing measures limiting customer numbers, and continued changing consumer behaviours post-lockdown.												
26.	In 2017 Southampton introduced a Business Improvement District (BID). Similar to the Late Night Levy, the BID is funded through a separate levy which is collected from businesses within a defined area, in return the BID delivers additional services and makes improvements to the city centre. The changes to the night time economy and introduction of the BID since the introduction of the Late Night Levy in 2016 are two specific factors which have prompted a review of the Levy as part of this overall policy review.												
27.	<p>The average annual income from the Levy is £120,000. The funds raised through the Levy are used to support services and projects in consultation with the licensed trade, to provide support services for the different agencies operating in the night time economy after midnight. The net amount collected in 2018/19 plus the carry forward from the previous year totalled £129,331 which has been spent as follows in 2019/20:</p> <table border="1"> <tr> <td>Street Pastors</td> <td>£25,000</td> </tr> <tr> <td>Street Cleaning</td> <td>£25,000</td> </tr> <tr> <td>CCTV</td> <td>£25,000</td> </tr> <tr> <td>Community Warden Patrols</td> <td>£5,150</td> </tr> <tr> <td>Taxi Marshals</td> <td>£11,000</td> </tr> <tr> <td colspan="2" style="text-align: right;">Total: £91,150</td> </tr> </table> <p>This left £38,181 to carry forward this year.</p>	Street Pastors	£25,000	Street Cleaning	£25,000	CCTV	£25,000	Community Warden Patrols	£5,150	Taxi Marshals	£11,000	Total: £91,150	
Street Pastors	£25,000												
Street Cleaning	£25,000												
CCTV	£25,000												
Community Warden Patrols	£5,150												
Taxi Marshals	£11,000												
Total: £91,150													
28.	The Levy collected £119,234 in the year 2019/20. The expenses were £2,459 leaving a net amount of £116,775 plus the £38,181 carry forward making a total of £154,956.												
29.	<p>The Levy board have agreed to spend as follows:</p> <table border="1"> <tr> <td>Street Pastors</td> <td>£10,000 (with another £15,000 held to assess the impact of Covid on their service)</td> </tr> <tr> <td>Street Cleaning</td> <td>£25,000</td> </tr> <tr> <td>CCTV</td> <td>£25,000</td> </tr> <tr> <td>Taxi Marshals</td> <td>Up to £15,000</td> </tr> </table> <p>Taxi marshals will be deployed as and when necessary after consultation with the trade, Street Pastors, police, community safety and licensing. If the full allocation is not required in this year, this will be added to the carry forward for next year.</p>	Street Pastors	£10,000 (with another £15,000 held to assess the impact of Covid on their service)	Street Cleaning	£25,000	CCTV	£25,000	Taxi Marshals	Up to £15,000				
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CCTV	£25,000												
Taxi Marshals	Up to £15,000												
30.	Approval has also been given to grant Go! Southampton £32,730 from levy funds for the purchase of 60 handheld radios for premises and services operating in the night time economy. This is vital equipment to keep premises in												

	contact with each other, CCTV and support services such as the police and Street Pastors. This leaves £31,226 still to be allocated. There is no time limit on the allocation of these funds, so these can be retained to assist with services in following years.																																			
31.	<p>The consultation asked for views on the Late Night Levy and presented stakeholders with 4 options to choose from:</p> <ul style="list-style-type: none"> a. Cease the Late Night Levy b. Exempt premises paying into the BID from the Levy c. Keep the Late Night Levy d. Other 																																			
32.	<p>Results to this section were based on 36 respondents. In total, 15 respondents preferred option was to keep the Levy, 13 respondents indicated premises paying into the Levy and the BID should be exempt, 7 thought the Levy should cease and 1 selected 'other'. The below graph shows the break down by interest in the consultation:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th></th> <th>Cease the late Night Levy</th> <th>Exempt premises paying into the BID from the Levy</th> <th>Keep the Late Night Levy in place</th> <th>Other</th> </tr> </thead> <tbody> <tr> <td>As an employee or self-employee of a business that currently pays into both the Late Night Levy and the BID contribution.</td> <td style="text-align: center;">6</td> <td style="text-align: center;">6</td> <td style="text-align: center;">2</td> <td></td> </tr> <tr> <td>As an employee or self-employee of a business that currently pays the Late Night Levy</td> <td></td> <td></td> <td style="text-align: center;">1</td> <td></td> </tr> <tr> <td>As an employee or self-employee of a business that currently pays the BID contribution.</td> <td></td> <td style="text-align: center;">1</td> <td style="text-align: center;">1</td> <td></td> </tr> <tr> <td>As an employee or self-employee of another business or organisation</td> <td></td> <td style="text-align: center;">3</td> <td style="text-align: center;">4</td> <td style="text-align: center;">1</td> </tr> <tr> <td>As a resident of Southampton</td> <td></td> <td></td> <td style="text-align: center;">3</td> <td></td> </tr> <tr> <td>As a member of a community group or organisation</td> <td></td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> <td></td> </tr> </tbody> </table> <p style="text-align: center;"><i>Please be aware of very small sample sizes</i></p>		Cease the late Night Levy	Exempt premises paying into the BID from the Levy	Keep the Late Night Levy in place	Other	As an employee or self-employee of a business that currently pays into both the Late Night Levy and the BID contribution.	6	6	2		As an employee or self-employee of a business that currently pays the Late Night Levy			1		As an employee or self-employee of a business that currently pays the BID contribution.		1	1		As an employee or self-employee of another business or organisation		3	4	1	As a resident of Southampton			3		As a member of a community group or organisation		2	3	
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33.	A total of 21 respondents commented on the Late Night Levy in their response and several themes emerged based on peoples comments. Of the 21 comments about the Late Night Levy, 9 people thought that temporarily ceasing the Levy due to COVID-19 was the best action, 8 were in favour of exempting business paying both the Levy and the BID, 7 felt the Levy should be kept to pay for important services, 6 were in favour of ceasing the Levy and 6 had other suggestions.																																			
34.	Some respondents felt that in these times it is unfair to put more cost on small businesses and they need more help and not further hindrance. Some businesses noted that they do not feel that they benefit from the Levy and some respondents, including the BID, were in favour of exempting businesses from paying both the Levy and the BID. Other respondents felt that it is important to																																			

	retain the Levy to ensure that revenue is raised to manage the impacts of the night time economy.
35.	OSMC considered the proposals on 10 September 2020, focusing on the Late Night Levy. OSMC wrote to the Cabinet Member for Stronger Communities on 15 September 2020 advising that they supported the options to cease the Levy in order to support local businesses. This was identified by OSMC as being the best option to support businesses who have been hit hard by COVID-19.
36.	Some respondents acknowledged that whilst the Levy is putting small businesses under significant pressure, services provided by the money are important in contributing to the safety of Southampton residents and proportionate to burdens on public sector cause by late night economy. Whilst some respondents, mainly non-businesses, raised concerns regarding the potential impact on communities, in the main, those services impacted have indicated they could continue if the Levy stopped, and as indicated above, there will be money left over from previous years to continue to fund community safety related interventions, although this will be limited.
37.	The Licensing Committee considered the proposals on 4 November 2020 noting the proposed amendments to the policy and the responses with regards to the options for the Late Night Levy. Following the committees discussions at the meeting, their recommendation to Full Council is that they approve the proposed policy amendments and cease the Late Night Levy until such a time it required to deal with any increase in anti-social behaviour as a result of the night time economy.
38.	<p>The main points the council should consider have been summarised below:</p> <ul style="list-style-type: none"> • Supporting local business by reducing financial pressure, particularly at a time of economic challenge following COVID-19 may help, to a certain extent, reduce the risk of business closures. • There are a number of premises paying the Levy who do not see any direct benefits of services the Levy contributes. This is seen as disproportionate and an area of concern raised by business owners. • Whilst some respondents have raised concerns regarding the impact of the cessation on communities the council feel this is limited. Most of the services funded through the levy will be able to continue in some form and many have already significantly changed as a result of the changing night time landscape (e.g the reduction in taxi marshal presence in the city). Funds carried forward from Levy underspends will be used to continue to support some services, although these are time limited. • The BID has suggested that, were the Levy to cease, they would be willing to discuss whether a contribution could be made to key services such as CCTV to ensure coverage and community safety is maintained. • The BID already funded some of the services the Levy contributes too, such as street cleaning, meaning there is actually a duplication of service at the moment. • The licenced trade has already actively challenged both levies and questioned the return on investment. It is possible that premises could decide to opt out of the BID levy as this is subject to five yearly

	<p>renewal ballots whereas the Levy is unilaterally applied (this could see a loss of £5m of investment to the city centre).</p> <ul style="list-style-type: none"> • If the Late Night Levy were to cease there is currently a fund of £31,226 still to be allocated, including the revenue from the Levy this year. This money can roll over financial years and must be spent on community safety interventions. • The council is legally obliged to continue to charge the Late Night Levy and must suspend premises licences if they fail to pay. This could be considered unfair and disproportionate to premise which, due to the current 10pm curfew, cannot open their premise late at night. • The services provided by the Late Night Levy are targeted to the areas of most need which are within the BID area, so to exempt BID payers from the Late Night Levy will result in businesses outside of the BID paying for services predominantly provided in the BID area. Again this appears to be disproportionate and unfair.
39.	<p>On balance the recommended approach is to cease the Late Night Levy at this time, as the key reasons highlighted for continuing with it are the concerns associated with community impact. These concerns can be addressed as in the main the services provided by the Late Night Levy funds will either continue to be funded in the short term from Levy underspends, will be picked up by alternative funding, or will continue to be provided. However it is important to acknowledge that this recommendation is made at a time of particular challenges to the hospitality trade. The council can and will keep the situation under review, and if the situation changes in the future, can seek to re-introduce the Levy, following a further consultation.</p>
40.	<p>Whilst the Levy has been beneficial in supporting measures to reduce anti-social behaviour and support community safety, the council recognises the impact COVID-19 has had on businesses and that it is contradictory to impose such a Levy at a time where there is no night time economy. The loss of the Levy will result in some services no longer being funded or funding being limited to what is available after the final year of the Levy is collected. The council, with the BID, aims to continually work with businesses to ensure that the needs of business and the safety of our residents are a priority. If this means consideration to re-introduce the Levy in the future, the council will take this step after undertaking the necessary consultation.</p>
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
41.	<p>There are no direct financial implications of the proposals in this paper, which focus on informing a response to the consultation on the Statement of Licensing Policy.</p>
42.	<p>The outcome of the consultation will inform proposals relating to the future of the Late Night Levy which has a financial implication. The Levy generates income of around £120,000 per annum, which could cease if the option to cease the Late Night Levy is identified as the preferred option.</p>
43.	<p>If the Late Night Levy were to cease there is currently a fund of £31,226 still to be allocated. Go! Southampton have indicated they may look at supporting funding of CCTV if the levy stops. Street cleaning will continue based on the need. The Street Pastors will continue but will look for alternative funding to make up any short fall. The demand for tax services has been reducing in recent years, other</p>

	areas, such as Portsmouth have a scheme where local premises manage the taxi ranks in the area.
<u>Property/Other</u>	
44.	None
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
45.	<p>The policy relates to all those licensing activities identified as falling within the provisions of the Act (Part 1 Section 1) namely:</p> <ul style="list-style-type: none"> • Retail sale of alcohol; • Supply of alcohol to club members; • The supply of hot food and/or drink from any premises between 11 pm and 5 am; • Provision of "Regulated Entertainment" – to the public, to club members or with a view to profit. "Regulated Entertainment" is defined as: <ul style="list-style-type: none"> ○ A performance of a play; ○ An exhibition of a film; ○ An indoor sporting event; ○ Boxing or wrestling entertainment; ○ A performance of live music; ○ Any playing of recorded music; ○ A performance of dance; ○ Provision of facilities for making music; and ○ Provision of facilities for dancing. <p>The Legislative Reform (Entertainment Licensing) Order 2014 and the Deregulation Act 2015 provide significant exemptions to some of the activities.</p>
46.	Sections 5 and 5A Licensing Act 2003 (Policy statement including CIP)
47.	Police Reform and Social Responsibility Act 2011 (Late Night Levy)
<u>Other Legal Implications:</u>	
48.	None
RISK MANAGEMENT IMPLICATIONS	
49.	None
POLICY FRAMEWORK IMPLICATIONS	
50.	None
KEY DECISION?	Yes
WARDS/COMMUNITIES AFFECTED:	All wards
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	Statement of Licensing Policy
2.	ESIA

Documents In Members' Rooms

1.	None	
Equality Impact Assessment		
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.		Yes
Data Protection Impact Assessment		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.		No
Other Background Documents		
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	

Southampton City Council Statement of Licensing Policy 2021 - 2026



Southampton City Council

Statement of Licensing Policy

2021 - 2026

Contents

1. Background	4
VISION STATEMENT	4
INTRODUCTION	4
CONSULTATION	5
2. City Profile	6
THE IMPACTS OF ALCOHOL ON SOUTHAMPTON.....	7
3. Licensing Process.....	8
OPERATING SCHEDULES	10
GUIDANCE DOCUMENTS	10
REPRESENTATIONS	10
DECISION MAKING PROCESS.....	10
APPLICATIONS FOR LARGE EVENTS.....	12
4. Southampton Policies Affecting Licensing.....	12
PUBLIC SPACES PROTECTION ORDERS (PSPOs).....	12
SHOPS SELLING ALCOHOL (OFF LICENCES).....	12
PROMOTION OF ALCOHOL	13
TEMPORARY EVENT NOTICES (TENS)	14
5. Management of Premises	14
COUNCIL EXPECTATIONS.....	14
DESIGNATED PREMISES SUPERVISOR	15
DOOR SUPERVISORS.....	15
DISPERSAL POLICIES.....	15
RISK ASSESSMENT	16
PROMOTERS.....	16
TAKEAWAY PREMISES AND PREMISES PROVIDING LATE NIGHT REFRESHMENT	16
EXTERNAL AREAS	17
6. Cumulative Impact Policy.....	17
STRESS AREAS.....	18
POLICY CIP 1 - Stress areas.....	18
POLICY CIP 2 - The basic operation of the policy.....	18
POLICY CIP 3 - How hearings will deal with applications within stress areas	20

POLICY CIP 4 - How evidence of Cumulative Impact is dealt with outside of a stress area 21

POLICY CIP 5 - How hearings will apply the CIP to applications from within or out of a stress 21
area 21

7. Children 22

8. Enforcement 24

Appendix A: CIP 'stress areas' 25

Appendix B: Cultural Quarter 30

Appendix C: Supplementary Guidance 31

	Enter Version Number Here		Click here to enter text.
	Click here to enter a date.		Click here to enter a date.
	Click here to enter text.		Click here to enter a date.
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1. Background

VISION STATEMENT

To create an environment that attracts a diverse range of well managed premises, offering a range of entertainment to satisfy the needs of the city. To ensure Southampton is a safe, healthy and vibrant city to live, work and visit.

INTRODUCTION

- 1.1 The Licensing Act 2003 (the Act) requires licensing authorities to publish a “statement of licensing policy” every five years, which sets out how they intend to exercise their functions. The policy sets out a general approach to making licensing decisions. Each application will be considered on its own individual merits. The discretion of the Licensing Authority in relation to applications is only used if relevant representations are made.
- 1.2 The policy relates to all those licensing activities identified as falling within the provisions of the Act (Part 1 Section 1) namely:
 - Retail sale of alcohol;
 - Supply of alcohol to club members;
 - The supply of hot food and/or drink from any premises between 11 pm and 5 am;
 - Provision of "Regulated Entertainment" – to the public, to club members or with a view to profit. “Regulated Entertainment” is defined as:
 - A performance of a play;
 - An exhibition of a film;
 - An indoor sporting event;
 - Boxing or wrestling entertainment;
 - A performance of live music;
 - Any playing of recorded music;
 - A performance of dance;
 - Provision of facilities for making music; and
 - Provision of facilities for dancing.
- 1.3 The Legislative Reform (Entertainment Licensing) Order 2014 and the Deregulation Act 2015 provide significant exemptions to some of the activities.
- 1.4 The Licensing Authority has a duty under the Act to carry out its functions with a view to promoting the four licensing objectives, which are:
 - Prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance
 - Protection of children from harm
- 1.5 The council must have regard to this Statement of Licensing Policy and any statutory guidance issued by the Secretary of State. The council retains the right to act outside the provisions of this policy and to depart from it if, having properly taken it into account, the council has good reason to do so and where it is appropriate to do so to promote one or more of the licensing objectives.
- 1.6 In promoting the licensing objectives the Licensing Authority has a number of key aims and purposes which should be principal aims for everyone involved in licensing work and are therefore integral to the policy. They include:
 1. Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;

2. Giving the police, licensing officers and responsible authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
3. Recognising the important role which licensed premises play in our local communities and economy by minimizing the regulatory burden on business, encouraging innovation and supporting responsible premises;
4. Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
5. Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.

CONSULTATION

1.7 In accordance with section 5 of the Act and prior to the publication of this policy the Licensing Authority consulted with

- Chief Officer of Police for the area (Hampshire Police)
- Hampshire Fire and Rescue Authority
- Persons/bodies representative of local holders of premises licences;
- Persons/bodies representative of local holders of club premises certificates; and
- Persons/bodies representative of local holders of personal licences.

In addition the council consulted with:

- Health and Safety Executive
- Southampton Marine Office
- Head of Regulatory Services, SCC
- Planning and Development Manager SCC
- Children's Social Services, SCC
- Hampshire Chamber of Commerce
- Licensing Solicitors used by applicants to SCC
- Residents Associations
- Licensing Authorities across Hampshire and the Isle of Wight
- Public Health
- Trading Standards
- Environmental Health
- Home office immigration enforcement

2. City Profile

2.1 Southampton is the south coast's regional capital with a population of over 256,000 in an area of 50 square km. The dynamic and vibrant city is forward-looking, balancing steady growth as a prosperous commercial centre with a high quality of life for its citizens.

Facts and figures



Over 106,000 dwellings in the city



We manage 49 parks and 1,140 hectares of open space



1 in 5 homes are council owned



Over 7,000 businesses



We manage over 416 miles of highways



We recycle, compost or reuse nearly 27,000 tonnes of waste per year



More than 256,000 residents



Around 50,000 children & young people (0-17) live here



Southampton City Art Gallery has over 5,000 works spanning eight centuries



21.14% of the city is green space

THE IMPACTS OF ALCOHOL ON SOUTHAMPTON

- 2.2 Most people who drink alcohol do so in moderation. For most people, any associated harms can be minimised, although not removed entirely, by drinking within governmental lower risk guidelines.

Explained: low risk drinking guidelines

To keep health risks from alcohol to a low level, men and women should not regularly drink more than **14 units** a week, spreading them evenly over three or more days.

What do 14 units look like?



<https://www.drinkaware.co.uk>

More information is at <https://www.nhs.uk/live-well/alcohol-support/calculating-alcohol-units/>.

- 2.3 Alcohol use has health and social consequences at an individual, family and wider community level. Modelled estimates suggest that over 30,000 Southampton residents are likely to drink alcohol at increased risk and over 10,000 more are at higher risk of physical and mental health harm. An estimated one in five patients in the UK hospital system use alcohol harmfully for their health, and one in 10 are alcohol-dependent.
- 2.4 Alcohol contributes to over 200 health conditions, including cancers, cardiovascular conditions, depression and liver disease. Comparative data on the public health impact of alcohol is available from Public Health England¹. Southampton experiences more alcohol-related health harm than the national average. For example, the mortality rate from alcohol-related conditions was 22% higher in Southampton than the national average in 2018: 109 local people died from conditions in which alcohol was a factor and it would have been approximately 89 people had the national average applied. The local alcohol-specific mortality rate, which covers a narrower range of conditions, was two-thirds higher than the national average (2016-2018). Southampton currently has a much higher rate of hospital admissions related to alcohol than the national average too.
- 2.5 Public Health England state “Alcohol consumption is a contributing factor to hospital admissions and deaths from a diverse range of conditions. Alcohol related harm is estimated to cost the NHS about £3.5 billion per year and society as a whole £21 billion annually”.
- 2.6 The consumption of alcohol is related to criminal activity because its effects on the mind and body are more likely to induce antisocial behaviour, leading to criminal acts. It reduces self-

¹ <https://fingertips.phe.org.uk/profile/local-alcohol-profiles>

control, which leads to an increased likelihood of committing a violent crime, and is addictive, which may lead offenders to commit acquisitive crimes in order to fund their addiction. Each year alcohol is associated with one million crimes in the UK.

- 2.7 In April 2017 it became mandatory for police to record whether a crime was affected by alcohol, that is, where the effects of alcohol consumption on the offender or victim were perceived by any person to be an aggravating factor. In 2018/19 there were 2,647 crimes which were recorded as affected by alcohol in Southampton (including offences affected by both alcohol and drugs), an increase of 6.2% from 2017/18 and a rate of 10.5 offences per thousand population.
- 2.8 In The police recorded 1,784 incidents of alcohol related violent crime in Southampton over the course of 2018/19, a 2.6% decrease from 2017/18. In 2018/19, police recorded rates of violent crime affected by alcohol were significantly higher in the central wards of Bargate and Bevois. This is likely to be because these wards are strongly associated with the city's night time economy.
- 2.9 Pre-loading the consumption of alcohol, often spirits, at home prior to or whilst walking to a night out at licensed premises, is difficult to quantify, but is acknowledged by the licensed businesses and the regulatory authorities as a significant contributor to the risks faced by individuals engaging with the night time economy.
- 2.10 The night time economy is also linked to the risks and harm associated with illegal drug use. The Police recorded 719 drug offences in Southampton in 2018/19, a rise of 8.3% compared to the previous year. This represents a rate of nearly three offences per 1,000 resident population; significantly higher than the England rate but third lowest among Southampton's group of comparator Community Safe Partnerships.
- 2.11 There were a total of 550 hospital admissions with a primary or secondary diagnosis of drug related mental health and behavioural disorders among Southampton residents in 2017/18, a rate of 209 admissions per 100,000 resident population. This is significantly higher than the national rate observed over the same time period of 157 admissions per 100,000 resident population.
- 2.12 For more information on the impacts of alcohol on Southampton, please follow the link to Southampton City Councils Data Observatory: <https://data.southampton.gov.uk/>

3. Licensing Process

- 3.1 Applicants are strongly encouraged to seek guidance at the earliest possible stage from the Licensing Authority and other responsible authorities before making an application. Applicants will need to comply with the statutory requirements or risk their application being invalid.
- 3.2 Individuals applying for either personal licence or a premises licence for the sale of alcohol or late night refreshment must be entitled to work in the UK. Licensing authorities must be satisfied that an individual who applies for a premises licence is entitled to work in the UK. This includes applications made by more than one individual applicant. An application made by an individual without the entitlement to work in the UK must be rejected.
- 3.3 This applies to applications which include the sale of alcohol and the provisions of late night refreshment but does not include applications which apply to regulated entertainment only. For example, a person applying for a licence for a music venue who does not intend to sell alcohol

or late night refreshment is not prohibited from applying for a licence on grounds of immigration status. However, they will commit a criminal offence if they work illegally.

- 3.4 If an applicant has restrictions on the length of time they may work in the UK, a premises licence or personal licence may still be issued, but the licence will cease to have effect when the right to work lapses.
- 3.5 The Licensing Authority will expect individual applicants to address the licensing objectives in their operating schedule, having regard to the type of premises (which includes a vessel i.e. ship or boat), the licensable activities to be provided, the operational procedures, the nature of the location and needs of the local community.
- 3.6 It is recommended that applicants obtain planning permission and building regulation approval along with all other necessary permissions and licences for the premises prior to an application being submitted. Having a licence to undertake an activity does not override other legal requirements such as planning, for example a licence allowing the sale of alcohol by retail and regulated entertainment until 2am does not override a planning requirement to cease such activity by midnight.
- 3.7 When formulating their operating schedule applicants will be expected to make themselves aware of any relevant planning and transportation policies, tourism and cultural strategies or local crime prevention strategies and to have taken these into account where appropriate.
- 3.8 When determining applications the Licensing Authority will have regard to any guidance issued by the Government. In particular, account will be taken of the need to encourage and promote live music, dancing and theatre for the wider cultural benefit of the community as a whole. If representations are made concerning the potential for limited disturbance in a particular neighbourhood, the Licensing Authority's consideration of those representations will be balanced against the wider benefits to the community. A number of public spaces are already licensed in the name of Southampton City Council. These are managed by the events team at Southampton City Council.
- 3.9 When determining applications and there have been no valid representations the Licensing Authority must grant the application, subject only to conditions that are consistent with the operating schedule in addition to the relevant mandatory conditions:
 - Conditions attached to a licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as 'must', 'shall' and 'will' is encouraged. Licence conditions:
 - must be appropriate for the promotion of the licensing objectives;
 - must be precise and enforceable;
 - must be unambiguous and clear in what they intend to achieve;
 - should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
 - must be tailored to the individual type, location and characteristics of the premises and events concerned;
 - should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
 - should not replicate offences set out in the 2003 Act or other legislation
 - should be proportionate, justifiable and be capable of being met; and
 - cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
 - should be written in a prescriptive format.

- 3.10 Additionally, regard will be had to any Crime Prevention Strategies (Southampton Safe City Strategy), any cultural strategies such as those that are aimed at monitoring the impact of licensing on the provision of regulated entertainment and any relevant health strategies.
- 3.11 The Licensing Authority acknowledges that the views of vocal minorities should not be allowed to predominate over the general interests of the community.

OPERATING SCHEDULES

- 3.12 The operating schedule must form part of the completed application form for a premises licence. It should include information, which is necessary to enable a responsible authority or other person to assess whether and what steps have been taken or are proposed in order to promote the licensing objectives.
- 3.13 As and when appropriate the applicant should provide in the operating schedule such further relevant additional information/evidence where there is an apparent departure from the promotion of the licensing objectives.
- 3.14 It is strongly recommended that applicants and/or their legal advisors discuss with Council officers and representatives of responsible authorities the draft operating schedule before it is formally submitted. This will help ensure it properly addresses all relevant issues that might give rise for concern. This may avoid the necessity for a hearing if the application otherwise passes without representation.

GUIDANCE DOCUMENTS

- 3.15 The Licensing Authority has provided a number of documents to assist with the process; these are available at: <http://www.southampton.gov.uk/business-licensing/licensing/licensing-act-2003/>

REPRESENTATIONS

- 3.16 There is a prescribed period during which the Licensing Authority can receive a written representation to an application. This is usually 28 days from the date the Licensing Authority receives the application but varies depending on the type of application under consideration. **Current guidance can be found by visiting www.southampton.gov.uk/licensing**
- 3.17 “Relevant representations” can include positive, supportive representations as well as objections.
- 3.18 Representations must address at least one of the four licensing objectives.

DECISION MAKING PROCESS

- 3.19 It is the Licensing Authority’s policy to provide an efficient and cost effective service to all parties involved in the licensing process. With the exception of the approval and review of this Policy, decisions on licensing matters will be taken in accordance with an approved scheme of delegation.
- 3.20 In accordance with relevant guidance, the Licensing Authority has delegated licensing functions to the Licensing (Licensing and Gambling) sub-committee or in appropriate cases, to officials supporting the Licensing Authority as follows:

Matter to be dealt with	Sub Committee	Officers
Application for personal licence	If a police objection	If no objection made
Application for person licence with unspent convictions	All cases	

Matter to be dealt with	Sub Committee	Officers
Application for premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application for provisional statement	If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate	If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor	If a police objection	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a police objection	All other cases
Applications for interim authorities	If a police objection	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc.		All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application	All cases	
Determination of a police objection to a temporary event notice	All cases	
Determination of application to vary premises licence at a community premises to include alternative licence condition	If a police objection	All other cases
Decision whether to consult other responsible authorities on minor variation application		All cases
Determination of minor variation application		All cases

3.21 If no relevant representations are received then the authorisation will be issued automatically with, in the case of a premises licence or club premises certificate, such conditions attached as are mandatory or are consistent with the operating schedule accompanying the application. The Licensing Authority will have no discretion to refuse the application. The operating schedule will be translated into conditions attached to the licence.

3.22 Where relevant representations are made and not withdrawn, the Licensing Authority must hold a hearing before the Licensing Committee or, more usually, a sub-committee of the Licensing Committee who will take such of the following steps as it considers appropriate for the promotion of the licensing objectives. The steps are:

- grant the licence subject to the operating schedule modified to such extent as the (Sub) Committee considers appropriate for the promotion of the licensing objectives, and subject to the relevant mandatory conditions;

- exclude from the scope of the licence any of the licensable activities to which the application relates; and
- to refuse to specify a person in the licence as the premise's supervisor;
- reject the application.

3.23 The need for a hearing can be avoided with the agreement of the Licensing Authority, where the applicant and all of the persons who made relevant representations have given notice to the authority that they consider a hearing will be unnecessary. The authority will give notice to the parties the hearing is dispensed with. However if the authority believes it is still necessary to have a hearing the authority shall provide reasons in writing to the parties for the need to have the hearing.

APPLICATIONS FOR LARGE EVENTS

3.24 Events that the council believe may require a co-ordinated approach to manage may be subject to partnership discussion through relevant groups. This will be at the discretion of the Council. Applicants will need to demonstrate to relevant partners that they are supporting the licensing objectives.

4. Southampton Policies Affecting Licensing

PUBLIC SPACES PROTECTION ORDERS (PSPOs)

4.1 There are currently 5 locations within the city with PSPOs. These are all in place to assist in reducing anti-social behaviour associated with street drinking. It provides the police with a power to require alcohol to be surrendered. With the exception of Shirley they are the commercial areas:

- City centre
- Bitterne
- Portswood
- Shirley (Extends West from Hill Lane to Millbrook Road)
- Woolston

4.2 The Licensing Authority recognises the effectiveness of this tool in preventing crime and disorder and tackling anti-social behaviour. Premises are expected to have measures in place to prevent their customers contributing to anti-social behaviour.

4.3 The PSPOs were reviewed in April 2019 and extended for a further 3 years, they expire in April 2022 and will be reviewed at that point.

SHOPS SELLING ALCOHOL (OFF LICENCES)

4.4 Drinkaware report that in 2017 31% of all alcohol was sold in the 'on trade', this has decreased from 47% in 2000 (www.drinkaware.co.uk/research/data/consumption-uk). Studies by CGA early in the Covid 19 emergency suggests peoples drinking habits change during lockdown with an increase in on line purchases of alcohol. It is not known what the long term impact of this will have on the nations drinking habits, however this is a clear move to the majority of consumption being undertaken away from regulated premises. This change in habit has the potential to negatively impact on the licensing objectives. There are additional increased potential risks such as easier access to alcohol by children (given that consumption is not monitored / regulated), theft, increased street drinking and an increase in crime and disorder.

4.5 To address this, applicants, existing premises and the authority can consider a number of strategies to mitigate these challenges. To address 'pre-loading' the consideration of an earlier terminal hour for off-licences near to or on a well-used route to established late night premises will be considered. To address theft and access by children to alcohol the layout of premises,

CCTV, where alcohol will be displayed and what steps will be undertaken to support the licensing objectives will be considered. In areas where it is identified street drinking is an issue consideration should be given to not selling single cans of high strength drinks or even whether single cans of high strength alcohol are to be sold at all.

- 4.6 Premises providing an on-line service will need to satisfy the authority they have measures in place to ensure no underage sales are undertaken, the sale is not a proxy sale to facilitate underage consumption and the sale will not contribute to crime, disorder public nuisance such as a disruptive house party.

PROMOTION OF ALCOHOL

- 4.7 The Licensing Act 2003 relaxed the restrictive hours of the previous regime with a desire to promote a café culture. Although providing opportunities to local licensed premises, it also resulted in adverse media coverage of binge drinking and drunken violent behaviour nationally.
- 4.8 To compliment planning and health policies and promote the licensing objectives the Licensing Authority will expect any premises operating that is likely to attract customers attending late night venues, including those supplying off sales, to not solely rely on the consumption or promotion of alcohol as the purpose to attract custom. Further, the council encourage operators to be innovative to provide a diverse range of activities and attractions where alcohol is ancillary to such activity.
- 4.9 To compliment the mandatory drinks promotion condition the Licensing Authority in partnership with other responsible authorities will monitor alcohol promotions. Premises are encouraged to consider the licensing objectives and avoid promotional activities that may pose a risk to public safety, including activities that promote excessive drink consumption. This includes irresponsible drink promotions such as free or discounted alcohol as a prize to encourage or reward the consumption of alcohol over a period of time, any game or activity which requires or encourages drink consumption (drinking games) and promotion of 'bottomless drinks'.
- 4.10 Premises with a history of offers such as significantly reduced priced drinks or unlimited drinks for a fixed price submitting applications or notices should demonstrate how these promote the licensing objectives and how any risks to the consider and wider public are being mitigated.
- 4.11 Premises should also consider the licensing objectives when undertaking activity to promote events, such as leafleting, posters and fly-posting. Premises should comply with relevant laws regarding fly-posting and are encouraged to have regard for the Southampton Green City Charter commitment to protect and enhance the natural environment.
- 4.12 The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the naming, packaging and promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or over. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel's decisions are published. If a product's packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. A link to the Portman Group Code of Practice can be found here: <https://1kp8gk3a0fdl3qf9kb2wo9ei-wpengine.netdna-ssl.com/wp-content/uploads/2019/09/Code-of-Practice-on-the-Naming-Packaging-and-Promotion-of-Alcoholic-Drinks-Sixth-Edition.pdf>

TEMPORARY EVENT NOTICES (TENS)

- 4.13 The Licensing Act 2003 enables certain organised events for fewer than 500 people to take place following notification to the Licensing Authority, the Police and Environmental Health.
- 4.14 Guidance on giving Notice can be found in the Home Office Fact Sheet.
<https://www.gov.uk/government/publications/temporary-events-notices-factsheet>
- 4.15 Although the statutory legal minimum time required for the notification of a temporary event to the Licensing Authority, Police and Environmental Health is ten working days, or five working days for a late temporary event, it is essential that proper consideration of the proposed event is given.
- 4.16 The Licensing Authority will encourage bona fide community events. Giving TENS for existing licensed premises will not be encouraged where the proposal is simply to extend the existing hours of operation. TENS given for premises in cumulative impact areas will be subject to increased scrutiny due to the potential impact upon an area already identified as suffering from increased crime and disorder. Objections should not rely solely on this policy but should be based on one or more of the licensing objectives.
- 4.17 The Licensing Authority expects those who have given notice of a temporary event to have identified any particular issues having regard to their type of premises and/or activities, and to have in place written policies for addressing issues such as drunkenness, crime/disorder and drugs on their premises and for ensuring staff are trained on these policies.

5. Management of Premises

COUNCIL EXPECTATIONS

- 5.1 The Statement of Licensing Policy sets out the Authority's expectations in relation to certain matters. Whilst applicants are not obliged to meet these expectations in their operating schedules, they may find that responsible authorities and other persons and businesses are more likely to raise representations if they do not. This can lead to a delay with the application having to be considered by a Committee/Panel which may then either refuse the application or impose conditions if the licensee is not found to sufficiently promote the licensing objectives and meet this policy.
- 5.2 The licensing authority encourages licence holders and operators of licensed premises:
- To adhere to all relevant national legislation regarding the sale of alcohol, including ensuring that sales are not made to underage persons and alcohol is not knowingly sold to a person who is drunk;
 - Take all reasonable steps to prevent the entry of people with drugs into licensed premises, to take appropriate steps to prevent drugs changing hands within the premises and to take practical measures to prevent drug use.
 - To have regard for relevant Hampshire Constabulary policies relating to drugs.
 - Consider wider local concerns in the city as a whole, including drink spiking, sexual abuse, alcohol-related violence, alcohol-related road traffic incidents and other alcohol related harm;
 - Ensure alcohol delivery businesses complete ID checks at the point of sale and at the point of delivery;
 - Where appropriate, provide leaflets or posters for alcohol treatment services from agreed commissioned alcohol services;
 - Encourage and promote the reduction of street litter and other forms of waste associated with licenced premises in line with the Southampton Green City Charter;

- To understand that the sexual exploitation of a child is sexual abuse and a crime ensure that staff are aware of the signs of child sexual exploitation and trafficking, and;
- To provide intelligence to relevant authorities on any identified criminal activity witness on or linked to the premises.

5.3 The policy is only engaged where the licensing authority has a discretion following the receipt of objections. In such cases, the licensing authority will not apply the policy rigidly. The licensing authority will always have regard to the merits of the case with a view to promoting the licensing objectives.

DESIGNATED PREMISES SUPERVISOR

5.4 Any premises where alcohol is sold under a premises licence must have a designated premise supervisor (DPS). The DPS will be named in the premises licence, a summary of which must be displayed on the premises. A DPS must be a personal licence holder. Every sale of alcohol must be made or authorised by a person who holds a personal licence (or must be made or authorised by the management committee in the case of community premises).

5.5 The Licensing Act 2003 does not require a DPS or any other personal licence holder to be present on the premises at all times when alcohol is sold. However, the DPS and the premises licence holder remain responsible for the premises at all times.

5.6 The Licensing Authority will normally expect the DPS to have been given the day-to-day responsibility for running the premises and as such it is expected that the DPS would usually be present at the licensed premises on a regular basis. The Authority expects that this will be in excess of 50% of a seven-day week.

5.7 The premises licence holder will be expected to ensure that the DPS has experience commensurate with the size, capacity, nature and style of the premises and licensable activities to be provided.

5.8 Within all licensed premises, whether or not alcohol is to be sold, the Licensing Authority will expect there to be proper management arrangements in place which will ensure that there is an appropriate number of responsible, trained/instructed persons at the premises to ensure the proper management of the premises and of the activities taking place, as well as adherence to all statutory duties and the terms and conditions of the premises licence.

DOOR SUPERVISORS

5.9 The premises licence holder and DPS should ensure that their premises do not increase the fear of crime as well as actual crime in their locality. To this end they should ensure, so far as is possible, that customers do not cause nuisance or disorder outside the premises and that measures to ensure the safety of customers and prevention of nuisance are in place. Door supervisors have an important role in managing customers, not only on the doors but also in the immediate area of premises.

DISPERSAL POLICIES

5.10 The Licensing Authority accepts that licensed premises can have a diffuse impact. People can cause disturbance when returning to residential areas from later-opening premises elsewhere and people who use off-licences may locate to a remote spot to drink. These problems may not be within the direct control of any particular licensed premises. However, premises licence holders are generally expected to take measures to encourage people to leave their premises quietly and considerately. The Licensing Authority would encourage premises to adopt a dispersal policy where appropriate.

RISK ASSESSMENT

- 5.11 The Licensing Authority will expect that appropriate and satisfactory general and technical risk assessments, management procedures and documentation have been made available to the relevant responsible authorities and to the Licensing Authority, that demonstrate that the public will be safe within and in the vicinity of the premises.
- 5.12 As a minimum the following matters must be taken into consideration:
- Whether the premises already have a licence which specifies the maximum number of people that can be present and, whether a risk assessment has been undertaken as to the maximum number of people who can be present in various parts of the premises, so that they can be operated safely and can be evacuated safely in the event of an emergency
 - Whether there are procedures in place to record and limit the number of people on the premises with opportunities for “pass outs” and readmission
 - Whether patrons can arrive at and depart from the premises safely
 - Whether there may be overcrowding in particular parts of the premises
 - Whether music and dance venues and performance venues will use equipment or special effects that may affect public safety (e.g. moving equipment, vehicles, pyrotechnics, strobe lights, smoke machines)
 - Whether there are defined responsibilities and procedures for medical and other emergencies and for calling the emergency services

PROMOTERS

- 5.13 The premises licence holder, DPS and personal licence holders remain responsible for activities taking place on premises when promotions take place. In addition the Licensing Authority will expect premises licence holders to have in place written agreements to ensure that when hiring out venues to promoters, the responsibility for the management of the premises is clear. The Promoter and its employees or agents shall comply in all respects with all conditions, requirements and regulations of the local authority, Licensing Authority, police authority and fire authority and have regard to good practice for licensed premises.

TAKEAWAY PREMISES AND PREMISES PROVIDING LATE NIGHT REFRESHMENT

- 5.14 The Licensing Authority considers that it will normally be inappropriate to grant a premises licence permitting the sale of alcohol at premises which are principally used for selling hot food for consumption off the premises (“takeaway” premises).
- 5.15 It is recognised that takeaway premises open late at night can be associated with disorder as persons under the influence of alcohol having left, or in some cases being ejected from, late night venues congregate there. Applicants are recommended to have clear written policies for dealing with disorder and nuisance.
- 5.16 Operators of takeaway premises (including mobile units) must have suitable arrangements in place for the containment and disposal of their waste in accordance with the Environmental Protection Act 1990 and subsidiary regulations. Operators of premises where food or drink is provided in disposable containers for consumption elsewhere than on the premises are expected to consider the potential for litter near their premises and take steps to actively reduce the amount of litter generated from their premises. Applicants are also asked to consider the type of packaging container, whether it is always necessary and whether it can be sourced from sustainable materials.
- 5.17 Where the Licensing Authority considers it appropriate, it may impose conditions on a premises licence to require the operator of premises serving customers with hot food or drink to provide litter bins in the vicinity of the premises in order to prevent the accumulation of litter

from its customers. It may require the proprietor to service those litter bins as part of their own waste management arrangements.

EXTERNAL AREAS

- 5.18 The introduction of the requirement for smoke free public places under the Health Act 2006 has led to an increase in the number of people outside licensed premises. The provision of tables and chairs outside premises can enhance the attractiveness of a venue, but regard should be had to the need to ensure that the use of such areas will not cause nuisance to the occupiers of other premises in the vicinity. In particular, those with authorisations are expected to manage persons smoking in the vicinity of premises so they do not impede access to the premises and do not cause disturbance. In addition they are expected to provide secure ash trays or wall mounted cigarette bins for patrons so as to minimise litter.
- 5.19 Licensees should also be aware of the possibility of breakages of drinking glasses and glass bottles in outside areas. Consideration should therefore be given to the use of toughened or “plastic” drinking vessels and other management controls to avoid or lessen the likelihood of broken glass in these areas.
- 5.20 The Licensing Authority has a number of concerns with respect to the development of external areas to licensed premises and will consider imposing conditions to improve the management of the outside area or prohibiting or restricting the use of these areas in order to promote the public nuisance objective.
- 5.21 As there is a PSPO in place across the city the DPS needs to carefully consider policies on allowing alcohol outside of the premises.

6. Cumulative Impact Policy

- 6.1 ‘Cumulative impact assessments’ (CIA) were introduced into the 2003 Act by the Policing and Crime Act 2017, with effect from 6 April 2018. Cumulative impact is the potential impact on the promotion of the licensing objectives of a number of licensed premises concentrated in one area. This should not be confused with the issue of “need” which relates to the commercial demand for licensed premises and cannot be taken into account when determining licensing applications.
- 6.2 There is evidence of an association between the density of outlets licensed to sell alcoholic beverages and the occurrence of alcohol-related crime and social disorder. In some areas where the number, type or density of licensed premises, such as those selling alcohol or providing late night refreshment, is high or exceptional, serious problems of nuisance and disorder may arise outside or some distance from those premises. Such problems generally occur as a result of large numbers of drinkers being concentrated in an area, for example when leaving premises at peak times or when queuing at fast food outlets or for public transport.
- 6.3 Queuing in itself may lead to conflict, disorder and anti-social behaviour. Moreover, large concentrations of people may also attract criminal activities such as drug dealing, pick pocketing and street robbery as well as predatory behaviours preying on the vulnerable. Local services such as public transport, public lavatory provision and street cleaning may not be able to meet the demand posed by such concentrations of drinkers leading to issues such as street fouling, littering, traffic and public nuisance caused by concentrations of people who cannot be effectively dispersed quickly.

- 6.4 There are around 1000 licenced premises in Southampton. A map showing all of the licenced premises across Southampton can be found on the council website:
<https://www.southampton.gov.uk/business-licensing/licensing/map-licensed-premises.aspx>

STRESS AREAS

- 6.5 In some circumstances an area may have such numbers of licensed premises / activities that it becomes a focal point for large groups of people to congregate and eventually leave. This can create exceptional problems of crime, disorder, noise and other nuisance.
- 6.6 Stricter controls will generally be expected and may be imposed, if appropriate and proportionate, with regard to noise controls in areas which have denser residential accommodation.
- 6.7 The Licensing Authority wishes to support businesses to create a vibrant social economy and need to balance this with its other responsibilities to support the licensing objectives. Each case is determined on its own merits and any application able to demonstrate it will not adversely impact the licensing objectives should have its application granted.
- 6.8 The five CIPs, generally, deal with the following matters:
1. Identified stress areas
 2. The basic operation of the policy
 3. How hearings will deal with applications within stress areas
 4. How evidence of Cumulative Impact is dealt with outside of a stress area
 5. How hearings will apply the CIP to applications from within or out of a stress area.

POLICY CIP 1 - Stress areas

- 6.9 The Licensing Authority believes that three areas identified in Appendix A are suffering from Cumulative Impact and are designated as the “Bedford Place Stress Area”, the “Above Bar Street Stress Area”, and the “Bevois Valley Stress Area”. These areas are the same as in previous years. **(Subject to consultation)**.
- 6.10 Reason: Evidence indicates that these areas already suffer from cumulative impact and that it is appropriate, proportionate and necessary for special policies to address that issue. In 2018/19, police recorded rates of violent crime affected by alcohol were significantly higher in the central wards of Bargate and Bevois at 17.5 and 16.0 crimes per 1,000 population respectively, compared to a city average of 7.1 per 1,000 population.
- 6.11 The density of licensed premises in the identified stress areas is higher than other parts of the city and therefore the numbers of licensed premises operating in these areas is taken into account in the application of the CIP policy.

POLICY CIP 2 - The basic operation of the policy

- 6.12 Where representations are received in respect of applications for either new premises or variations to existing premises in the three Stress Areas a rebuttable presumption will apply that such applications shall be refused. This policy applies to applications of the types listed below:
- New premises licences
 - New club premises certificates
 - Provisional statements, including those for material variations to existing premises licences or club premises certificates (i.e. where the modifications are directly relevant to the issue of cumulative impact (e.g. those which significantly increase the capacity of the premises)
 - Substantial variations to existing premises or club premises licences (e.g. length of opening hours or increase in period licensable activities may take place). Whether a

variation is “substantial” for the purposes of this policy shall be determined by the Licensing Authority in any instance of doubt

- This includes applications for sale of alcohol by retail either on, or off or both types of sales and Late Night Refreshment

- 6.13 Reason: To ensure that those applications which will add to the cumulative impact already being experienced are refused.
- 6.14 This policy creates a rebuttable presumption that certain types of applications will normally be refused. Because of the short life of activities covered by a Temporary Event Notice these will not be taken into account when considering cumulative impact other than in relation to the crime and disorder objective. However, that does not prevent the reverse – i.e. the consideration of cumulative impact or the fact that a proposed premise for a Temporary Event Notice is within a designated Stress Area when applying the relevant statutory test.
- 6.15 The onus shall be upon applicants to demonstrate through their Operating Schedule and, where appropriate, supporting evidence such as risk assessments, that the operation of the premises will not add to the cumulative impact already being experienced. The standard of proof for the consideration by the Licensing Committee of any application or matter relating to cumulative impact shall be on the balance of probabilities. This policy, however, does not relieve Responsible Authorities or Interested Parties of the need to make representations raising cumulative impact as an issue before such applications are considered in light of the policy. If no representations are received then the application must be granted in terms consistent with the submitted Operating Schedule.
- 6.16 Applications for Provisional Statements may be made where new premises are proposed but have not yet been built or where a substantial variation is proposed to existing premises. Potential licensees may make such an application in order to have a degree of assurance that a licence would be granted before committing themselves to the necessary investment.
- 6.17 Where a Provisional Statement has been issued by the Authority to the effect that an application would be granted and the schedule of works accompanying the application for the Provisional Statement is completed satisfactorily then any subsequent application for a premises licence must be granted and any objection raised at that stage which could have been raised at the Provisional Statement stage must be disregarded (unless there has been a material change in circumstances).
- 6.18 It is important therefore that if there is potential for new or altered premises to contribute to or cause cumulative impact in any given area that the issue is addressed as soon as possible in the licensing process and that Responsible Authorities recognise the continuing requirement to make representations based on cumulative impact if appropriate. For this reason the Provisional Statement procedure is included in **the policy and accordingly the rebuttable presumption will apply when considering applications for provisional statements.**
- 6.19 After publishing a CIA the Licensing Authority must, within three years, consider whether it remains of the opinion set out in the assessment. In order to decide whether it remains of this opinion it must again consult the persons listed in section 5(3) of the Licensing Act 2003. If having consulted with the statutory list of persons the Licensing Authority decides that it is no longer of the opinion set out in the CIA, it must publish a statement to that effect. The statement must make clear that any reference to the CIA in its licensing policy statement no longer applies. The Licensing Authority should remove any reference to the CIA within its licensing policy statement at the earliest opportunity.

- 6.20 If having consulted the Licensing Authority decides that it remains of the opinion set out in the assessment, it must revise the CIA to include a statement to that effect and set out the evidence as to why it remains of that opinion. The Licensing Authority must also at this stage publish any other material change to the assessment.
- 6.21 Responsible Authorities and other persons may make representations on specific applications concerning cumulative impact even though those applications are not for premises in designated Stress Areas (and therefore not covered by this policy). In such circumstances the application may be refused (though there will be no presumption that this will be the case) and the Authority may then choose to review this policy statement and consult as to whether the particular area should be formally designated as a Stress Area to which policy CIP2 (or one similar) should apply. To be clear, nothing within this policy shall prevent the consideration of cumulative impact issues simply because a premise (or proposed premises) is not situated within a designated Stress Area.

EXEMPTIONS

- 6.22 The creation of a “Cultural Quarter” has been fulfilled with a wide variety of activities both within new buildings such as the Sea City Museum and new Arts Complex opposite Guildhall Square, existing buildings, and the improved and expanded Guildhall Square all of which fall within the area of Above Bar partly covered by the above Stress Area as shown edged with a broken line on the attached plan at Appendix B.
- 6.23 The policy is to encourage venues within the Cultural Quarter which promote well run family friendly sit down eating and drinking, complement the City’s cultural offer and may include al fresco dining, subject to appropriate licensing restrictions. These may include theatres, other performing arts venues, galleries and restaurants.
- 6.24 The Licensing Authority will ordinarily treat applications in relation to any licensing use in the Guildhall Square, or within or directly related to any building primarily used for an arts or cultural purpose as an exception to the CIP but each matter will be judged on its merits.

POLICY CIP 3 - How hearings will deal with applications within stress areas

- 6.25 The CIA does not change the fundamental way that licensing decisions are made. It is therefore open to the Licensing Authority to grant an application where it considers it is appropriate and where the applicant can demonstrate in the operating schedule that on the balance of probabilities they would not be adding to the cumulative impact. Applications in areas covered by a CIA should therefore give consideration to potential cumulative impact issues when setting out the steps that will be taken to promote the licensing objectives. Where relevant representations are received and the Licensing Authority decides to grant an application it will need to provide the applicant, the chief officer of police and all parties who made relevant representations with reasons for granting the application and this should include any reasons for departing from their own policy.
- 6.26 Whilst making any decision the Committee shall not ordinarily consider the following as an exception to the policies applying to Stress Areas or as justification for departure from those policies:
- The quality of management of the premises
 - The character or experience of the applicant
 - That the capacity, size, hours or any increase therein applied for, is not substantial
 - That the applicant has a good understanding of how to reduce the potential for crime on the premises

POLICY CIP 4 - How evidence of Cumulative Impact is dealt with outside of a stress area

6.27 In cases where Responsible Authorities or other persons seek to establish that an application, other than within a stress area, should be refused on the grounds that it would result in or further contribute to a cumulative impact which would undermine one or more of the Licensing Objectives they shall be expected to:

1. Identify the boundaries of the area from which it is alleged problems are arising
2. Identify the Licensing Objective(s) which it is alleged will be undermined;
3. Provide full details and evidence with specific regard to the matters listed in Policy CIP1 to 4 to show the manner and extent to which it is alleged that the Licensing Objective(s) are being, or are at risk of being, undermined in the area;
4. Provide evidence to show that the undermining of the objective(s) is caused by the patrons of licensed premises in the area.

6.28 Reason: To ensure that representations are neither frivolous nor vexatious and that there is an evidential basis for the Committee to reach a decision.

REPRESENTATIONS IN RESPECT OF APPLICATIONS IN STRESS AREAS

6.29 Where a representation seeks to establish that the grant or variation of a premises licence within an existing designated Stress Areas would undermine one or more of the Licensing Objectives and add to the Cumulative Impact the following paragraph and CIP policy 5 will apply.

6.30 In cases where those making representations seek to establish that an application should be refused on the grounds that it would result in (or further contribute to) a Cumulative Impact, which would undermine one or more of the Licensing Objectives, the person or body making the representation shall be expected to:

6.31 Identify the Licensing Objective(s) which it is alleged will be undermined with specific regard to:

- the nature of the licensed activity to be carried on at the premises; and
- its patrons

POLICY CIP 5 - How hearings will apply the CIP to applications from within or out of a stress area

6.32 In considering applications and representations relating to cumulative impact the Authority may, in addition to the matters listed in policy CIP3 above, have regard to matters that appear to be relevant including (but not limited to):

- The proximity of the proposed premises to others in the area concerned which are licensed or subject to a Provisional Statement for similar activities
- The estimated occupancy figures of existing licensed premises and those subject to a Provisional Statement, in the area concerned and the timings of those activities
- The operational hours of existing licensed premises and those subject to a Provisional Statement, in the area
- The nature of licensed activities in the area and those to be carried on at the proposed premises
- Whether, if the grant of the application would result in or further contribute to a cumulative impact, conditions would be effective in addressing the issue
- The proposed hours of operation of the licensed activities
- Transport provision for the area

6.33 Reason: To ensure that regard is had to all relevant considerations relating to the area.

6.34 The Council will seek to identify mechanisms outside of the licensing regime that are available for addressing the impact of anti-social behaviour and nuisance once patrons leave the vicinity

of licensed premises or in respect of the management or operation of licensed premises, and that may lead to the declaration /removal of an area. Regard will be given to the statutory guidance in this respect and the following mechanisms which may be, or have been already, employed:

- Planning controls - positive measures to create a safe and clean city centre environment in partnership with local businesses, transport operators and other departments of the local authority
- Powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly
- Police enforcement of the normal law concerning disorder and antisocial behaviour, including the issuing of fixed penalty notices
- The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk
- The confiscation of alcohol from adults and children in designated areas
- Police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises
- The power of the police, other responsible authorities or other persons to seek a review of the licence or certificate in question
- Early Morning Alcohol Restriction Orders
- Raising a contribution to policing the late night economy through the late night levy
- Any other local initiatives that similarly address these problems

6.35 The fact that particular premises are in a Stress Area cannot be used as a justification for removing an existing licence. If a representation is received that an existing licensed premises / activity is having an impact that undermines the Licensing Objectives, then Responsible Authorities and Interested Parties may request a review of that specific licence. Action may be considered by the Council under other parts of the policy.

7. Children

7.1 A child is anyone under the age of 18 years unless otherwise stated.

7.2 This statement of licensing policy does not seek to limit the access of children to any premises unless it is necessary for the prevention of physical, moral or psychological harm.

7.3 The Licensing Authority will have regard to any representations made by **Children's Services at Southampton City Council** or through the appropriate Southampton City Council Directorate acting on its behalf, or any other appropriate body when considering applications for premises licences.

7.4 When considering applications for premises licences, the Licensing Authority will take into account the history of a particular premises and the nature of the activities proposed to be provided when considering any options appropriate to prevent harm to children. The relevant matters include premises:

- where there have been convictions for serving alcohol to minors or with a reputation for underage drinking
- with a known association with drug taking or dealing
- where there is a strong element of gambling on the premises
- where entertainment of an adult or sexual nature is commonly provided
- where the supply of alcohol is the exclusive or primary purpose of the service at the premises

- 7.5 In these circumstances, conditions may be attached to any licence to:
- limit the hours when children may be present
 - restrict the age of persons on premises
 - exclude children from all or part of the premises when certain activities may take place
 - require an adult to accompany a child
 - set out a requirement for the presence of adult staff according to a set adult/child ratio where children are attending regulated entertainment
 - exclude people under 18 from the premises when any licensable activities are taking place
- 7.6 Where no licensing restriction is considered necessary, however, it is at the discretion of the premises licence holder or club to decide whether or not to admit children; however the Licensing Authority strongly supports the use of Challenge 25 policies, the recording of all refusals and training on all age restricted activity.
- 7.7 Where premises give film exhibitions, licensees must ensure that children are prevented from viewing age-restricted films classified according to the British Board of Film Classification.
- 7.8 Except as in 8.4 above the authority will not impose conditions restricting the admission of children to any premises believing this should remain a matter of discretion of the licence holder. The Licensing Authority encourages family friendly policies. It will take strong measures to protect children where any licence holder is convicted of serving alcohol to children, where premises have or acquire a known association with drug taking or dealing, where gambling takes place on the premises or where entertainment of an adult or sexual nature is commonly provided. In such circumstances while it may sometimes be necessary to impose a complete ban on the admission of children this would be rarely imposed, it would be more likely to require conditions as referred to above.
- 7.9 Where a large number of children are likely to be present on any licensed premises, for example, a children's show or pantomime, then conditions will be imposed requiring the presence of an appropriate number of adult staff to ensure public safety and their protection from harm including control of access and egress and consideration may be given to include conditions concerning child/adult ratios.
- 7.10 The Licensing Authority recognises the great variety of premises for which licences may be sought. These will include theatres, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls and schools. Access by children to all types of premises will not be limited in any way unless it is considered appropriate to do so in order to protect them from harm.
- 7.11 In the case of premises which are used for film exhibitions conditions will be imposed restricting access only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in a specific case where there are very good local reasons a certificate given to the film by the Licensing Authority itself.
- 7.12 Where no restriction or limitation is imposed the issue of access will remain a matter for the discretion of the individual licensee or club.
- 7.13 The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, for food and/or entertainment.
- 7.14 The Licensing Authority will consult with the Southampton Local Safeguarding Children Board acting on the City Council's behalf, or any successor body performing the same or a similar function and any other appropriate body, on any application that indicates there may be concerns over access for children.

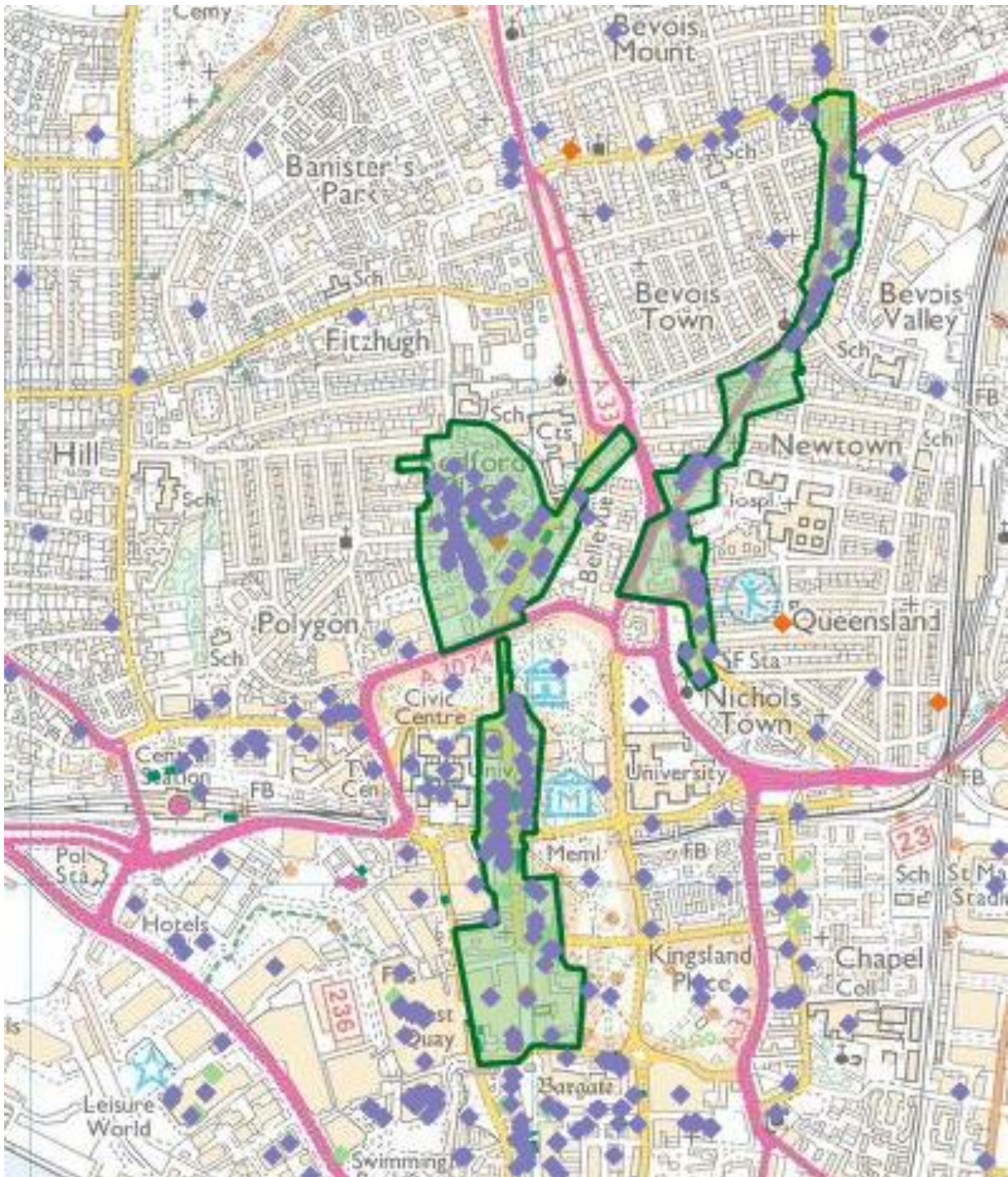
7.15 The Act details a number of offences designed to protect children in licensed premises and the Licensing Authority will work closely with the police and other appropriate agencies to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children. **These measures will include the test purchasing of prohibited goods at licensed premises.**

8. Enforcement

- 8.1 It is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the approved operating schedule, the specific requirements of the 2003 Act and any licence conditions imposed. The Licensing Authority, in partnership with the responsible authorities, will make arrangements to monitor premises.
- 8.2 The Licensing Authority will work closely with the police, trading Standards and the other responsible authorities, liaising on a regular basis to establish enforcement protocols and concordats to ensure an efficient deployment of resources engaged in enforcing licensing law and inspecting licensed premises, in order to ensure that resources are targeted at problem and high-risk premises.
- 8.3 The Act details a number of offences designed to protect children in licensed premises and the Licensing Authority will work closely with the police, Trading Standards and other appropriate agencies to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol and tobacco products to children.
- 8.4 The premises licence holder is responsible to ensure the four licensing objectives are upheld:
- Prevention of crime and disorder
 - Public safety
 - Prevention of public nuisance
 - Protection of children from harm
- 8.5 Where there is evidence to suggest the licensing objectives are being undermined, enforcement action will be taken in accordance with the principles of better regulation and the Regulator's Compliance Code. The aim is to have well run premises operating in our city. Problems at premises will be identified by the relevant authorities and communicated to the licence holder will have responsibility to resolve the problem. Failure to effectively address or respond to problems or isolated serious failures will normally result in a review application.

Appendix A: CIP 'stress areas'

Premises density in stress areas



Above Bar



Bedford Place



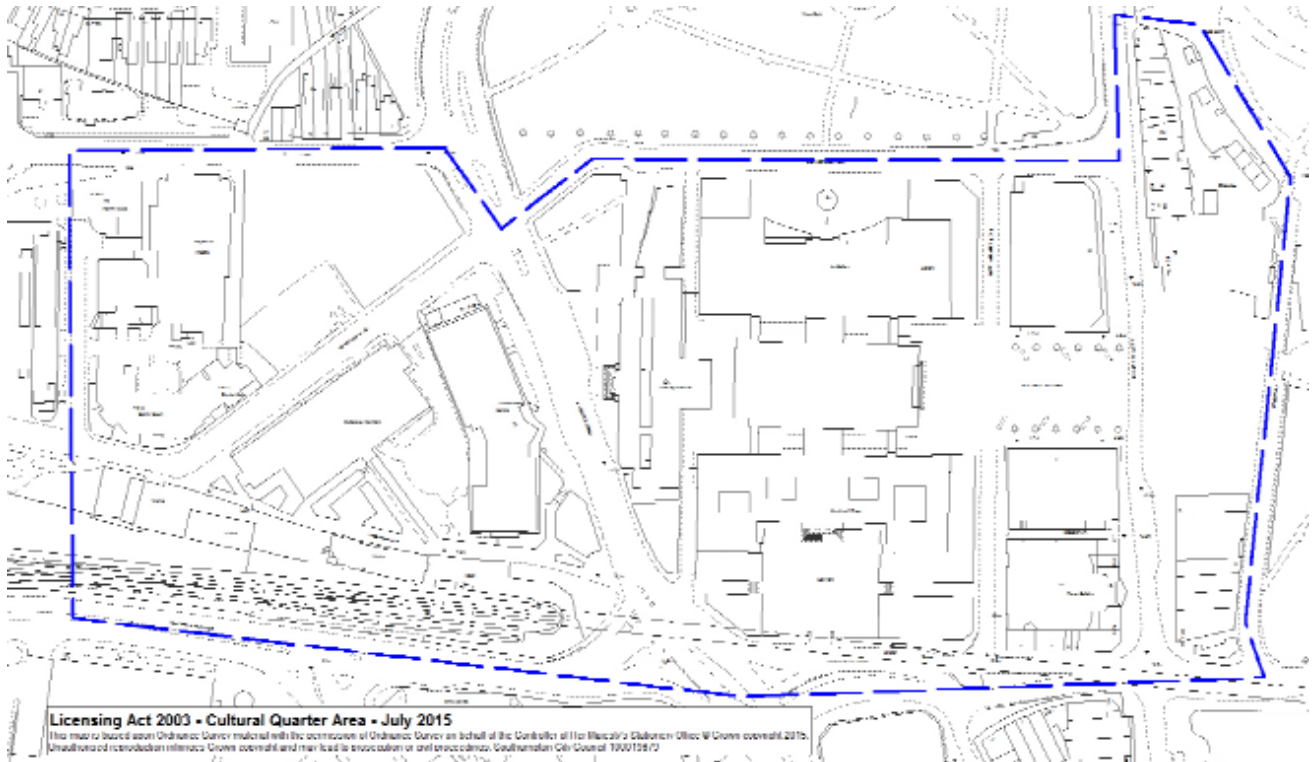
Bevois Valley North



Bevois Valley South



Appendix B: Cultural Quarter



Appendix C: Supplementary Guidance

Chief Medical Officer's report, 2016.

<https://www.gov.uk/government/publications/alcohol-consumption-advice-on-low-risk-drinking>

NHS information and advice.

<https://www.nhs.uk/live-well/alcohol-support/>

Also at <https://www.nhs.uk/better-health/>

National health data related to alcohol, comparing local authorities.

<https://fingertips.phe.org.uk/profile/local-alcohol-profiles>

Local advice and support for anyone concerned by their drinking

<http://www.southampton.gov.uk/health-social-care/health/drug-alcohol-action/>

[ENDS]



Equality and Safety Impact Assessment

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

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

Name or Brief Description of Proposal	Statement of Licensing Policy (including review of the Late Night Levy)
Brief Service Profile (including number of customers)	
<p>As a Licensing Authority, Southampton City Council has a duty to produce a Statement of Licensing Policy in line with the Licensing Act 2003 legislation. The Statement of Licensing Policy is fully reviewed every five years.</p> <p>Southampton is a vibrant city with a thriving entertainment and hospitality culture (albeit impacted by COVID-19 in 2020). In April 2020 Southampton reported 842 licensed premises and over 4,000 personal licences issued by Southampton City Council.</p> <p>The Licensing Authority (Southampton City Council) has a duty under the Act to carry out its functions with a view to promoting the four licensing objectives, which are:</p> <ul style="list-style-type: none"> • Prevention of crime and disorder • Public safety • Prevention of public nuisance • Protection of children from harm <p>The Policy relates to all those licensing activities identified as falling within the provisions of the Act (Part 1 Section 1) namely:</p> <ul style="list-style-type: none"> • Retail sale of alcohol; • Supply of alcohol to club members; • The supply of hot food and/or drink from any premises between 11 p.m. and 5 a.m.; • Provision of "Regulated Entertainment" – to the public, to club members or with a view to profit. "Regulated Entertainment" is defined as: <ul style="list-style-type: none"> ○ A performance of a play; ○ An exhibition of a film; ○ An indoor sporting event; ○ Boxing or wrestling entertainment; 	

- A performance of live music;
- Any playing of recorded music;
- A performance of dance;
- Provision of facilities for making music;
- Provision of facilities for dancing.

The policy sets out the licensing process, Southampton policies affecting licensing and instructions for the management of premises.

The policy includes specific information relating to Cumulative Impact Assessments in 'stress areas' and includes provision for a Late Night Levy which a contribution paid by late opening premises supplying alcohol. The fund is used to support services in the night time economy.

Summary of Impact and Issues

The aims of the policy are:

1. Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
2. Giving the police, licensing officers and responsible authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
3. Recognising the important role which licensed premises play in our local communities and economy by minimizing the regulatory burden on business, encouraging innovation and supporting responsible premises;
4. Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
5. Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.

The policy itself is therefore intended to have an overall positive impact on the city and its residents, supporting the safe operation of licensed premises in the city.

Cumulative Impact Policies

In some circumstances an area may have such numbers of licensed premises/activities that it becomes a focal point for large groups of people to congregate and eventually leave. This can create exceptional problems of crime, disorder, noise and other nuisance. In areas that suffer from cumulative impact it is considered appropriate, proportionate and necessary for special policies to address that issue.

The 'stress areas' have been identified in consultation with Hampshire Constabulary (see attached report). These are the 'Bedford Place Stress Area', the 'Above Bar Street Stress Area', and the 'Bevois Valley Stress Area'. These proposed areas are the same as in previous years.

This impact assessment has been undertaken to reflect the impacts if the stress area boundaries are adopted as proposed.

Late Night Levy

Southampton City Council introduced the Late Night Levy in April 2015. It has generated an income of around £120,000 each year since then. The Levy is used to provide services to support the businesses that operate late at night. These include contributions to Southampton Street Pastors, CCTV, Street Cleaning, Taxi Marshals and Community Safety.

In 2017 a Business Improvement District (BID) was established in Southampton. GO! Southampton is led and funded by local business and aims to realise Southampton's untapped potential. The BID covers the city centre area and 49 premises are subject to both the Late Night Levy and paying contributions the BID.

In reviewing the policy, Southampton City Council is reviewing options with regards to the continuation of the Late Night Levy. On balance the recommended approach is to cease the Late Night Levy at this time, as the key reasons highlighted for continuing with it are the concerns associated with community impact. These concerns can be addressed as in the main the services provided by the Late Night Levy funds will either continue to be funded in the short term from Levy underspends, will be picked up by alternative funding, or will continue to be provided. However it is important to acknowledge that this recommendation is made at a time of particular challenges to the hospitality trade. The council can and will keep the situation under review, and clearly if the situation changes in the future, can seek to re-introduce the levy, following a further consultation.

Whilst the Levy has been beneficial in supporting measures to reduce anti-social behaviour and support community safety, the council recognises the impact COVID-19 has had on businesses and that it is contradictory to impose such a Levy at a time where there is no night time economy. The loss of the Levy will result in some services no longer being funded or funding being limited to what is available after the final year of the Levy is collected. The council, with the BID, aims to continually work with businesses to ensure that the needs of business and the safety of our residents are a priority. If this means consideration to re-introduce the Levy in the future, the council will take this step after undertaking the necessary consultation.

Potential Positive Impacts

In adopting the policy, Southampton City Council will ensure a safe and consistent system to monitor the operation of licensed premises, including steps which must be taken to reduce risk to residents linked to the consumption of alcohol, and enforcement where necessary. This will support the council's principles of being a fairer and healthier city and the Safe City partnership priorities to reduce crime and antisocial behaviour and reduce the harm caused by drugs and alcohol.

Responsible Service Manager	Phil Bates, Licensing Manager
Date	17 July 2020

Approved by Senior Manager	Mary D'Arcy, Executive Director Communities, Culture & Homes
Date	17 July 2020

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	<p>The policy includes specific provisions to protect children and young people.</p> <p>7.4 "When considering applications for premises licences, the Licensing Authority will take into account the history of a particular premises and the nature of the activities proposed to be provided when considering any options appropriate to prevent harm to children."</p>	<p>The policy includes conditions which may be attached to any licence to protect children and young people (section 7.5)</p>
Disability	No identified impacts.	N/A
Gender Reassignment	No identified impacts.	N/A
Marriage and Civil Partnership	No identified impacts.	N/A
Pregnancy and Maternity	No identified impacts.	N/A
Race	No identified impacts.	N/A
Religion or Belief	No identified impacts.	N/A
Sex	No identified impacts.	N/A
Sexual Orientation	No identified impacts.	N/A
Community Safety	<p>The 'stress areas' have been identified in consultation with Hampshire Constabulary, to respond to areas which higher levels of licensed premises activity, which can create exceptional problems of crime. In these areas it is considered it is appropriate, proportionate and necessary for special policies to address that issue.</p>	<p>The policy will ensure that the operation of a premises in these areas will not exacerbate any community safety risks:</p> <p>6.15 "The onus shall be upon applicants to demonstrate through their Operating Schedule and, where appropriate, supporting evidence such as risk assessments, that</p>

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
	<p>The removal of the Late Night Levy would have a direct impact on funding available. The Levy raises funds of around £120,000 per year. These funds support a range of services and agencies which respond to the impacts of the Night Time Economy, including Taxi Marshals, Southampton Street Pastors, Street Cleaning, CCTV, Community Warden patrols.</p> <p>There are no proposals to cease these services, but reduced funding would create pressure on Budgets which could mean that services are reviewed in future (subject to public consultation).</p>	<p>the operation of the premises will not add to the cumulative impact already being experienced.”</p> <p>An underspend of funding for Taxi Marshals has been identified which would allow continued provision of the service (subject to review) in 2021/2022. Additional funding to support wider services will be sought, working with relevant stakeholders to minimise the impact of reduced funding.</p>
Poverty	No identified impacts.	
Health & Wellbeing	No identified impacts	N/A
Other Significant Impacts	No identified impacts.	N/A

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3DECISION-MAKER:		COUNCIL	
SUBJECT:		SACRE – CONSTITUTIONAL REVIEW	
DATE OF DECISION:		18 NOVEMBER 2020	
REPORT OF:		CABINET MEMBER FOR ADULT CARE	
<u>CONTACT DETAILS</u>			
Executive Director	Title	EXECUTIVE DIRECTOR WELLBEING (CHILDREN AND LEARNING)	
	Name:	ROBERT HENDERSON	Tel: 023 8083 2079
	E-mail	Robert.henderson@southampton.gov.uk	
	Title	CROSS PHASE ADVISER	
	Name:	Alison Philpott	Tel: 07500050277
	E-mail	Alison.philpott@southampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
Not applicable			
BRIEF SUMMARY			
<p>The Council is required to review the Membership and Constitution of SACRE annually. Following consultation with SACRE Council is asked to consider some changes to organisations who are named as members in the SACRE constitution and further consider a request for full membership of one of the Groups prescribed by legislation.</p>			
RECOMMENDATIONS:			
	(i)	That the National Union of Teachers (NUT) and the Association of teachers and lecturers (ATL) are removed as members and replaced with an NEU (National Education Union) representative	
	(ii)	That The Voice is removed as a member organisation	
	(iii)	That the Council supports the decision of SACRE to not add South Hampshire Humanists as a full member of Group A within the Constitution but does support their membership as it currently stands as a co-opted member until such time as national legislation or guidance permits their inclusion within Group A.	
REASONS FOR REPORT RECOMMENDATIONS			
1.	Recommendation (i) Both the NUT and ATL no longer exist but have been replaced by the NEU so this should be the organisation that should be represented on Southampton SACRE		
2.	Recommendation (ii) As SCC no longer uses The Voice union as a consulting organisation there should not be a membership representative on Southampton SACRE. The position has been vacant since prior to September 2014.		
3.	Recommendation (iii) A request was made from the South Hampshire Humanists for inclusion as a full voting member of Group A (which represents faith groups). Sacre has rejected the request as this is contrary to current national legislation. Council is asked to consider whether to uphold the		

	position of SACRE or proceed with their inclusion in Group A against current national legislation and guidance.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
4.	Recommendation (i) No alternatives considered
5.	Recommendation (ii) No alternatives considered
6.	Recommendation (iii) Alternative to add Humanist representative as a full member was rejected as the inclusion of the Humanists would be contrary to existing legislation and guidance and, taking a risk based approach, unless all other Members of Group A were willing to accept their inclusion the risk of legal challenge to their membership would remain. Anecdotal evidence suggests that a similar approach has been taken by other SACRES nationally with some voting to include the Humanist organisations in their area and others indicating they would not do so until national legislation and guidance was changed.
DETAIL (Including consultation carried out)	
7.	Recommendation (i) SACRE meetings have included this within meetings minutes, no wider consultation has been carried out
8.	Recommendation (ii) SACRE meetings have included this within meetings minutes, no wider consultation has bene carried out
9.	<p>Recommendation (iii) A request for inclusion in Group A of SACRE under threat of further legal action was received from the South Hampshire Humanists organisation.</p> <p>Legal advice was sought by SACRE in September 2019, who considered that legal advice alongside information provided to SACRE members supporting the Humanists requests, so all SACRE members had understanding of the decision to be taken by Group A and the implications of it. Decisions taken by other SACREs was also considered.</p> <p>Consultation was planned to be undertaken following the January 2020 SACRE meeting as agreed with group A members. Due to the covid period the planned meeting was postponed and the professional support officer's work diverted to other priorities at that time.</p> <p>As an alternative, all group A members were given the opportunity to provide their responses to the professional support to the SACRE, via email and phone call prior to the September 2020 SACRE meeting. Not all group A members responded, but for those who did it was clear there would not be a unanimous decision to add the new group to be represented. A group agreement was required if a risk based approach to inclusion of the Humanists was to be recommended to Council in order to avoid the threat of further legal challenge from other Members of Group A who may object to the inclusion of the Humanists on the grounds the current national legislation and guidance did not support their qualification for membership of Group A.</p> <p>Sacre met to consider this matter again on 21 September when Group A outcome was reported and their decision was not to add the group into membership. At this time therefore , the SACRE is not recommending changes to Group A and the proposed Constitution for approval by the Council is set out in appendix 1</p>

RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
10.	No different or additional resource implications
<u>Property/Other</u>	
11..	No property implications
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
12.	The SACRE has been established pursuant to the Education Reform Act 1988. The membership of SACRE is determined in accordance with the provisions of s.39 of the Education Act 1996 which provides that Group A may only comprise of persons who represent such Christian denominations and other religions and denominations of such religions as, in the opinion of the Authority, appropriately reflect the principle religious traditions in the area. This is further supported by government circular 1/94 which makes clear that membership of Group A is limited to religious denominations.
13.	Therefore, until such time as the provisions of the Education Act 1996 and circular 1/94 are overturned by the Courts as incompatible with the provisions of the Human Rights Act 1998 (which enshrines the application of the European Convention on Human Rights into national law), the Education Act remains the legal position with which the Council must comply.
14.	Both NASACRE (the national body of SACRE's) and the Department of Children's, Schools and Families have been consulted on this issue and both have advised the above to be the current legal position pending any review of the legislation and / or updated guidance on circular 1.94 being issued to extend membership of Group A to reflecting the more modern recognition of religion and belief, including non-religious beliefs. Until such revised legislation or guidance is issued it remains the view of the Council's legal advisers that permitting the Humanists membership of Group A (as opposed to their current co-opted membership rights) would be contrary to current legislation.
<u>Other Legal Implications:</u>	
15.	The Humanists have raised representations with the Council on a number of occasions, including an assertion that if they are not permitted membership of group A they would seek to challenge the Council through the courts to secure membership. The Council has repeatedly advised the South Hampshire Humanists that the most appropriate route to challenge and secure membership of a SACRE lawfully would be to make representations to DCSF to issue an amendment to circular 1/94 permitting their inclusion within Group A or to issue proceedings against DCSF to secure a declaration against the current legislation as being incompatible with the provisions of the ECHR / Human Rights Act 1998. Absent a change in position from DCFS or the Courts the Council's legal advice remains that it would be contrary to current national legislation to agree to the Humanist request for membership of Group A unless all other faiths supported the Council taking a risk based approach to that change. If the Council approved the request absent the consent of other Group A members, the Council would risk legal challenge

	from another Group A member on the basis that the Humanists do not qualify for Group A membership at law.
16.	The Council is recommended therefore to retain Group A membership in its current form, and if so minded, advise, and if they wish, support, the South Hampshire Humanists to make representations to the DCSF for a change in circular advice bringing the membership of Group A into more closer alignment with the terminology and ethos of the Human Rights Act which seeks to give equal footing to both religious and other beliefs. It is the view of the Council's legal advisors that a legal challenge to the Councils adherence to the Education Act 1996 would fail, however a legal challenge against DCSF to the Education Act 1996 and associated circular 1/94 would, if made properly to DCSF as the authors of the legislation and guidance, likely succeed in securing a declaration of incompatibility through the courts should the Humanist movement pursue that option as previously advised.
RISK MANAGEMENT IMPLICATIONS	
17.	As set out above.
POLICY FRAMEWORK IMPLICATIONS	
18.	<p>The work of the SACRE contributes to the policy development of the City Council through the priority themes of increasing educational outcomes and promoting engagement and preparation for adulthood.</p> <p>They do this by ensuring that there is a Locally Agreed Syllabus for RE that meets the statutory requirements (Living Difference III 2016-2021) which supports progression of knowledge and understanding through the exploration of concepts that are studied through children's own experiences as well as through a faith, and non-faith perspective. The Agreed Syllabus Conference – the process that has to be undertaken to review the syllabus has been convened (September 2020) so that the reviewed syllabus will be ready for approval by LA and recommended to the council in September 2021 within statutory timeframes.</p> <p>Almost all schools in the city follow the syllabus, the only exceptions being Oasis academies who follow their Multi-academy trust syllabus in line with their funding agreement, Catholic schools following the diocesan syllabus and one Secondary academy developing its own syllabus in line with their funding agreement.</p> <p>SACRE members, together with the professional support advisor offer and complete monitoring visits to all schools for assurance regarding the provision and teaching of Religious Education and Collective Worship across the city's schools. It also contributes by supporting schools when needed with relevant matters additional to Religious Education such as the advice document produced from a faith's perspective regarding the recently statutory Relationships, Sex education and Health and well-being guidance. Other recent work that SACRE members have contributed to include films to support schools in their teaching and assemblies.</p>
KEY DECISION?	Yes
WARDS/COMMUNITIES AFFECTED:	South Hampshire Humanists – not ward specific
<u>SUPPORTING DOCUMENTATION</u>	
Page 104	

Appendices		
1.	Proposed constitution	
Documents In Members' Rooms		
1.	None	
Equality Impact Assessment		
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.		No
Data Protection Impact Assessment		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.		No
Other Background Documents		
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.	Minutes of SACRE meetings June 2019-September 2020 available publically, and unapproved minutes from September 2020 meeting available by request as draft document	

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SOUTHAMPTON CITY COUNCIL

STANDING ADVISORY COUNCIL ON RELIGIOUS EDUCATION (SACRE)

Proposed CONSTITUTION

1 **AIM**

- 1.1 The aim of the SACRE is to provide advice to the Authority upon such matters connected with collective worship in schools, and the religious education to be taught in accordance with an agreed syllabus.

2 **OBJECTIVES**

- 2.1 The core objectives of the SACRE are:

- to provide independent consultation and detailed scrutiny on any matters within its scope of interest;
- to determine any application from the head teacher of a City school, following consultation with the governing body, for an amendment to the requirement that collective worship be wholly or mainly of a broadly Christian character; and
- to publish an annual report which:
 - i. specifies any matters on which the SACRE has advised the Authority;
 - ii. broadly describes the nature of that advice; and
 - iii. sets out its reasons for offering advice on any matters which were not initially referred to the SACRE by the Authority.

In addition to making the report available for public inspection, a copy shall be sent to the relevant Government Department and to the National Association of SACREs (NASACRE) as well as any other organisations the SACRE deems appropriate.

3 **SCOPE OF INTEREST**

- 3.1 The scope of interest of the SACRE shall include:

- any such matters connected with collective worship in City schools, and the religious education to be taught in accordance with an agreed syllabus as the Authority may refer to the SACRE, or as the SACRE may consider appropriate; and
- the statutory duty of the Authority to review its agreed syllabus every five years and to convene an Agreed Syllabus Conference.

4 **RELATIONSHIP OF THE SACRE WITH THE LOCAL AUTHORITY**

- 4.1 The SACRE will have a separate identity and independent voice within the arrangements. The SACRE should be consulted by the Local Authority on any issues falling within its scope of interest.

5 **ACCOUNTABILITY AND BUSINESS PLANNING**

- 5.1 The SACRE is independent of the Council. The Education Reform Act 1988 requires the City Council as a Local Authority to establish a SACRE. When reports and actions are required that need to be considered by the Council they will be formally considered by the Cabinet or Cabinet Member or Officer acting under delegated powers.

6 **LEGAL FRAMEWORK**

- 6.1 The SACRE is established pursuant to the Education Reform Act 1988.
- 6.2 To facilitate the effective operation of the SACRE in accordance with its aims, the SACRE will respond as necessary to any further government guidance, legislation or new initiatives impacting upon the areas of responsibility of functions of the SACRE.

7 **THE ACTIVITIES OF THE SACRE**

- 7.1 In pursuit of its aims the SACRE will:
- operate to a timetable that mirrors the municipal year of the Local Education Authority.
 - hold meetings (including extraordinary meetings) at a time of day and at an appropriate location to allow full participation by members:
 - i. at the Civic Centre and/or other venues;
 - ii. at the end of the school day;
 - iii. or otherwise notified to SACRE members five clear working days before each regular meeting.
 - hold its meetings at least once per term, no less than three times per year;
 - require at least one member from each voting group to be present to constitute a quorum in order to have a fully constituted meeting;
 - always seek to operate on a consensus basis. If it is not possible to reach a consensus, members will be required to undertake a formal vote as set out in paragraph 12 of this Constitution;

- review and recommend to Cabinet (Cabinet Member) any amendments to its Constitution on an annual basis at the first meeting of each financial year following a formal consultation process with the relevant parties;
- review and adopt the terms of reference for any sub-committees on an annual basis at the first meeting of each financial year following a formal consultation process with the sub-committees;
- keep a written record of all SACRE meetings and meetings of its sub-committees;
- any member of the SACRE may submit items to be included on the agenda of a main meeting of the SACRE supported by a written statement/report to the Chair at least 10 working days before the meeting;
- agenda and reports will be circulated generally at least five working days prior to the meeting;
- create sub-committees where necessary;
- be able to ask that the Local Authority consider holding an extraordinary meeting of the SACRE at the written request of at least one member.

Confidential Business

- Report authors are responsible for informing the clerk, in advance, of the status of reports to be included on the Agenda and if they contain confidential or commercially sensitive information and with such items of business, the principles of the Local Government (Access to Information) Act 1985 will apply. Reports that are to be treated as confidential should be marked accordingly and contain the appropriate confidentiality clause.
- Where an item of business before the SACRE is marked as confidential, that item of business will be discussed in private. The professional advisors to the SACRE may attend and speak at the SACRE meetings on consideration of all matters considered in private. Members of the public and observers (including other elected Members or Officers of the Council) shall be excluded from the consideration of any confidential item.

8 FREEDOM OF INFORMATION

- 8.1 Request for Information under the Freedom of Information Act will be handled in accordance with the Council's published procedures for dealing with such requests.

Any Member of the SACRE receiving a request under the FOIA will be required to pass that request to Legal & Democratic Services within 24 hours of receipt of that request in order that Legal & Democratic Services may deal with the request on behalf of the SACRE within the 20 working day time limit.

Where a request has been made for the disclosure of information covered by a qualified exemption under the Freedom of Information Act 2000 (or other relevant information), the Chair of the SACRE will be invited to attend a Public Interest Test Panel meeting to consider the potential disclosure. If the Chair is unable to attend the meeting the request will be dealt with by the Panel at their discretion. Where the Panel decides that the balance of interest is in favour of the disclosure of the information requested, Legal & Democratic Services will arrange for disclosure. Where the Panel decides that the balance is in favour of the non-disclosure of the information requested, the information requested will be withheld and Legal & Democratic Services will arrange for the reasons for the decision to be communicated in writing. Such decisions will be made after taking any appropriate legal advice in accordance with the Council's published policies and procedures.

9 MEMBERSHIP

9.1 The SACRE shall comprise members drawn from four groups, appointed by the Authority, as specified below:

GROUP A

One representative of each of the religions and other bodies listed below:

Christian Denominations

The Roman Catholic Church	The Methodist Church
The Baptist Union	The United Reformed Church
The Religious Society of Friends	The Assemblies of God
The Greek Orthodox Church	The Salvation Army
The Fellowship of Independent Evangelical Churches	

Religions other than Christianity

Judaism	Islam
Hinduism	Sikhism
Buddhism	Baha'i

GROUP B

Four representatives of the Church of England nominated by the Diocese of Winchester

GROUP C

Four teachers/ retired teachers representing associations recognised by the Authority for the purposes of consultation and negotiation with one representative per association.

National Education Union (NEU), National Association Schoolmasters and Union of Women Teachers (NASUWT), National Association of Head teachers (NAHT), Association of School and college leaders (ASCL).

GROUP D

Four representatives of the Southampton City Council, at least two of whom shall be elected members of the City Council.

- 9.2 In addition to members drawn from these four groups detailed above, one person appointed in respect of the Academies, free schools and studio schools operating in the City of Southampton which previously had Community or Voluntary status may sit as a member of the SACRE. Academies are included (for non-voting purposes) simply because they are not technically represented by any other group and deliver part of the public sector curriculum (albeit with a different status to maintained schools) and effectively replace the old concept of Government Maintained schools. Foundation schools are not specifically included because they are effectively covered elsewhere as they are maintained schools (in common with community and Voluntary schools) and are thus represented by other groups already present on the Committee.
- 9.3 The SACRE may co-opt additional persons, including such teachers as may be necessary to ensure adequate representation of teachers who are actively concerned with religious education. Co-options shall be for the period set by the SACRE.
- 9.4 Members of the SACRE, with the exception of co-opted members, shall be appointed for a period of four years.
- 9.5 In accordance with regulations, the Local Authority will review the membership of the SACRE on an annual basis in line with the Constitutional review, and may terminate the membership of any member of the SACRE by giving one month's written notice.
- 9.6 In addition to the term of office coming to an end, a member ceases to be a member of the SACRE if he or she resigns from the SACRE or no longer occupies the office which he or she was nominated to represent.
- 9.7 A member of the SACRE appointed by the Authority may be removed from membership by the Authority at any time if, in the opinion of the Authority, the person ceases to be representative of either the denomination, religious group, association or Academy which he/she was appointed to represent.

- 9.8 Subject to condition 9.7, above, members of the SACRE having served a full term are eligible for re-appointment.
- 9.9 The SACRE will receive support and advice from the Local Authority School Improvement Officers.
- 9.10 At the discretion of the Chair of the SACRE, Advising Officers can attend SACRE meetings. Advising Officers provide information and professional expertise but are not members of the SACRE and cannot vote.
- 9.11 The Director, People and the Executive Member with responsibility for the SACRE shall have a standing invitation to attend all SACRE and sub committee meetings but are not members of the SACRE and cannot vote. At the discretion of the Chair they may address the meeting.
- 9.12 At the discretion of the Chair of the SACRE, Observers can attend SACRE meetings. Observers are interested individuals who have been invited to attend SACRE meetings. At the discretion of the Chair of the SACRE observers can address the meeting but they are not members of the SACRE and cannot vote.

Meetings of the SACRE are open to the public unless members resolve that an item of business be considered in private session and with such items of business the principles of the Local Government (Access to Information) Act 1985 will apply.

Members of the public do not have a right to speak at any meeting of the SACRE but may address the SACRE at the discretion of the Chair. Members of the public do not have rights to vote.

10 **ELECTION AND NOMINATION OF SACRE MEMBERS**

- 10.1 Members of the SACRE are responsible for the method by which they elect and nominate their representatives, and each representative group within the SACRE will be responsible for the method by which they elect their representatives.
- 10.2 The membership of existing schools members is valid until such members' terms of office come to an end or they resign or they become otherwise ineligible for membership. When a vacancy does arise, the authority must appoint a replacement schools member to the SACRE to represent the same group as the retiring member.
- 10.3 Nomination of members is by a process of supported-nomination from the body the person will be representative of. The SACRE will formally endorse membership by a simple majority vote at the next available meeting of the SACRE. In respect of new groups seeking a member place – the group the member will join will need to vote and be unanimous in their decision if to accept the new membership.

11 **MEETINGS**

11.1 Meetings of the SACRE shall be held in public.

12 **VOTING**

12.1 On any matter to be decided by the SACRE, the four groups A, B, C, and D shall be entitled to vote and each group shall have a single vote. The Academies' representative and the co-opted members do not have a vote.

12.2 Decisions within a group about how the vote is to be cast do not require unanimity. Each group is to regulate its own proceedings, including provision for resolving deadlock.

12.3 In the event of a tied vote, the Chair shall have the casting vote.

13 **CODE OF PRACTICE**

13.1 Members of the SACRE will operate in accordance with the Local Code of Conduct for Members. Members are therefore required to sign a declaration in respect of the Code of Conduct and also complete a Register of their Interests.

13.2 Interests, whether personal or prejudicial, should be declared. If a member has a prejudicial interest they should declare that interest and withdraw from the meeting and take no part in the decision.

13.3 Members who fail to attend three consecutive meetings without a satisfactory explanation will have their membership reviewed by the SACRE.

14 **CHAIRING**

14.1 The Chair and Vice Chair will be appointed from the members of Groups A, B, C and D. Such appointments shall be for the Municipal Year or until the person appointed ceases to be a member of the SACRE, whichever is sooner.

14.2 Persons continuing to be members of the SACRE are eligible for re-appointment to the position of Chair or Vice Chair.

15 **SERVICING THE COMMITTEE**

15.1 The specific responsibilities of the Chair and Members of the SACRE will be as set out in this Constitution and the Education Reform Act 1988.

15.2 The specific responsibilities of meeting support of the City Council will be to:-

- convene meetings of the SACRE;

- arrange accommodation for meetings;
- co-ordinate and act as secretariat to meetings;
- copy, circulate and dispatch appropriate papers; and

Democratic services will provide appropriate guidance on the operation of local government and other relevant procedures.

15.3 The specific responsibilities of the Professional Advisors to the SACRE will be to:

- provide advice to the SACRE and any sub-committee(s) on professional issues; and
- advise and update SACRE members on any new government guidance or policy documents.
- Support SACRE members in their monitoring role
- Ensure that the review of the Locally Agreed Syllabus is carried out within statutory timescales

16 **DISPUTES AND COMPLAINTS**

16.1 The SACRE is intended to be a collaborative, co-operative body and needs to ensure that no particular sector or member is unduly favored. Problems and issues should normally be debated and resolved at the SACRE meetings. However, if parties feel that these have not been resolved, the following process should be followed and minutes taken.

16.2 Stage 1: The parties who are in dispute meet with the Chair of the SACRE and the Professional Advisor who will assist in finding or recommending a solution.

16.3 Stage 2: A special meeting of the SACRE is convened, with papers prepared by the parties representing different views. The Chair and the Professional Advisor also prepare a paper offering possible options for resolution. If the problem is not resolved, the dispute is referred to Stage 3.

16.4 Stage 3: If the issue is not resolved then guidance or clarification will be sought from the relevant Government Department.

16.5 Complaints from members of the public will be handled by the Council's Complaints Procedure.

17 **NON COMPLIANCE OF ACTIVITIES**

17.1 Issues of non-compliance will, in the first instance, be referred to the Chair of the SACRE who will investigate and attempt to reach satisfactory resolution through discussion with the representative of the agency concerned. In the event of satisfactory resolution not being reached, the matter will be referred to the next SACRE meeting.

18 **MONITORING AND INSPECTION**

18.1 The effectiveness of the SACRE will be assessed by Internal Review.

OVERVIEW AND SCRUTINY

18.2 The SACRE and its members will co-operate with any reasonable request by the Council in respect of its overview and scrutiny functions under Section 21 Local Government Act 2000. Any requests for information or attendance of SACRE members at the relevant overview and scrutiny committee will be made as soon as possible and generally at least 10 days before the meeting.

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DECISION-MAKER:	COUNCIL		
SUBJECT:	SOUTHAMPTON COVID 19 SALIVA TESTING PROGRAMME		
DATE OF DECISION:	18 NOVEMBER 2020		
REPORT OF:	CHIEF EXECUTIVE		
<u>CONTACT DETAILS</u>			
Executive Director	Title	Executive Director Business Services and Deputy Chief Executive	
	Name:	Mike Harris	Tel: 023 8083 2882
	E-mail	Mike.harris@southampton.gov.uk	
Author:	Title	Executive Director Business Services and Deputy Chief Executive	
	Name:	Mike Harris	Tel: 023 8083 2882
	E-mail	Mike.harris@southampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
N/A			
BRIEF SUMMARY			
<p>A partnership of the University of Southampton, University Hospital Southampton and the City Council has been working on a pilot stage programme for an innovative approach to COVID testing. In recent weeks this has led to Government discussing with the partnership a wider scale, sub regional, testing programme. In November this has led to the approval and funding by the Government. The details of how this wider programme will be implemented are still in development and being led by the University Hospital Southampton.</p>			
RECOMMENDATIONS:			
	(i)	To note progress of the pilot phases of the saliva testing programme and the planned expansion of the programme to provide increased capacity in early 2021	
	(ii)	To agree that Southampton City Council should be a 'partner' in this wider programme offering the civic leadership and public service human resources to support its success.	
REASONS FOR REPORT RECOMMENDATIONS			
1.	To ensure elected councillors are appraised of the progress of a potentially significant innovation in tackling the COVID 19 pandemic.		
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED			
2.	Not to update elected councillors, rejected given importance of civic leadership in tackling the current challenges posed by the pandemic..		
DETAIL (Including consultation carried out)			
3	In April 2020 the Chief Executive was approached by the University of Southampton to discuss aspirations to use new testing methodologies to create a new mass testing programme in the city. This innovative project		

	aimed to seek a solution that could enable Southampton to proactively tackle the challenges faced by COVID 19 and minimise the impact of the virus on economic activity.
4.	The University had developed a new saliva-based test, that could be used to test non-symptomatic individuals on a weekly basis, enabling targeted self-isolation ahead of symptoms being experienced by individuals and helping prevent the spread of infection. The University was in discussion with the Department for Health and Social Care (DHSC) about the potential for funding such a programme. Any such programme was recognised to require a robust partnership in place, including the University, the University Hospital Trust and the City Council.
5.	<p>Following much dialogue and negotiation, DHSC agreed to fund an initial phase which operated in June and July 2020, which had 3 broad objectives:</p> <ol style="list-style-type: none"> 1. To assess the feasibility and acceptability of conducting saliva testing in various sub-groups of the population in Southampton and their households on a weekly basis: <ul style="list-style-type: none"> • Primary health care workers and their household members • University of Southampton staff resident in Southampton and their household members • University of Southampton students living in Halls of Residence • Staff and household members of one large care home • Local Authority urgent responders 2. To confirm the accuracy of saliva testing for Covid19. 3. To work with the local Public Health England team to develop systems for integrating testing with contact tracing, alongside supporting uptake of household quarantine among those who test positive.
6.	An operational team was established to help deliver the programme, led by the University of Southampton, with input from the City Council. A project steering group chaired by the Vice Chancellor of the University was established, and this included the Medical Director of UHS, a CCG representative, the Leader of the Council, the Deputy Chief Executive of the City Council and the Director of Public Health.
7.	Phase 1 was a success, demonstrating that the test itself was reliable and easy to administer for all ages, test results could be communicated quickly by text messages and that the logistical challenges could be addressed through the partnership approach.
8.	The success of phase 1, meant that the DHSC retained interest in how the methodology could be further applied and refined. Subsequently the team developed and submitted a proposal for a second phase that presented additional challenges. This phase secured approval from DHSC in August 2020.
9.	This second phase sought to assess the feasibility and acceptability of conducting weekly saliva testing in various sub-groups of the population in Southampton where there is a higher risk of infection through major mixing events, within two key cohorts:

	<ol style="list-style-type: none"> 1. Schools serving areas with a high prevalence of children from vulnerable families (communities with many people from BAME groups, high levels of obesity, overcrowding and deprivation). 2. UK and international students arriving in September at the University of Southampton and living in Halls of Residence. This major mixing event was identified as posing a significant risk in the Local Outbreak Control Plan.
10.	Testing in this second phase started in early September and was planned to end the week beginning 16 th October. With the benefit of some cost efficiencies and the support of the DHSC an extension was agreed, allowing testing to continue until 31 st October.
11.	The City Council has supported the project with Public Health advice, programme management support, legal and communications expertise and engagement activity with key stakeholders.
12.	At this second stage, the programme has delivered in a more challenging logistical environment, successfully tackled some very challenging data and consent issues and identified some engagement challenges in different sections of the participant cohort. The feedback from a school, parent and pupil perspective is very positive, supporting high attendance levels, both from staff and pupils and providing confidence to parents that the school environment is as safe as can be.
13.	The success of the two initial phases, the confidence and belief that DHSC have in the lead advocates, and of course the need to enhance the testing programmes overall has led to confirmed support to roll out the saliva testing approach, on a sub-regional basis. As part of this agreement, testing operated in the second phase in Southampton has been extended to the end of December. This will be integrated into the wider testing programme to be established early in 2021.
14.	The third phase will be led by University Hospital Southampton (UHS), and will build upon the lessons learnt by the initial two phases, but in a substantially larger geography and scale of testing. Phase two has facilitated a testing capacity of 2,000 tests per day, this phase seeks to deliver significantly more capacity
15.	The programme will target health and social care staff and education settings, with other settings to be agreed. A robust public health approach will be developed to prioritise settings and a governance structure to oversee this will be developed. The role of local authorities in community engagement; a civic leadership and promotional role, alongside communications campaigns, to a wide audience will be critical in ensuring maximum benefit of this programme

RESOURCE IMPLICATIONS

Capital/Revenue

16.	The programmes have been fully funded by the DHSC, and officer time dedicated to the programme has been funded from that source through a funding agreement with the University of Southampton as the accountable body for phases 1 and 2.
17.	UHS is the accountable body for Phase 3 and the city council will develop any necessary funding agreements for the DHSC funding to cover any resources required to support the programme.

<u>Property/Other</u>	
18.	Not applicable
LEGAL IMPLICATIONS	
<u>Statutory power to undertake proposals in the report:</u>	
19.	Coronavirus Act 2020 and s. Localism Act 2011.
<u>Other Legal Implications:</u>	
20.	The testing pilot programme has involved extensive liaison with central government and the Information Commissioner together with the completion of Data Protection and Equalities Impact Assessments to ensure compliance with both the Data Protection Act 2018, GDPR and the Equalities Act 2010 / Human Rights Act 1998. The pilot programme and the extension of it are considered wholly compliant with these Acts and proportionate and necessary in respect of any identified interference with the rights and obligations protected under the legislation in order to prevent the spread of infection and maintain public safety during the national pandemic. The Impact assessments are living documents and are being continually reviewed and updated as each phase of the pilot progresses.
RISK MANAGEMENT IMPLICATIONS	
21.	The contribution of the City Council to the phase 3 programme has yet to be determined. As with phase 1 & 2, we would recover all costs incurred, including for example the allocation of human resources and project or programme management resource. In terms of democratic oversight, we will seek appropriate representation in any Governance arrangements to be set up.
22.	The programmes will use bespoke robotics and automation to support the processing of the tests in a Southampton location. The use of the bespoke technology creates some risks as it breaks new ground, but equally provides substantial opportunities in terms of capacity and speed of response.
POLICY FRAMEWORK IMPLICATIONS	
23.	The programme is consistent with the Policy Framework; the facilitation of a regular testing programme to support economic recovery and health protection supports the aim in the Corporate Business Plan to deliver a Greener, Fairer, Healthier place.
KEY DECISION?	No
WARDS/COMMUNITIES AFFECTED:	
<u>SUPPORTING DOCUMENTATION</u>	
Appendices	
1.	None.
Documents In Members' Rooms	
1.	None
Equality Impact Assessment	
Do the implications/subject of the report require an Equality and	No

Safety Impact Assessment (ESIA) to be carried out.		
Data Protection Impact Assessment		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.		Yes
Other Background Documents		
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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DECISION-MAKER:	COUNCIL		
SUBJECT:	OVERVIEW AND SCRUTINY: ANNUAL REPORT 2019/20		
DATE OF DECISION:	18 NOVEMBER 2020		
REPORT OF:	CHAIR OF THE OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE		
<u>CONTACT DETAILS</u>			
AUTHOR:	Name:	Mark Pirnie	Tel: 023 8083 3886
	E-mail:	Mark.pirnie@southampton.gov.uk	
STATEMENT OF CONFIDENTIALITY			
None			
BRIEF SUMMARY			
<p>The Overview and Scrutiny Management Committee (OSMC) is required to submit a report summarising scrutiny activity over the past twelve months to Full Council each year. The document, attached at Appendix 1, is therefore submitted for information in accordance with paragraph 2.2.7 of the Overview and Scrutiny Procedure Rules within the Council's current constitution.</p>			
RECOMMENDATION:			
	(i)	That the report be noted.	
REASONS FOR REPORT RECOMMENDATIONS			
1.	The report is submitted for information in line with the requirements of the constitution		
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED			
2.	None, since the production of this report is a requirement set out in the Council's constitution.		
DETAIL (Including consultation carried out)			
3.	The Council's overview and scrutiny procedure rules require an annual report to be made to Council on the overview and scrutiny function. The Overview and Scrutiny Annual Report is usually presented to Council in May. Due to the pandemic this was not achievable.		
4.	Attached at Appendix 1 is the Overview and Scrutiny Annual Report covering the 2019/20 municipal year. It aims to provide a succinct summary of the main scrutiny activities and inquiries undertaken during the course of the year.		
5.	Reflecting the busy schedule of scrutiny meetings currently being undertaken, and the commencement of the Carer Friendly Southampton Scrutiny Inquiry, the appended 2019/20 report is shorter than usual and will therefore not truly reflect the breadth of issues scrutinised or the impact of the scrutiny function in 2019/20.		

6.	The Chairs of the OSMC, Health Overview and Scrutiny Panel (HOSP), Children and Families Scrutiny Panel (CFSP) and the Tackling Childhood Obesity Inquiry Panel have been consulted on the contents of the report.	
RESOURCE IMPLICATIONS		
<u>Capital/Revenue</u>		
7.	None	
<u>Property/Other</u>		
8.	None	
LEGAL IMPLICATIONS		
<u>Statutory power to undertake proposals in the report:</u>		
9.	The duty to undertake overview and scrutiny is set out in Part 1A Section 9 of the Local Government Act 2000.	
<u>Other Legal Implications:</u>		
10.	None	
RISK MANAGEMENT IMPLICATIONS		
11.	None directly as a result of this report	
POLICY FRAMEWORK IMPLICATIONS		
12.	None directly as a result of this report	
KEY DECISION		No
WARDS/COMMUNITIES AFFECTED:		None directly as a result of this report
<u>SUPPORTING DOCUMENTATION</u>		
Appendices		
1.	Overview and Scrutiny Annual Report 2019/20	
Documents In Members' Rooms		
1.	None	
Equality Impact Assessment		
Do the implications/subject of the report require an Equality and Safety Impact Assessments (ESIA) to be carried out?		No
Data Protection Impact Assessment		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out?		No
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	

SOUTHAMPTON CITY COUNCIL

OVERVIEW & SCRUTINY

ANNUAL REPORT 2019/20



CONTENTS

Chair’s Introduction	3
The Purpose and Functions of Overview & Scrutiny.....	4
Overview and Scrutiny Management Committee	5
Health Overview and Scrutiny Panel	6
Children and Families Scrutiny Panel	7
Scrutiny Inquiry Panel	8
Getting Involved	9

Chair's Introduction



Councillor S Galton

Chair of the Overview & Scrutiny Management Committee – (OSMC) 2019/20

Up until the cancellation of formal scrutiny meetings in March 2020 due to the Coronavirus pandemic, 2019/20 had been another busy year for scrutiny at Southampton City Council.

For the first time in a long period the OSMC and the Children and Families Scrutiny Panel were able to appoint parent governors to attend and contribute to the wide ranging discussions of the two bodies. Independent members provide a different perspective to those of elected members and I know that their contributions have been appreciated by all in attendance at the various meetings.

In May 2019 the Ministry of Housing, Communities and Local Government published statutory guidance on overview and scrutiny in local and combined authorities. The guidance seeks to ensure that local authorities are aware of the purpose of overview and scrutiny, what effective scrutiny looks like, how to conduct it effectively and the benefits it can bring.

The OSMC reviewed the statutory guidance in June 2019 and reflected on the approach to scrutiny in Southampton to ensure that it is operating in accordance with published guidance. Whilst the Committee were not complacent, and recognised that improvements can be made, there was consensus amongst members that appropriate challenge is welcomed in Southampton and that the principles of effective scrutiny are embedded in the organisational culture of the Council.

As identified earlier the Covid-19 lockdown brought a premature closure to formal meetings of the various scrutiny committees and panels in 2019/20. However, throughout the lockdown informal mechanisms were employed to ensure that the scrutiny Chairs were able to have oversight of key developments, to request specific information for scrutiny members, and to enable meetings to recommence virtually as soon as possible.

The pandemic is the reason why this report is briefer than usual and is being presented to Council in November rather than the usual meeting in May. Apologies for the delay in producing this annual report and for not being able to fully represent the breadth of issues considered by the various scrutiny panels over the municipal year.

I am proud that despite the challenges presented to the scrutiny function the Tackling Childhood Obesity Inquiry was able to agree a final report for presentation to Cabinet in August, the HOSP was able to informally scrutinise developments across health and social care settings, including care homes, during the lockdown, and the reporting of performance across Children and Family Services continued as usual. There were no uses of Call-In during 2019/20.

I am grateful to members of the various scrutiny panels for their hard work and contributions throughout the year. I am also grateful to all the local groups, national organisations and individuals who have attended, made presentations and provided evidence at scrutiny meetings, and to council officers and Cabinet Members for their attendance.

The Purpose and Functions of Overview & Scrutiny

Decision making context

The Full Council of 48 councillors approves the policy framework which sets out the key policies and programmes for the main services provided by the Council. In February each year Council meets to set the Council Tax for the following year.

The Executive make decisions relating to services provided by the Council, except for those matters which are reserved for decision by the full Council, planning and licensing matters which are dealt with by specialist regulatory panels. The Executive is made up of a Leader, elected by Council, and his or her appointed Cabinet Members.

The Scrutiny function helps to inform the decision making process and improve the way the Council works. Scrutineers assess what impact the Executive's policies and plans will have on the city and its residents.

Scrutiny is a process for:

- Holding the Cabinet, chief officers and senior members of staff to account for the discharge of its functions by examining, challenging and, if necessary, requesting changes to Executive Decisions made but not yet implemented.
- Scrutinising and reviewing policies and practices within a cross-service remit, assisting in the development of such policies and practices and scrutinising policy outcomes – e.g. the implementation of strategic priorities.
- Reviewing decisions and policies made by the Executive and considering whether they are right for the city.
- Assessing the council's performance against its planned targets and monitoring critical success factors.
- Reviewing the work of other partnerships and public sector organisations in the city, particularly the Safe City Partnership and health providers and commissioners.
- Championing issues of local concern to residents and contribute to policy development and service improvement.

Overview & Scrutiny Management Committee (OSMC)

The OSMC is a parent committee that manages the overview and scrutiny process and meets on a monthly basis. The membership of the OSMC is appointed for the municipal year at the Annual Council meeting in May.

There are a number of Scrutiny Panels that support the work of the Executive and the council as a whole. The Scrutiny Inquiry Panel carries out a work programme of scrutiny inquiries approved by the OSMC. These arrangements allow citizens to have a greater say in council matters by holding public inquiries into matters of local concern. These member led inquiries lead to reports and recommendations which advise the Executive and the council as a whole on its policies, budget and service delivery.

In addition the Health Overview and Scrutiny Panel undertakes the statutory scrutiny of health and adult social care agencies in Southampton, and the Children and Families Scrutiny Panel scrutinises services for children and families in the city, including education.

The OSMC also monitors the decisions of the Executive and can 'Call-In' a decision which has been made by the Executive but not yet implemented. This enables them to consider whether the decision is appropriate.

Councillor Call for Action

Enables all councillors to refer single ward issues, or 'local government matters', to the OSMC.

Scrutiny Panels 2019/20

- Health Overview and Scrutiny Panel
- Children and Families Scrutiny Panel
- Tackling Childhood Obesity Scrutiny Inquiry Panel

Overview and Scrutiny Management Committee

Councillor S Galton

Chair of the Overview and Scrutiny Management Committee (OSMC) - 2019/20

Committee Members (April 2020)

Councillor Fuller (Vice-Chair)

Councillor Bell

Councillor Bunday

Councillor Cooper

Councillor Fitzhenry

Councillor Harwood

Councillor Whitbread

Councillor Windle

Appointed Members – Church Representatives Parent Governors

Mrs Catherine Hobbs

Mr Rob Sanders

Mrs Nicola Brown

Mr Francis Otieno

Mrs Claire Rogers

Before Covid-19 brought a premature end to OSMC meetings, a number of strategic issues were the subject of repeated scrutiny from the Committee in 2019/20.

Green City Charter and Green City Delivery Plan

Following the Call-In in 2018/2019 the Committee, at meetings in October 2019 and February 2020, once again considered the development of the Executive's approach to address some of the most pressing environmental issues affecting us today.



When considering the Green City Delivery Plan the Committee highlighted the importance of target setting and the regular reporting of progress made on the Green City Plan, including the performance of carbon reduction activities, and progress being made by signatories to the Green City Charter.

Estate Regeneration

The regeneration of estates in Southampton remained an issue of interest for the OSMC. The Committee were provided with an outline of the plans behind the Executive's ambition to deliver 1000 council homes by 2025, as well as a draft of the project plans for the long-awaited redevelopment of Townhill Park.

The Committee encouraged progress at pace, whilst urging the Administration to incorporate the aspirations within the Green City Charter and Delivery Plan into the council homes for the future project, and to return to the OSMC agenda when the Executive have developed their plans for funding the Townhill Park estate regeneration programme.

Holding the Executive to account

Whilst the Committee prioritised a number of issues for detailed scrutiny the OSMC continued to undertake the key role of holding the Executive to account. In 2019/20 this was demonstrated by oversight of the transfer and performance of services from Capita to the Council; scrutiny of the Medium Term Financial Strategy; the performance of the Safe City Partnership, and, the closure of Glen Lee care home.

Health Overview and Scrutiny Panel



Councillor Bogle

Chair of the Health Overview and Scrutiny Panel – 2019/20

Panel Members (April 2020)

Councillor White (Vice-Chair)

Councillor Bell

Councillor Houghton

Councillor Prof Margetts

Councillor Noon

Councillor Payne

Despite losing the April 2020 meeting to the pandemic, the 5 meetings of the HOSP reflected the various challenges impacting on health outcomes across Southampton. This included, at the February 2020 meeting, an early discussion on Covid-19 planning across the Southampton health and care system.

Continuing Healthcare (CHC)

In August 2019 the Panel considered the complex issue of Continuing Healthcare (CHC), the name given to a package of ongoing care that is arranged and funded solely by the NHS for people who are not in hospital who have complex ongoing healthcare needs. Concerns were raised about the discrepancy between the number of referrals and those determined to be eligible for CHC. The Panel welcomed the review of processes, and the decision to provide additional training to support staff in acute and community settings. The Panel will revisit this issue at a future meeting.

Primary Care Estates Review

Southampton GP practices deliver around 1.4 million appointments per year, operating from about 40 sites across the city. In 2019 the CCG commenced a programme of work to deliver estates plans for primary care services on a locality basis, commencing with the east of the city. The Panel engaged with the programme twice in 2019/20 and will continue to seek to influence proposals as the programme considers opportunities for development and improvement of the estate.

Adult Social Care Transformation

The Adult Social Care Improvement Programme was the subject of scrutiny in October 2019. The transformation journey the service is on, including the LGA Peer Challenge findings, the proposed investment in staff and quality and the new 'Making Social Care' Partnership Board were all considered by the HOSP. The ambition was welcomed by the Panel but, as identified in the Peer Review, the challenge for services remains 'getting the basics right' on a consistent basis.

Regular agenda items

Following challenging conversations in 2018/19 the Panel, in 2019/20, reviewed progress on the performance of the Hampshire Wheelchair Service; Ophthalmology Services at Southampton General Hospital; Hospital discharge as well as the development of suicide prevention plans and the preparation underway to manage winter pressures on NHS services.

The Hampshire and Isle of Wight Long Term Plan developed by the Sustainability and Transformation Partnership (STP) was considered by the Panel alongside the Southampton Health and Care Plan. Delivering against these partnership plans will be key to addressing some of the challenges facing the city, many of which will have been exacerbated by Covid-19 and the lockdown implemented to contain the spread of the virus. Covid-19, and the expected increase in health inequalities, will inevitably dominate agendas of the Panel moving forward.

Children and Families Scrutiny Panel



Councillor Taggart

Chair of the Children and Families Scrutiny Panel – 2019/20

Panel Members (April 2020)

Councillor Mitchell (Vice-Chair)
Councillor J Baillie
Councillor Chaloner

Councillor Guthrie
Councillor Laurent
Councillor Mintoff

Appointed Members – Parent Governors

Mrs Nicola Brown
Mr Francis Otieno
Mrs Claire Rogers

Church Representatives

Mrs Catherine Hobbs
Mr Rob Sanders

The Panel continued to use performance data to scrutinise the safeguarding of children in Southampton. This item was prioritised by the Panel and became the first item on each agenda following the significant increase in demand for safeguarding services from January 2019.

The Panel sought an explanation for the dramatic spike in demand, and raised concerns relating to thresholds and risk when the service rapidly addressed the backlog in safeguarding assessments. The Panel continued to seek assurances that the child's best interests were the primary factor in decision making and to challenge assumptions about the recruitment of social workers.

The scrutiny of the dataset also resulted in more detailed oversight of a number of areas of concern for the Panel. Our request for written explanations of datasets has been met by officers and this allows for more detailed scrutiny with a greater understanding by the Panel of the service context.

Child Exploitation

The rising number of children identified as being missing encouraged the Panel to invite representatives from Hampshire Constabulary and the Council's MET Hub (Missing, Exploited, Trafficked) to the January 2020 meeting. The Panel sought to improve their understanding of child exploitation in Southampton and to scrutinise the multi-agency response and compliance with local procedure and national legislation.

Whilst the Panel commended the MET Hub for the positive feedback from Ofsted for the partnership activity, concerns were raised that, due to resource constraints, the service was only able to provide intensive specialist support to children at high risk of exploitation and that children identified as medium risk may not be getting the support they need to reduce risk of exploitation.

Ofsted Inspection

In January 2020 the Panel were able to have a brief discussion on the key findings from the Ofsted Inspection that had been published a fortnight before the scrutiny meeting. The intention was to undertake detailed scrutiny of the report, and the developing action plan in response to the findings, at the March 2020 meeting. The pandemic led to the March meeting being cancelled with no other meetings of the Panel able to be held in the 2019/20 municipal year.

The findings from this inspection, and other independent reviews, will feature heavily in 2020/21 meeting agendas. The Panel will continue to recognise and champion good practice and to call out actions and performance that have a negative impact on outcomes for children and young people in Southampton.

Scrutiny Inquiry Panel



Councillor McEwing

Chair of the Scrutiny Inquiry Panel – 2019/20

Panel Members (March 2020)

Councillor Houghton (Vice-Chair)

Councillor Coombs

Councillor Harwood

Councillor Prof Margetts

Councillor Thomas

Councillor Vaughan

Between 13,000 and 13,700 children aged between 2 and 17 years old are estimated to be either overweight or obese in the city. The consequences of childhood obesity on health can affect the quality of our children's lives, their education and their life chances. In later life, these obesity related health conditions can reduce their productivity and shorten their lives.

Given the scale of the challenge the Overview and Scrutiny Management Committee recommended 'Tackling Childhood Obesity' as an appropriate subject for the 2019/2020 scrutiny inquiry.

Consultation

The Panel undertook the inquiry over 6 meetings and received information from a wide variety of organisations and individuals. This included the Leader of the Council, PHE, academics from the Universities of Southampton, Cambridge and City – University of London, Energise Me, Solent NHS Trust, City Catering, Bristol City Council, Leeds City Council, Testlands as well as SCC officers.

Findings and conclusions

Information presented to the Inquiry Panel identified that:

- The role of the environment, and how it shapes eating and physical activity behaviours, has been identified as fundamental to the increase in levels of obesity we see today.
- Initiatives across the settings where Southampton's children go to live, learn and grow are helping to create a health promoting culture, championing healthy food choices and active lifestyles. However, these initiatives have not been able to reach a critical mass to impact on the scale of the childhood obesity problem that exists in Southampton.
- Obesity is complex with many different, but often interlinked causes, tackling childhood obesity cannot be achieved through single sector measures or themes, or short-term plans.
- Southampton needs to make tackling childhood obesity everybody's business and to commit partners in the city to develop and implement policies which promote healthy weight across the life course, as well as mitigate the effect of policies which do not support healthy weight.

Recommendations

The final report contains 16 recommendations in total which, if implemented, the Panel believe will help to tackle childhood obesity in Southampton over the long term.

Cabinet

The inquiry report was presented to Cabinet in August 2020. A formal response from the Executive to the recommendations is expected to be considered at the December 2020 Cabinet meeting.

The final report of the Inquiry Panel can be accessed here:

http://www.southampton.gov.uk/images/tackling-childhood-obesity-in-southampton_tcm63-430655.pdf

Getting Involved

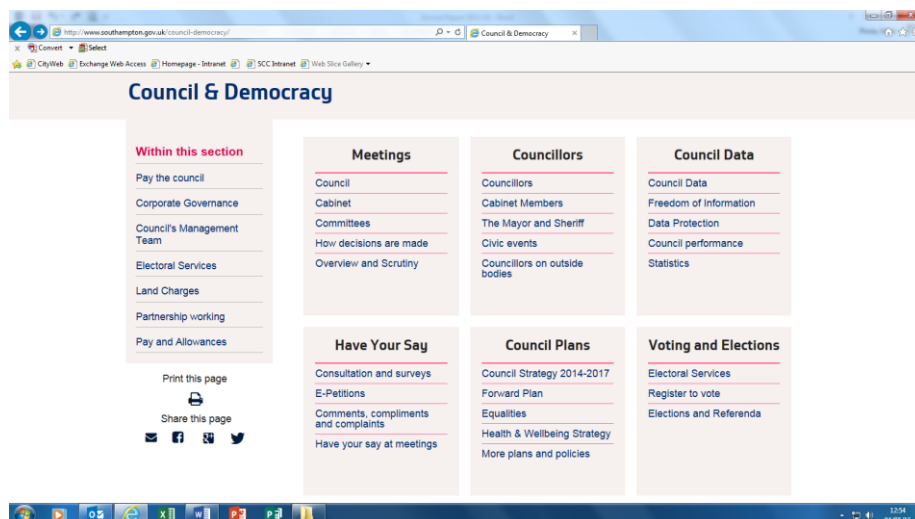
How can I get involved?

There are a number of ways in which the public and interested organisations can get involved.

- **Attend a virtual meeting of the Overview & Scrutiny Management Committee or a Scrutiny Panel.**
All scrutiny meetings are currently being held virtually and are being live-streamed on the Council's website. Only on rare occasions, when certain types of confidential information is being discussed, are members of the public not allowed to view the proceedings.
- **Raise issues with your Councillor and request Overview and Scrutiny to consider as part of Councillor Call for Action.**
- Give your feedback to inquiry meetings as part of evidence gathering.

Details of forthcoming scrutiny meetings, agendas, reports and minutes can be obtained from the City Council's website at:

<http://www.southampton.gov.uk/council-democracy/meetings/scrutiny/default.aspx>



Providing written evidence

Scrutiny inquiries can consider written evidence and members of the public, community groups, or other key stakeholders can write in to bring evidence to the attention of Inquiry Panel members. Inevitably, scrutiny inquiries have only a limited amount of time, so they may not be able to hear oral testimony from all interested people.

Written evidence provides an alternative way to receive evidence from key stakeholders, policy makers, service providers, service users and community groups. Written evidence may put forward a particular perspective of the issue being considered, or may highlight evidence to help the investigation. It can also put forward questions for witnesses which may be taken up by members of the Panel during the discussion.

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