

# CABINET

**Tuesday, 13th November 2012  
at 5.00 pm**

## **Council Chamber - Civic Centre**

This meeting is open to the public

### **Members**

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

(QUORUM – 3)

### **Contacts**

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## **BACKGROUND AND RELEVANT INFORMATION**

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

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

### **Executive Functions**

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

### **The Forward Plan**

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

### **Key Decisions**

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

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

Decisions to be discussed or taken that are key

### **Implementation of Decisions**

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

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

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

### **Procedure / Public Representations**

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

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

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

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

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

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

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

## CONDUCT OF MEETING

### **TERMS OF REFERENCE**

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

### **RULES OF PROCEDURE**

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

### **DISCLOSURE OF INTERESTS**

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

### **DISCLOSABLE PERSONAL INTERESTS**

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

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

(ii) Sponsorship:

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

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

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

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

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

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

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

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

## **Other Interests**

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

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

Any public authority or body exercising functions of a public nature

Any body directed to charitable purposes

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

## **Principles of Decision Making**

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

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

In exercising discretion, the decision maker must:

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

## AGENDA

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

### **1 APOLOGIES**

To receive any apologies.

### **2 DISCLOSURE OF DISPOSABLE PECUNIARY, PERSONAL AND PECUNIARY INTERESTS**

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

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

## **EXECUTIVE BUSINESS**

### **3 STATEMENT FROM THE LEADER**

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

Record of the decision making held on 16<sup>th</sup> October 2012, attached.

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

There are no matters referred for reconsideration.

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

There are no items for consideration

### **7 EXECUTIVE APPOINTMENTS**

To deal with any executive appointments, as required.

## **MONITORING REPORTS**

### **8 SECOND QUARTER PERFORMANCE MONITORING FOR 2012/13**

Report of the Cabinet Member for Efficiency and Improvement outlining the progress made at the end of September 2012 against the targets contained within the Council Plan, attached.

### **9 CORPORATE REVENUE FINANCIAL MONITORING FOR THE PERIOD TO THE END OF SEPTEMBER 2012**

Report of the Cabinet Member for Resources detailing the General Fund and Housing Revenue Account (HRA) revenue financial position for the Authority for the three months to the end of September 2012, attached.

## **ITEMS FOR DECISION BY CABINET**

### **10 CIVIL SERVICE SPORTS GROUND - APPROVAL TO SPEND**

Report of the Cabinet Member for Children's Services seeking approval to spend the £550,000 which was transferred from the Leader's Capital Programme to the Children's Services and Learning Capital Programme on 14th March 2012, attached.

### **11 JOINT WORK WITH THE ISLE OF WIGHT TO DELIVER EDUCATION SUPPORT SERVICES**

Report of Cabinet Member for Children's Services seeking agreement for the continuation of the current partnership arrangements between the Isle of Wight and Southampton City Council for joint delivery of education support services, attached.

### **12 CITY CENTRE PRIMARY SCHOOL EXPANSIONS - STATUTORY CONSULTATION**

Report of the Cabinet Member for Children's Services seeking permission to commence four weeks of statutory consultation on proposals to expand Bassett Green Primary School, Bevois Town Primary School and St John's Primary and Nursery School, attached.

### **13 REVISION OF THE COUNCIL'S EQUALITY POLICY AND OBJECTIVES**

Report of the Cabinet Member for Communities seeking approval to a revised Equality Policy and Objectives, attached.

### **14 DEVOLVING MAJOR SCHEMES TRANSPORT FUNDING**

Report of the Cabinet Member for Environment and Transport seeking approval to bid for funding to deliver major transport schemes within Southampton, attached.

**15 ADDITION OF TRANSPORT FUNDING TO THE CAPITAL AND REVENUE PROGRAMMES**

Report of the Cabinet Member for Environment and Transport, in association with the Cabinet Member for Resources seeking to accept new funding from several new sources and add the funding to the capital and revenue programmes for transport with authority to spend, attached.

**16 TOWNHILL PARK REGENERATION FRAMEWORK - SCHEME APPROVAL FOR PHASE 1**

Report of the Cabinet Member for Housing and Leisure that summarises the outcome of extensive further public consultations regarding the 'masterplan' proposals for transforming Townhill Park, attached.

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

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

Confidential appendices 1 and 2 contain information deemed to be exempt from general publication based on Category 3 of paragraph 10.4 of the Council's Access to Information Procedure Rules. It is not in the public interest to disclose this because doing so would prejudice the Authority's ability to achieve best consideration for the disposal of land and the awarding of a contract to carry out building works.

**18 \*LIBRARY PROVISION IN WOOLSTON**

Report of the Cabinet Member for Housing and Leisure Services detailing the provision of library services in the Woolston area of the City, attached.

**19 TENDER FOR A CONTRACT FOR CITY CENTRE MARKETS, EVENTS AND OTHER ACTIVITIES**

Report of the Leader of the Council seeking approval to go out to tender for a contract for City Centre events, attached.

**20 COURT LEET PRESENTMENTS 2012**

Report of the Head of Legal, Human Resources and Democratic Services setting of Presentments accepted by Court Leet, attached.

**21 APPROVAL OF THE LOCAL DEVELOPMENT SCHEME 2012**

Report of the Cabinet Member for Resources seeking to update the Council's current Local Development Scheme to take account of changes in Government requirements, attached.

## **ITEMS FOR DECISION BY CABINET MEMBER**

**22 IMPLEMENTATION OF THE REFORMED SCHOOL FUNDING FORMULA FOR 2013/14**

Report of Senior Manager Children and Young People Strategic Commissioning recommending the adoption of the new schools funding formula, attached.

**23 CONCESSIONARY FARES SCHEME 2013**

Report of the Senior Manager Planning, Transport and Sustainability seeking agreement on the Concessionary Fares Scheme 2013-14, attached.

**24 \* ESTABLISHMENT OF THE COMMISSIONING PROCESS FOR HEALTHWATCH SOUTHAMPTON**

Report of the Executive Director, Health and Adult Social Care, seeking approval of the commissioning arrangements for the delivery of HealthWatch Southampton.

Monday, 5 November 2012

Head of Legal, HR and Democratic Services



# Agenda Item 4

## SOUTHAMPTON CITY COUNCIL EXECUTIVE DECISION MAKING

### RECORD OF THE DECISION MAKING HELD ON 16 OCTOBER 2012

#### Present:

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

Apologies: Councillor Thorpe

#### 52. RECORD OF THE PREVIOUS DECISION MAKING

The record of the Executive decision making held on 18<sup>th</sup> September 2012 were received and noted as a correct record.

#### 53. OAKLANDS SCHOOL CHANGE OF USE CONSENT

DECISION MADE: (Ref: CAB 12/13 9091)

On consideration of the report of the Cabinet Member for Children's Services, Cabinet agreed the following:

- (i) To delegate authority to the Director of Children's Services and Learning to apply to the Department for Education for consent to dispose of the Oaklands site as no longer required for Educational purposes. Such an application would apply to all areas within the red line boundary, as marked on Appendix 1.
- (ii) To delegate authority to the Director of Children's Services and Learning to notify the Department for Education of the disposal of the hard play and outdoor social areas at the Oaklands site, under a General Consent granted to the Council in accordance with Section 77 of the School Standards and Framework Act 1998. Such an application would apply to the following areas marked on Appendix 2:
  - Play Ground 1 – 2,281m<sup>2</sup>
  - Play Ground 2 – 2,870m<sup>2</sup>
  - Social Area – 2,647m<sup>2</sup>
- (iii) Subject to obtaining consent from the Department for Education, to approve the transfer of 33,680m<sup>2</sup> of land at the Oaklands site from the Children's Services portfolio to the Resources portfolio, the land to be transferred is shown in Appendix 3.

54. PROPOSED EXPANSION OF SPRINGWELL SCHOOL  
DECISION MADE: (Ref: CAB 12/13 8851)

On consideration of the report of the Cabinet Member for Children's Services, Cabinet agreed the following:

- (i) To note the outcome of statutory consultation as set out in this report.
- (ii) To authorise the expansion of Springwell School from the 5 November 2012 by the addition of eight places (one class group) in year R and continuing incrementally in subsequent years (if there is sufficient demand for additional places in future years).
- (iii) To delegate authority to the Director of Children's Services and Learning, following consultation with the Cabinet Member for Children's Services, to do anything necessary to give effect to the recommendations in this report.
- (iv) To approve, in accordance with Financial Procedure Rules, capital expenditure of £399,000 from the Children's Services Capital Programme, for the expansion of Springwell School.

55. SOCIAL FUND TRANSITION: LOCAL SUPPORT TO REPLACE COMMUNITY CARE GRANTS AND CRISIS LOANS FOR LIVING EXPENSES.  
DECISION MADE: (Ref: CAB 12/13 8770)

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

- (i) To note the letter from the Department of Work and Pensions (DWP) about the abolition of the Social Fund attached at Appendix 1 and that the Council's financial settlement will include an un-ringfenced element for local welfare provision which is not guaranteed after 2014/15.
- (ii) To consider the work of the Scrutiny Inquiry on Welfare Reforms and multiagency local assessment on the impact of the Welfare Reforms on local residents and services in developing a way forward.
- (iii) To delegate authority to the Director for Environment and Economy, following consultation with Cabinet Member for Communities and Cabinet Member for Resources, to develop and implement a sustainable and holistic way forward that enables vulnerable residents to become more self reliant in the future.

56. SOUTHAMPTON YOUTH OFFENDING SERVICE (YOS) ANNUAL YOUTH JUSTICE PLAN 2012/13  
DECISION MADE: (Ref: CAB 12/13 8771)

On consideration of the report of the Cabinet Member for Communities, Cabinet agreed to endorse the Southampton Youth Offending Service Annual Youth Justice Plan 2012/13 and to recommend its approval to Council on 14<sup>th</sup> November, 2012, as set out in Appendix 1.

57. PHASE 2 ESTATE REGENERATION PROGRAMME

DECISION MADE: (Ref: CAB 12/13 9090)

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

- (i) To note the update on Phase 2 Estate Regeneration Programme sites.
- (ii) To approve, in accordance with Financial Procedure Rules, capital expenditure of £347,000, phased £284,000 in 2012/13 and £63,000 in 2013/14, for highway and sewer diversion works associated with the Cumbrian Way Shopping Parade redevelopment, provision for which exists within the Housing and Leisure Services Portfolio General Fund Capital Programme.

58. EUROPEAN COMMISSION COVENANT OF MAYORS ON CLIMATE CHANGE

DECISION MADE: (Ref: CAB 12/13 9171)

On consideration of the report of the Leader of the Council, Cabinet agreed to approve the signing of the Covenant of Mayors adhesion form, as set out in Appendix 2, for submission to the European Commission, as a commitment to meeting and exceeding the EU 20% CO<sub>2</sub> reduction target.

59. ROYAL PIER WATERFRONT - ARRANGEMENTS IN RESPECT OF MAYFLOWER PARK

DECISION MADE: (Ref: CAB 12/13 9161)

On consideration of the report of the Leader of the Council and having received representations from the Secretary Southampton Commons and Parks Protection Society, Cabinet agreed the following:

- (i) That the Head of Legal, HR and Democratic Services be authorised to:-
  - a) Negotiate and enter into any necessary legal agreements or other legal documentation following consultation with the Senior Manager City Development to acquire land associated with an extended Mayflower Park.
  - b) advertise proposals for the appropriation and/or disposal of Public Open Space land respectively under S.122 and S.123 of the Local Government Act 1972; and
- (ii) That the Director of Environment and Economy, after consultation with the appropriate Cabinet Member, be authorised to agree the exact area of land to be disposed of in (b) above.

60. \*ROYAL PIER WATERFRONT - LAND OWNERSHIP STRATEGY

DECISION MADE: (Ref: CAB 12/13 9162)

On consideration of the report of the Leader of the Council, Cabinet approved the recommendation set out in the confidential report.

61. LOCAL AUTHORITY SIGN UP TO "EVERY DISABLED CHILD MATTERS" DISABLED CHILDREN'S CHARTER

DECISION MADE: (Ref: CAB 12/13 9166)

On consideration of the report of the Senior Manager, Safeguarding Children; the Cabinet Member for Children's Services agreed to enter into the Every Disabled Child Matters Disabled Children's Charter as set out at Appendix 1 on behalf of the Council.

62. APPROPRIATION OF VOKES MEMORIAL GARDENS AND PART OF QUEEN'S PARK, TO ENABLE THE CONSTRUCTION OF THE PLATFORM ROAD SCHEME

DECISION MADE: (Ref: CAB 12/13 8773)

On consideration of the report of the Senior Manager – Planning Sustainability and Transport, the Cabinet Member for Environment and Transport agreed, with modification, the following:

Modified recommendation (ii) decision:

- (i) To note that there were not any objections received in relation to the proposed appropriation of land at Vokes Memorial Gardens and Part of Queens Park Platform Road, as identified in (Appendix 1 – Plan 11ALMO19032). The appropriation has therefore been completed in respect of this area of land.
- (ii) To delegate authority to the Director of Environment and Economy following consultation with the Platform Road Client Manager to determine the form and extent of an additional area of Vokes Memorial Gardens required within the final design for a Dock Gate 4 entrance and a wider Dock Gate 5 exit.
- (iii) To delegate authority to the Director of Environment and Economy to instruct the Head of Legal, HR and Democratic Services to advertise the appropriation of the additional land determined in accordance with recommendation (ii) above at Vokes Memorial Gardens for two consecutive weeks in a local newspaper circulating in the locality.
- (iv) To delegate authority to the Director of Environment and Economy following consultation with the Cabinet Member for Environment and Transport to determine any objections received from the second series of adverts and to make a final decision as to whether or not to approve the appropriation in light of any such objections.

63. ACQUISITION OF LAND- PAN HANDLE CAR PARK, EASTERN DOCK SOUTHAMPTON

DECISION MADE: (Ref: CAB 12/13 8877)

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

Having complied with Rule 15 of the Council's Access to Information Procedure Rules:

- (i) To approve the purchase of the freehold interest of the land identified in Appendix 1 – Plan 11ALM19039 and to delegate authority to the Senior Manager Property, Procurement and Contract Management, to agree the final terms and conditions of purchase.

- (ii) To delegate authority to the Senior Manager Property, Procurement and Contract Management in consultation with the Director of Environment to do anything necessary to give effect to the recommendations in this report.
- (iii) To note the level of expenditure of the purchase, which has been previously approved by Cabinet as part of the *Platform to Prosperity* Capital expenditure programme.

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# Agenda Item 8

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	SECOND QUARTER PERFORMANCE MONITORING FOR 2012/13
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR EFFICIENCY AND IMPROVEMENT
<b>STATEMENT OF CONFIDENTIALITY</b>	
NONE	

## **BRIEF SUMMARY**

This report outlines the progress made at the end of September 2012 against the targets contained within the Council Plan. The analysis contained in this report has been compiled on an exceptions basis. It only highlights variances for the targets set out in the Council Plan.

## **RECOMMENDATIONS:**

- (i) Note that 72% of the Council's Key Critical Performance Indicators set out in the Council Plan are reported to be on target.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. To provide an opportunity for Cabinet to collectively review 2<sup>nd</sup> quarter performance results against the targets contained within the Council Plan.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. To not submit this report. This option was rejected, as it is inconsistent with good management practice.

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

3. The Council Plan is a cross cutting document covering all areas of the Council's activities. The Plan reflects the leadership role of the Executive in delivering the Council's policy objectives, value for money and service improvement for the benefit of residents and businesses in the city.
4. The Council Plan identifies a short list of top priorities for improvement that the Council as a whole will focus on and progress. It has been agreed that progress against these priorities for improvement will be reported to Cabinet regularly. In addition, each directorate will also focus on a maximum of 12 priorities for improvement with the aim of narrowing our focus on the essential performance indicators within each directorate. The same approach will be taken at a service level, with the aim of focusing on the most important areas for improving performance.
5. This quarterly report outlines the progress made against the targets set out in the Council Plan, on an exceptions basis. Any variations which are of concern will be escalated to the relevant Cabinet Member by Directors so that agreed appropriate action can be taken.

6. The Council Plan contains the agreed targets for 14 Council Critical Key Performance Indicators (CKPIs). A top-level summary of the CKPIs at the end of the 2<sup>nd</sup> quarter indicates that **72%** are on target, this compares to 72% reported to be on target at the end of Quarter 1 2012/13.
7. Council Plan Service Improvement Actions (Commitments) are not reported this quarter as the commitments are in the process of being finalised. This is because the Council Plan for 2011 – 14 is currently being revised in light of new council priorities, following the change in administration in May 2012. Therefore, although directorates are continuing to focus on key service priorities, this report does not contain any information on the Service Improvement Action (commitments) for the second quarter of 2012/13.
8. It should be noted that to ensure a consistent means of determining good and poor performance, the same assessment criteria have been applied as in previous monitoring reports. An indicator is therefore deemed to be:
  - On Target (Green) if performance is within 5% of the agreed target
  - Have a slight variance (Amber) if the variance is between 5% and 15%
  - Have a significant variance (Red) if the reported variance is more than 15% from the agreed target
  - Data Unavailable (Grey).
9. At the end of the 2<sup>nd</sup> quarter 2012/13 the following measures have been highlighted as having significant or slight variances, explanations for these can be found in Appendix 1:
  - Achievement of at least 78 points across the Early Years Foundation Stage (Significant Variance)
  - Increase the timeliness of Initial Child Protection work for vulnerable children (Significant Variance)
  - Number of affordable homes delivered (Slight Variance).
10. The overview of the 14 CKPIs for the Council is as follows:

Portfolio	Total	Monitored 2 <sup>nd</sup> Qtr	Progress at the end of quarter 2			
			Green	Amber	Red	Grey
Adult Services	1	1	1	0	0	0
Children's Services	7	7	4	0	2	1
Environment & Transport	4	4	4	0	0	0
Housing & Leisure	2	2	1	1	0	0
<b>2<sup>nd</sup> Qtr Total 2012/13</b>	<b>14</b>	<b>14</b>	<b>10</b>	<b>1</b>	<b>2</b>	<b>1</b>
%		<b>100%</b>	<b>72%</b>	<b>7%</b>	<b>14%</b>	<b>7%</b>
1 <sup>st</sup> Qtr Total 2012/13	14	14	10	1	1	2
%		100%	72%	7%	7%	14%
4 <sup>th</sup> Qtr Total 2011/12	14	14	12	0	2	0
%		100%	86%	0%	14%	0%
3 <sup>rd</sup> Qtr Total 2011/12	14	14	10	1	2	1
%		100%	71%	7%	14%	7%
2 <sup>nd</sup> Qtr Total 2011/12	14	14	8	3	2	1
%		100%	57%	21%	14%	7%
1 <sup>st</sup> Qtr Total 2011/12	14	13	10	2	0	1
%		93%	77%	15%	0%	8%



## RESOURCE IMPLICATIONS

### Capital/Revenue

11. None

### Property/Other

12. None

## LEGAL IMPLICATIONS

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

13. Monitoring of the Council's performance against statutory and local performance indicators is in line with the Council's statutory duties under the Local Government Acts 1999, 2000 & 2003.

### Other Legal Implications:

14. None

## POLICY FRAMEWORK IMPLICATIONS

15. The Council Plan forms part of the Council's approved Policy Framework.

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	E-mail:	Mark.Pirnie@southampton.gov.uk		

**KEY DECISION?** No

<b>WARDS/COMMUNITIES AFFECTED:</b>	None
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## SUPPORTING DOCUMENTATION

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

### **Appendices**

1.	Council Plan Indicators: variances
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### **Documents In Members' Rooms**

1.	None
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### **Integrated Impact Assessment**

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

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

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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## Council Plan Indicators: Variances for Quarter 2

Measure Description	Comments	Current Quarter Status	Year End Target	1st Qtr Actual	2nd Qtr Actual	3rd Qtr Actual	4th Qtr Actual
<b>Children's Services</b>							
<b>Education, Prevention and Inclusion</b>							
Achievement of at least 78 points across the Early Years Foundation Stage (Former NI72)	There has been increase in performance in each of the last six years. The average yearly increase has been 2.8%. The increase in academic year 2011/12 stood at 1%. A drop in the rate of improvement. During 2012/13 a new approach will be implemented to impact on the Early Years outcome within two years. The DfE are changing the performance measure criteria in 2012/13. This will result in a new baseline by quarter 2 of 2013/14.	Significant Var	67		56.3		0
Percentage of total absence from school	The 2011-12 data will be published by the Department for Education in March 2013. A review of local absence guidance to improve local practice within schools has taken place. This will continue to narrow the gap to comparator cities and National absence rates.	N/A	5.8				0
<b>Safeguarding - Children</b>							
Increase the timeliness of Initial Child Protection work for vulnerable children	Performance has remained stable, but significantly below the target. This relates to 28 cases. 50% of these cases were outside of timescale, but this was with management agreement. An increased focus on performance management is being implemented to seek to raise timeliness in the remaining 50% of cases that were outside of timescale.	Significant Var	85	70	70		0
<b>Housing &amp; Leisure</b>							
<b>Skills, Economy and Housing Renewal</b>							
Number of affordable homes delivered (gross) (Former NI155)	The variance occurred due to one scheme of 14 units having completion delayed due to problems with sewer connections from the site, and grounds works being delayed due to severe rainfall in the summer. This scheme will now complete in quarter 3. The development schemes are being closely monitored by officers to try and ensure no further slippage occurs. The figures remain on target to meet the 2012/13 target of 150 affordable homes provided.	Slight Variance	150	33	60		

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# Agenda Item 9

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	CORPORATE REVENUE FINANCIAL MONITORING FOR THE PERIOD TO THE END OF SEPTEMBER 2012
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR RESOURCES
<b>STATEMENT OF CONFIDENTIALITY</b>	
N/A	

## **BRIEF SUMMARY**

This report summarises the General Fund and Housing Revenue Account (HRA) revenue financial position for the Authority for the six months to the end of September 2012, and highlights any key issues by Portfolio which need to be brought to the attention of Cabinet.

## **RECOMMENDATIONS:**

### **General Fund**

It is recommended that Cabinet:

- (i) Note the current General Fund revenue position for 2012/13 as at Month 6 (September), which is a forecast under spend at year end of **£303,200** against the budget approved by Council on 15 February 2012, as outlined in paragraph 4. This can be compared against the reported over spend at Month 3 of £1.5M; an improvement of almost £1.8M.
- (ii) Note that the baseline forecast over spend for portfolios is almost £5.0M.
- (iii) Note that portfolios plan to take remedial action to manage a number of the corporate and key issues highlighted in this report and that the financial impact is reflected in the forecast position.
- (iv) Note that further remedial action has been taken to rigorously control staff resource costs and to put in place a moratorium on all non essential expenditure for the remainder of the financial year.
- (v) Note that the Risk Fund includes £3.9M to cover service related risks, and that the estimated draw at Month 6 is £3.0M to cover expenditure which is included within the baseline forecast portfolio over spend of £5.0M. The Risk Fund has been reviewed and it has been assumed that £430,200 of the Fund will not be required in 2012/13.
- (vi) Note that it has been assumed that the remainder of the contingency, which stands at £344,300, will be fully utilised by the end of 2012/13.
- (vii) Note the forecast level of balances which will not fall below the minimum level of £5.0M in the medium term based on the current forecast.
- (viii) Note the performance to date with regard to the delivery of the agreed savings proposals approved for 2012/13 as detailed in Appendix 9.
- (ix) Note the performance against the financial health indicators detailed in Appendix 10.

- (x) Note the performance outlined in the Quarterly Treasury Management Report attached as Appendix 11.

### **Housing Revenue Account**

It is recommended that Cabinet:

- (xi) Note the current HRA budget monitoring position for 2012/13, as at Month 6 (September), which includes a carry forward from 2011/12 of £282,000 as approved by Council on the 11 July 2012. There is a forecast over spend at year end of **£485,300**, but this includes an adverse variance of £725,800 on capital financing costs due to the earlier repayment of a loan as outlined in paragraph 34. The true underlying position is a forecast under spend of **£240,500** excluding the capital financing costs.

### **REASONS FOR REPORT RECOMMENDATIONS**

1. To ensure that Cabinet fulfils its responsibilities for the overall financial management of the Council's resources.

### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. Not applicable

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

3. Heads of Service, Budget Holders and Directors have been consulted in preparing the reasons for variations contained in the appendices.

### **Financial Summary**

4. Appendix 1 sets out a high level financial summary for the General Fund, and shows that the overall forecast outturn position for the Council is an under spend of **£303,200**, as shown below:

	<b>Forecast Outturn Variance £000's</b>	<b>Forecast Outturn Variance %</b>
<b>Baseline Portfolio Total</b>	<b>4,955.0 A</b>	<b>2.6</b>
Draw From Risk Fund	2,978.0 F	
<b>Portfolio Total</b>	<b>1,977.0 A</b>	<b>1.0</b>
Capital Asset Management	1,500.0 F	
Non-specific Government Grants	350.0 F	
Risk Fund	430.2 F	
<b>Net Total General Fund</b>	<b>303.2 F</b>	<b>0.4</b>

5. As shown in the above table, the forecast portfolio revenue outturn on net controllable spend for the end of the year compared to the working budget is an over spend of £2.0M and this is analysed below:

Portfolio	Baseline Forecast Outturn Variance £000's	Risk Fund Items £000's	Forecast Outturn Variance		See Appendix
			£000's	%	
Adult Services	923.3 A	700.0 F	223.3 A	0.3	2
Children's Services	4,126.2 A	1,310.0 F	2,816.2 A	7.8	3
Communities	234.2 F		234.2 F	4.3	4
Environment & Transport	334.2 A	724.0 F	389.8 F	1.8	5
Housing & Leisure Services	490.6 A	244.0 F	246.6 A	1.9	6
Leader's	201.0 F		201.0 F	4.7	7
Resources	484.1 F		484.1 F	1.1	8
<b>Portfolio Total</b>	<b>4,955.0 A</b>	<b>2,978.0</b>	<b>1,977.0 A</b>	<b>1.0</b>	

6. The corporate and key issues affecting each portfolio are set out in Appendices 2 to 8, as per the previous table.

### **Remedial Action**

7. Portfolios plan to take remedial action to manage a number of the corporate and key issues highlighted in this report. Specific actions are included within Appendices 2 to 8 where applicable and the financial impact is reflected in the forecast position.
8. Following Month 3 it was apparent that further remedial action was required in year and plans have been developed, the financial impact of which is reflected in the latest position.
9. There is already in place a rigorous process whereby all requests to fill vacant posts are referred to the Management Board of Directors for a decision as to whether the post should be recruited to. This rigorous assessment of vacant posts prior to external recruitment remains in place and has been strengthened to encompass a review by the Chief Executive of any request to utilise temporary staff or to make changes to the use of staff resources, including all recruitment requests.
10. In addition, it was agreed by the MBD to put in place a spend moratorium on non essential expenditure for the remainder of 2012/13. This was agreed in order to ensure that the support which can be given to the challenging financial position the Council faces in both 2012/13 and future years can be maximised.
11. The action taken has resulted in an improvement in the financial position since Month 3 of almost £1.8M.

### **Capital Asset Management**

12. The favourable variance of £1.5M is primarily due to an accounting adjustment to reverse a provision for Equal Pay which was created in 2009/10 to meet liabilities arising from a number of equal pay claims received by the Council. This provision was funded through capital expenditure which the Council was able to undertake following receipt of a Capitalisation Direction. The impact of reversing the provision is to reduce the capitalisation requirement which in turn

reduces the level of Minimum Revenue Provision (MRP) which the Council is required to make

13. In addition, net interest payable is forecast to be below that originally estimated as a result of lower than anticipated borrowing costs. This is as a consequence of lower forecast borrowing levels and also the fact that when we do borrow it will in all likelihood be at lower rates than originally estimated.
14. Lower rates have been achieved through a conscious decision to continue to utilise short term variable rate debt which remains available at lower rates than long term fixed rate debt due to the depressed market. The prediction based on all of the economic data available is that interest rates will remain lower for a sustained period of time and that this situation will therefore continue into 2013/14 and beyond.
15. In achieving interest rate savings, the Council has exposed itself to short term variable interest rate risk and whilst in the current climate of low interest rates this is obviously a sound strategy, at some point when the market starts to move the Council will need to act quickly to lock into fixed long term rates which may be at similar levels to the debt it has restructured. Furthermore, the volatility in the financial markets means that interest costs and investment income will continue to fluctuate for some time.

#### **Non Specific Government Grants**

16. Additional non specific Government grant income has been received resulting in a forecast favourable variance of £350,000. The main variance is due to an amendment to previously announced formula funding.
17. The Government has reviewed the deductions made from local authority formula grant allocations for 2011/12 and 2012/13 in respect of the funding top sliced for Academies in order to attempt to better reflect the pattern of Academy provision across the country.
18. As a consequence of this review, a “refund” has been paid to the Council as the amount top sliced from formula grant has been assessed as being bigger than it would have been had the deduction been based on the number of Academies during 2011/12. This “refund” has been calculated by the Department for Education as £328,200 and is due to be received in Quarter 3.
19. In addition to this there have been a small number of grant notifications which have differed slightly from the initial assumed level of funding.

#### **Risk Fund**

20. Potential pressures that may arise during 2012/13 relating to volatile areas of both expenditure and income are being managed through the Risk Fund. A sum of £3.9M is included in the budget to cover these pressures and is taken into account during the year as evidence is provided to substantiate the additional expenditure against the specific items identified.
21. At Month 6, it is estimated that pressures within Portfolios will require the allocation of £3.0M from the Risk Fund, as shown in the table below, leaving a balance of £0.9M:



<b>Portfolio</b>	<b>Service Activity</b>	<b>£000's</b>
Adult Services	Learning Disability	700.0
Children's Services	Tier 4 Safeguarding Specialist Services	1,000.0
Children's Services	Funding for 2 year olds	310.0
Environment & Transport	Fuel Inflation – Waste Collection	86.0
Environment & Transport	Fuel Inflation – Crematorium	36.0
Environment & Transport	Carbon Reduction Certificates	48.0
Environment & Transport	Income – Bereavement Services	59.0
Environment & Transport	Income – Off Street Car Parking	286.0
Environment & Transport	Income – Itchen Bridge Toll	140.0
Environment & Transport	Income – Bus Shelter Contract	69.0
Housing & Leisure Services	Income – Leisure & Culture	244.0
<b>Portfolio Draw From Risk Fund</b>		<b>2,978.0</b>

22. At this stage of the year, it has been assumed that a further draw of £0.5M may be required in 2012/13 which will result in an overall forecast favourable variance on the Risk Fund of £403,200. The provision made within the Risk Fund will be reviewed as part of the development of the budget for 2013/14 to ensure that a sufficient allocation is included for such pressures in the future.

### **Contingency**

23. A sum of £344,300 remains in the Contingency and at this stage of the year it has been assumed that the remainder of the contingency will be fully utilised by the end of 2012/13.

### **Approved Carry Forward Requests & Potential Carry Forward Requests**

24. Full Council has agreed to automatically carry forward any surplus/deficit on Central Repairs and Maintenance at year-end subject to the overall financial position of the Authority.  
Furthermore, Cabinet has approved the delegation of authority to the Chief Financial Officer (CFO), following consultation with the Cabinet Member for Resources, to allocate premises related resources (revenue and capital) in order to maximise the efficient use of resources in respect of general repairs and maintenance, major works to civic buildings and the implementation of the accommodation strategy. At this stage of the year no variance to planned spend is anticipated and this will continue to be actively monitored for the remainder of the year.
25. Portfolios have not highlighted any potential carry forwards for submission which is as to be expected at this stage of the year.

### **Key Portfolio Issues**

26. The corporate and other key issues for each portfolio are detailed in Appendices 2 to 8.

27. It is good practice to recognise that any forecast is based on assumptions about key variables and to undertake an assessment of the risk surrounding these assumptions. Having done this a forecast range has been produced for each corporate and key issue, where applicable, which represents the pessimistic and optimistic forecast outturn position. This range is included within the detail contained in Appendices 2 to 8.
28. There are, however, certain corporate issues which are highlighted in the tables below as being the most significant for Cabinet to note. The adverse variances are noted in the first table, with any significant favourable variances detailed in the second table:

**Corporate Adverse Variances**

<b>Portfolio</b>	<b>Corporate Issue</b>	<b>Adverse Forecast £000's</b>	<b>See Appendix &amp; Reference</b>
Adult Services	Learning Disability	981.1	2 – AS 2
Children's Services	Tier 4 Safeguarding	2,248.3	3 – CS 2
Children's Services	Safeguarding Mgt & Legal Services	278.3	3 – CS 3
Children's Services	Child Protection Tier 3 Social Work Teams	1,782.7	3 – CS 4
Children's Services	Infrastructure	226.8	3 – CS 5
Environment & Transport	Off Street Car Parking	416.9	4 – E&T 1
Environment & Transport	Itchen Bridge	232.9	4 – E&T 2
Environment & Transport	Waste Collection	307.5	4 – E&T 3
Housing & Leisure Services	Arts & Heritage	416.3	5 – HLS 1

**Corporate Favourable Variances**

<b>Portfolio</b>	<b>Corporate Issue</b>	<b>Favourable Forecast £000's</b>	<b>See Appendix &amp; Reference</b>
Adult Services	Adult Disability Care Services	34.2	2 – AS 1
Children's Services	Commissioning, Education & Inclusion	293.2	3 – CS 1
Environment & Transport	Highways Contract Management	308.2	4 – E&T 4

## General Fund Balances

29. It is important for Cabinet to consider the position on balances. The table below shows the latest predicted position after taking into account the outturn for 2011/12, the update of the capital programme, the published budget proposals approved by Council on 15 February, the budget changes approved by Council on 12 September and the forecast position for 2012/13 as outlined in this monitoring report.

	<b>2011/12</b> <b>£000's</b>	<b>2012/13</b> <b>£000's</b>	<b>2013/14</b> <b>£000's</b>	<b>2014/15</b> <b>£000's</b>	<b>2015/16</b> <b>£000's</b>
<b>Opening Balance</b>	<b>17,393.9</b>	<b>23,529.6</b>	<b>7,545.8</b>	<b>5,550.9</b>	<b>5,667.2</b>
Draw to Support Capital	(1,819.9)	(312.6)	(10.0)		
(Draw to Support) / Contribution from Revenue	11,763.0	(3,999.0)	3,167.0	4,000.0	4,000.0
Draw for Strategic Schemes	(3,807.4)	(11,672.2)	(5,151.9)	(3,883.7)	(4,074.0)
<b>Closing Balance</b>	<b>23,529.6</b>	<b>7,545.8</b>	<b>5,550.9</b>	<b>5,667.2</b>	<b>5,593.2</b>

30. The minimum level of balances is set at £5.0M and the above prediction indicates that this will be maintained in the medium term. Presently, £593,200 is available within balances of which 303,200 is as a consequence of the forecast position as set out in this report. Given the fact that this is a forecast position it would not be prudent to utilise this amount at this stage of the year. The remainder of £290,000 is however, available within balances and this can be used to fund future initiatives or contribute to the revenue budget in future years.

## Implementation of Savings Proposals

31. Savings proposals of £12.7M were approved by Council in February 2012 as part of the overall budget package for 2012/13. The delivery of the savings is crucial to the financial position of the authority. Below is a summary of the progress as at the end of the first quarter to highlight where there are risks associated with delivery and Appendix 9 contains further details:

	<b>%</b>
Implemented and Saving Achieved	<b>81.8</b>
Not Yet Fully Implemented and Achieved But Broadly on Track	<b>17.2</b>
Saving Not on Track to be Achieved	<b>1.0</b>
	<b>100.0</b>

32. Where savings are not on track to be achieved and a high level of risk is associated with delivery then this is due to non implementation in some cases but also due to the impact of factors such as rising demand for services which have meant that despite being implemented the estimated level of financial savings have not materialised.

33. The overall financial shortfall in the delivery of the savings proposals is currently forecast as £377,000 or 3% of the total to be delivered. The breakdown of the financial consequences is shown by Portfolio in Appendix 9.
34. The financial implications of the delivery of these proposals are reflected in the current forecast position and areas of ongoing concern have been fully reviewed and appropriate action plans put into place. In addition, any implications for the budget for 2013/14 and future years will be addressed as part of the development of the budget.

#### **Financial Health Indicators**

35. In order to make an overall assessment of the financial performance of the authority it is necessary to look beyond pure financial monitoring and take account of the progress against defined indicators of financial health. Appendix 10 outlines the performance to date, and in some cases the forecast, against a range of financial indicators which will help to highlight any potential areas of concern where further action may be required.

#### **Quarterly Treasury Management Report**

36. The Council approved a number of indicators at its meeting of the 15 February 2012 and Appendix 11 outlines current performance against these indicators in more detail, along with an economic update and key information about the Council's borrowing and investments.

#### **Housing Revenue Account**

37. The expenditure budget for the HRA was set at £68.6M and the income budget at £68.3M, resulting in a net draw from balances of £295,500. The forecast position for the year end on income and expenditure items shows a favourable variance of £240,500 compared to this budget. There is an additional adverse variance of £725,800 on capital financing costs, due to the earlier repayment of a loan, however, this is a timing issue rather than an increase of cost in the business planning period and will correct itself by the end of financial year 2013/14.
38. There are no corporate variances to report but the detail is set out in Appendix 12.

### **RESOURCE IMPLICATIONS**

#### **Capital**

39. None.

#### **Revenue**

40. Contained in the report

#### **Property/Other**

41. None

### **LEGAL IMPLICATIONS**

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

42. Financial reporting is consistent with the Chief Financial Officer's duty to ensure good financial administration within the Council.

**Other Legal Implications:**

43. Not applicable.

**POLICY FRAMEWORK IMPLICATIONS**

43. Not applicable.

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**KEY DECISION?** Yes/No YES

<b>WARDS/COMMUNITIES AFFECTED:</b>	ALL
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## SUPPORTING DOCUMENTATION

### Appendices

1.	General Fund Summary
2.	Adult Services Portfolio
3.	Children's Services Portfolio
4.	Communities Portfolio
5.	Environment & Transport Portfolio
6.	Housing & Leisure Services Portfolio
7.	Leader's Portfolio
8.	Resources Portfolio
9.	Implementation of Savings Proposals
10.	Financial Health Indicators
11.	Quarterly Treasury Management Report
12.	Housing Revenue Account

### Documents In Members' Rooms

1.	None
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### Integrated Impact Assessment

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out.	Yes/No
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### Other Background Documents Integrated Impact Assessment and Other Background documents available for inspection at:

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

1.	General Fund Revenue Budget Report 2012/13 to 2014/15 (Approved by Council on 15 February 2012)	
2.	Changes to Existing Revenue & Capital Budgets (Approved by Council on 12 September 2012)	

## GENERAL FUND 2012/13 - OVERALL SUMMARY

September 2012

	Working Budget	Forecast Outturn	Forecast Variance
	£000's	£000's	£000's
<b>Portfolios (Net Controllable Spend)</b>			
Adult Services	67,381	68,304	(923)
Children's Services	36,026	40,152	(4,126)
Communities	5,461	5,226	234
Environment & Transport	22,123	22,457	(334)
Housing & Leisure Services	13,107	13,598	(491)
Leader's Portfolio	4,268	4,067	201
Resources	44,092	43,608	484
<b>Baseline for Portfolios</b>	<b>192,457</b>	<b>197,412</b>	<b>(4,955)</b>
Net Draw From Risk Fund	2,978	0	2,978
<b>Sub-total (Net Controllable Spend) for Portfolios</b>	<b>195,435</b>	<b>197,412</b>	<b>(1,977)</b>
Non-Controllable Portfolio Costs	23,434	23,434	0
<b>Portfolio Total</b>	<b>218,869</b>	<b>220,846</b>	<b>(1,977)</b>
<b>Levies &amp; Contributions</b>			
Southern Seas Fisheries Levy	46	46	0
Flood Defence Levy	43	43	0
Coroners Service	560	560	0
	<b>649</b>	<b>649</b>	<b>0</b>
<b>Capital Asset Management</b>			
Capital Financing Charges	14,265	12,765	1,500
Capital Asset Management Account	(25,565)	(25,565)	0
	<b>(11,301)</b>	<b>(12,801)</b>	<b>1,500</b>
<b>Other Expenditure &amp; Income</b>			
Direct Revenue Financing of Capital	273	273	0
Net Housing Benefit Payments	(882)	(882)	0
Non-Specific Govt. Grants	(120,941)	(121,291)	350
Contribution to Pay Reserve	600	600	0
Collection Fund Surplus	(373)	(373)	0
Council Tax Freeze Grant	(2,071)	(2,071)	0
Open Space and HRA	436	436	0
Risk Fund	933	503	430
Contingencies	344	344	0
Surplus/Deficit on Trading Areas	(170)	(170)	0
	<b>(121,850)</b>	<b>(122,630)</b>	<b>780</b>
<b>NET GF SPENDING</b>	<b>86,367</b>	<b>86,064</b>	<b>303</b>
<b>(Draw from) / Addition to Balances:</b>			
To fund the Capital Programme	(273)	(273)	0
Draw from Balances (General)	(2,802)	(2,499)	303
Draw from Strategic Reserve (Pensions & Redundancies)	(86)	(86)	0
	<b>(3,162)</b>	<b>(2,858)</b>	<b>303</b>
<b>COUNCIL TAX REQUIREMENT</b>	<b>83,206</b>	<b>83,206</b>	<b>0</b>

**ADULT SERVICES PORTFOLIO****KEY ISSUES – MONTH 6**

The Portfolio is currently forecast to over spend by **£223,300** at year-end, which represents a percentage over spend against budget of **0.3%**. This forecast is constructed from the bottom up through discussions with individual budget holders and is then adjusted to take into account the wider Portfolio view and corporate items as shown below:

	<b>£000's</b>	<b>%</b>
Baseline Portfolio Forecast	923.3 A	1.4
Risk Fund Items	700.0 F	
<b>Portfolio Forecast</b>	<b>223.3 A</b>	<b>0.3</b>
Potential Carry Forward Requests	0.0	

**The CORPORATE issues for the Portfolio are:**

**AS 1 – Adult Disability Care Services (forecast favourable variance £34,200)**

**There is a projected over spend of £774,300 on Nursing, £257,900 on Residential Care and £246,400 on Direct Payments, offset by an under spend of £500,000 on services funded through the Health Transfer for 2012/13 and £700,000 further savings from the moratorium on non essential spend across the Portfolio.**

**Forecast Range not applicable.**

There is a forecast over spend on Nursing of £774,300 which is predominantly due to an increase in numbers of clients and changes to existing packages but also reflects the difficulties being experienced in procuring services at a price historically charged to meet these client needs. In addition this reflects the increased activity noted at outturn 2011/12. This increase can be supported by evidence of a rise in the number of referrals to the Hospital Discharge Team (an increase of 22.8 % in 2011/12 compared to 2010/11). The forecast reflects that specific budgeted income of £80,000 will not be achieved due to the contract having ended. In addition the forecast reflects that the maximum reimbursement achievable from a nursing block contract is £67,000 less than previously anticipated.

Residential Care is forecast to over spend by £257,900. This reflects the increase in activity reported for outturn 2011/12. The forecast also includes an increase in the costs for short stay care of £100,000 compared to that budgeted for 2012/13.

Direct Payments are forecast to over spend by £246,400 which is predominantly due to clients who were previously funded as continuing health care clients.



Health funding received in 2012/13, to promote Social Care Services which aim to prolong the period before acute care needs develop, is expected to significantly under spend at year end. It has been assumed that £500,000 of the under spend will be used to offset the pressure on Adult Disability Care Services.

In addition, a full review of all expenditure budgets across the Adult Services Portfolio has been carried out in line with the moratorium on non-essential spend. The resultant £700,000 reduction in the Portfolio forecast is being reported within Adult Disability Care Services to offset the over spend in this area. The following table demonstrates the effect of these forecast changes on the equivalent number of units:

	Net Budget £000's	Unit Prices	Budgeted Units	Forecast £000's	Forecast Units	Difference (Units)	Variance to Budget £000's
Day Care	86.6	£58.43	1,482	56.9	974	(508)	(29.7)
Direct Payments	2,538.3	£11.39	222,853	2,784.7	244,486	21,633	246.4
Domiciliary	4,898.5	£13.69	357,816	4,845.4	353,937	(3,879)	(53.1)
Nursing	2,341.2	£66.12	35,408	3,085.5	46,665	11,257	744.3
Residential	4,632.5	£50.13	92,410	4,890.4	97,554	5,144	257.9
Health Monies	N/A	N/A	N/A	(500.0)	N/A	N/A	(500.0)
Moratorium	N/A	N/A	N/A	(700.0)	N/A	N/A	(700.0)
<b>Total</b>	<b>14,497.1</b>			<b>14,462.9</b>			<b>(34.2)</b>

## **AS 2 – Learning Disability (forecast adverse variance £981,100)**

**There has been an increase in new clients/changes in client costs.**

**Forecast Range £1.2M adverse to £980,000 adverse.**

A budget pressure arising from the impact of an aging population and new transitional clients was identified as part of setting the 2012/13 budgets. A sum of £700,000 was allowed for within the Risk Fund to meet this pressure which can now be evidenced by an increase in residential activity of £714,200 and an increase in the forecast spend for Supported Living clients of £287,400. It has been assumed that there will be a draw on the Risk Fund for the full £700,000.

It should be noted that this position assumes that an additional local savings target of £538,000 will be fully achieved. To date £252,000 has been achieved with a further £286,000 to be actioned.

**There are no OTHER KEY issues for the Portfolio at this stage.**

### **Summary of Risk Fund Items**

Service Activity	£000's
Learning Disability	700.0
<b>Risk Fund Items</b>	<b>700.0</b>

**CHILDREN'S SERVICES PORTFOLIO****KEY ISSUES – MONTH 6**

The Portfolio is currently forecast to over spend by **£2,816,200** at year-end, which represents a percentage over spend against budget of **7.8%**. This forecast is constructed from the bottom up through discussions with individual budget holders and is then adjusted to take into account the wider Portfolio view and corporate items as shown below:

	<b>£000's</b>	<b>%</b>
Baseline Portfolio Forecast	4,126.2 A	11.5
Risk Fund Items	1,310.0 F	
<b>Portfolio Forecast</b>	<b>2,816.2 A</b>	<b>7.8</b>
Potential Carry Forward Requests	0.0	

The **CORPORATE** issues for the Portfolio are:

**CS 1 – Commissioning, Education and Inclusion (forecast favourable variance £293,200)**

**Moratorium on all non essential spend to offset over spends in the rest of the Division**

**Forecast Range £250,000 favourable to £350,000 favourable.**

A full review of all expenditure budgets within the Commissioning, Education and Inclusion Division has been carried out with forecasts being adjusted in line with the moratorium on non-essential expenditure in the areas of Children's Centres, Substance Misuse, Secure Accommodation, Short-Breaks for Disabled Children, Teenage Pregnancy and Workforce Development. This exercise yielded a favourable net reduction in the forecast variance of £603,000. However, this has been partly offset by £310,000 for the provision of additional two year old Nursery places for which a draw on the Risk Fund is being requested.

**CS 2 – Tier 4 Safeguarding Specialist Services (forecast adverse variance £2,248,300)**

**This budget funds the cost of children in care. The number of children in care has increased by 55, (16%) over the budgeted position, and by 31, (8.4%) over the position accounted for within the Risk Fund.**

**Forecast Range £3M adverse to £1.5M adverse**

The increasing number of children in care has led to a forecast over spend on fostering placements of £1,335,800, and on residential placements of £758,000. In addition there are other various minor over spends totalling £154,500.

This position includes a forecast over spend of £1,110,800 on Independent Fostering Agency (IFA) placements, (50 budgeted versus 78 actual), £125,200 on placements with SCC foster carers, (270 budget versus 289 actual), and £122,600 on special guardianship allowances (26 budgeted versus 46 actual). The increasing numbers of special guardianship allowances has resulted from the conversion of foster care placements to special guardianship, (with a corresponding cost saving of between £3,000 and £13,000 per placement per annum). Despite this action, the overall number of children requiring a foster placement has continued to increase due to the additional numbers of children entering the care system.

The £758,000 over spend position on residential placements includes a £65,000 forecast under spend on Our House. This has offset the cost pressure of £820,600 arising from the need for external residential placements.

A draw of £1M has been made from the Risk Fund reducing the over spend on Tier 4 Safeguarding Specialist Services to £1,248,300.

The table outlines the changes in activity levels for 2012/13:

Service	Daily Rate Range	Client Numbers				
		Budget	Budget Plus Risk Fund Provision	August 2012	September 2012	Latest Forecast:
Fostering up to 18	£20 - £95	270	280	292	289	294
IFA Placements	£96 - £212	50	60	72	78	73
Supported Placements or Rent	£16 - £43	9	9	11	13	13
Residential - Our House		5	5	2+1 Respite	2+1 Respite	3
Residential - Independent Sector	£100 - £570	8	12	15	13	11
Civil Secure Accommodation	£717 - £806	1	1	2	2	1
<b>Sub-total: Children in Care</b>		<b>343</b>	<b>367</b>	<b>395</b>	<b>398</b>	<b>395</b>
Over 18's	£18 - £78	14	14	12	11	12
Adoption Allowances	£1 - £32	95	95	92	92	91
Special Guardianship Allowances	£4 - £44	26	26	46	46	46
Residence Order Allowances	£6 - £16	18	18	18	18	18
<b>Total</b>		<b>496</b>	<b>520</b>	<b>563</b>	<b>565</b>	<b>562</b>

\* These numbers are based on the anticipated position at the end of March 2013

### **CS 3 – Safeguarding Management and Legal Services (forecast adverse variance £278,300)**

**Additional legal costs (£345,700 directly attributable to the increasing number of children in care).**

**Forecast Range £500,000 adverse to £250,000 adverse**

This adverse variance is due to unavoidable legal costs relating to court fees, legal expenses and the additional costs of external solicitors for the increased numbers of court proceedings and is attributable to the increase in the numbers of children in care.

**CS 4 – Child Protection Tier 3 Social Work Teams (forecast adverse variance £1,782,700)**

The adverse variance reflects the additional child protection agency social work staff above establishment and the additional cost of agency social work staff in respect of vacancy and absence cover. It also incorporates a forecast over spend arising from the additional costs of court ordered supervised parental contact with their children who have been taken into care.

**Forecast Range £2M adverse to £1.5M adverse**

There is a forecast over spend of £1,538,000 on child protection 'Tier 3' social work teams. Current market conditions, combined with changes to terms and conditions have meant that the supply of social workers is insufficient and inexperienced to meet rising demand. This means a continuing need for temporary staff, acquired from independent agencies at, on average, twice the cost of a permanently employed member of staff. A recruitment and retention strategy has been devised to reduce the reliance on expensive agency staff. Agency staff are also being used for vacancy and sickness cover, as well as to cover cases that cannot be met from within existing resources.

The forecast over spend on the Contact Scheme of £308,100 is a direct consequence of much younger children having to be taken into care earlier, leading to an increase in court-ordered supervised parental contact. A management review of the Contact Scheme has taken place, with a view to making the service operate in the most efficient manner possible. Implementation has been delayed whilst a number of complexities are being addressed.

The over spend on staffing is being partially offset by savings of £63,400 on specialist childminding placements and other expenditure incurred to prevent children entering care. This is a direct result of tight financial management of such discretionary expenditure.

**CS 5 – Infrastructure (forecast adverse variance £226,800)**

The adverse variance reflects a shortfall in school income for ICT Services and the costs of security for vacant school sites.

**Forecast Range £300,000 adverse to £200,000 adverse**

A number of schools have withdrawn from Capita's Broadband Service Level Agreement this year leaving an income shortfall of £100,000. In addition, £126,800 of the forecast reflects unbudgeted revenue costs of rates, security etc. for vacant school sites awaiting disposal, including Woolston, Oaklands, Redbridge Primary and Netley Court.

**There are no OTHER KEY issues for the Portfolio at this stage.**

**Summary of Risk Fund Items**

<b>Service Activity</b>	<b>£000's</b>
Tier 4 Services	1,000.0
2 Year Old Funding	310.0
<b>Risk Fund Items</b>	<b>1,310.0</b>

**COMMUNITIES PORTFOLIO****KEY ISSUES – MONTH 6**

The Portfolio is currently forecast to under spend by **£234,200** at year-end, which represents a percentage under spend against budget of **4.3%**. This forecast is constructed from the bottom up through discussions with individual budget holders and is then adjusted to take into account the wider Portfolio view and corporate items as shown below:

	<b>£000's</b>	<b>%</b>
Baseline Portfolio Forecast	234.2	4.3
Risk Fund Items	0.0	
<b>Portfolio Forecast</b>	<b>234.2</b>	<b>4.3</b>
Potential Carry Forward Requests	0.0	

**There are no CORPORATE issues for the Portfolio at this stage.**

**The OTHER KEY issues for the Portfolio are:**

**COMM1 – Portfolio General (forecast favourable variance £234,200)**

**Under spends on salaries and general supplies & services budgets**

**Forecast Range not applicable**

A detailed review of all budgets has been undertaken across the Portfolio resulting in the identification of salary under spends from vacant posts together with general under spends on supplies and services. The favourable forecast also reflects the recent moratorium on spend for the remainder of the year across these budgets.

The under spends within Customer and Business Improvement (£212,600 favourable) and Skills, Economy and Housing Renewal (£48,900 favourable) have been partly offset by vacancy management targets not being met within Emergency Planning and Safer Communities (£27,300 adverse).

**ENVIRONMENT & TRANSPORT PORTFOLIO****KEY ISSUES – MONTH 6**

The Portfolio is currently forecast to under spend by **£389,800** at year-end, which represents a percentage under spend against budget of **1.8%**. The forecast is constructed from the bottom up through discussions with individual budget holders and is then adjusted to take into account the wider Portfolio view and corporate items as shown below:

	<b>£000's</b>	<b>%</b>
Baseline Portfolio Forecast	334.2 A	1.5
Risk Fund Items	724.0 F	
<b>Portfolio Forecast</b>	<b>389.8 F</b>	<b>1.8</b>
Potential Carry Forward Requests	0.0	

The **CORPORATE** issues for the Portfolio are:

**E&T 1 – Off Street Car Parking (forecast adverse variance £416,900)**

**Parking pressures have been identified relating to reduced income of £326,000 and increased rates costs of £70,800.**

**Forecast Range £500,000 adverse to £350,000 adverse**

There is an adverse forecast variance for off street car parking, due to a number of factors, the most significant factor being that income is forecast to fall short of the level anticipated when the budget was set by £286,000. This may be attributed to the continuing economic downturn and the impact on commuters of a rise in fuel prices and results in an anticipated draw on the Risk Fund. A savings proposal for enhanced income of £70,000 for the use of West Park car park is delayed, pending the outcome of consultation, and it is unclear at this time the level of savings that will be achieved this financial year. However, there is a further variation due to the rates demands for off street car parks having increased significantly and being £70,800 adverse compared to the budget.

**E&T 2 – Itchen Bridge (forecast adverse variance £232,900)**

**There is a forecast lower level of income from tolls, mainly due to a decrease in traffic flows as a consequence of the downturn in the economy.**

**Forecast Range £300,000 adverse to £150,000 adverse**

The downturn in the economy has led to a decrease in traffic flows in the City and a forecast decrease in toll income of around £140,000 and this will result in an anticipated draw on the Risk Fund.

Proposals to save £95,000 from the automation of toll collection arrangements will not be met in this financial year due to implementation delays and a period of dual running of toll payment methods.

### **E&T 3 – Waste Collection (forecast adverse variance £307,500)**

**There are forecast additional operational refuse collection costs.**

**Forecast Range £350,000 adverse to £250,000 adverse**

There are forecast additional costs for sickness cover for frontline staff of £266,000. In addition, there are forecast additional costs on fuel for vehicles of £86,000 which will be met through a draw on the Risk Fund. There is forecast additional recycling income of £100,000.

The Service was due to have 18 refuse freighters replaced this year, but this has been delayed and the budgeted cost of approximately £180,000 is now forecast not to be incurred by Fleet Services resulting in a forecast saving for the Waste Collection Service. However, there are unbudgeted vehicle damage/ repairs costs of £47,000 and the Commercial Waste Service is forecast to be £204,000 adverse due to adverse trading conditions.

### **E&T 4 – Highways Contract Management (forecast favourable variance £308,200)**

**There are forecast savings on the street lighting PFI contract and there is a large receipt in respect of third party income from the highways partnership.**

**Forecast Range £250,000 favourable to £350,000 favourable**

A level of savings on the PFI Street Lighting contract sum was planned and factored in corporately when the budget was set for 2012/13. There are forecast to be significant savings over and above the originally planned profile and whilst these are not certain at present they are forecast to be £244,000.

The final position on the highways partnership third party income in respect of the period October 2010 to March 2012, (i.e. the first 18 months of the contract), is now settled. The settlement is a receipt to the Council of £154,400, which will be treated as revenue income for the Portfolio in 2012/13.

There is a £25,600 adverse variance on the contract sum with the highways partner, as the appropriate index for amending the sum was slightly higher than originally estimated. In addition, there are some unbudgeted non-PFI street lighting costs totalling £64,000.

**The OTHER KEY issues for the Portfolio are:**

### **E&T 5 - Bereavement Services (forecast adverse variance £141,500)**

**There is a potential income shortfall on adult and non adult cremation fees of £59,000 and other adverse variances.**

**Forecast Range £200,000 adverse to £100,000 adverse**

The 2012/13 cremations income estimate is based on achieving the equivalent of 2,350 undiscounted adult cremations by the end of the year. However, a reduction in numbers is reported by all neighbouring crematorium facilities and is part of a national downturn in the death rate. The current year forecast is to achieve 2,376 adult cremations in total, a forecast adverse variance of £30,000 based on the proportions of full price and reduced

price cremations. Also, the fees from non-adult cremations are forecast to be £29,000 adverse compared to the original estimate. There is, therefore, a forecast draw of £59,000 on the Risk Fund.

The unit price for the gas that is used at the crematorium has increased by over 50% and there is a forecast adverse variance of £36,000 and this is a forecast draw on the Risk Fund. This significant price rise is under investigation with British Gas by the service.

The service development to raise additional income from increasing the sale of memorials is slow and it is expected that the saving will only be partially achieved by the year end and there is a forecast adverse variance of £41,000. In addition, there has been an increase in the business rates payable of £24,000 over and above the amount budgeted for.

## **E&T 6 – Planning, Transport & Sustainability (forecast adverse variance £170,200)**

### **Forecast Range £200,000 adverse to £100,000 adverse**

#### **There is a shortfall in income on the new bus shelter advertisement contract**

Advertising on the City's bus shelters generates an annual income to the Council, which this year is forecast to be £283,000. This is £68,500 less than budgeted but is provided for in the Risk Fund.

A concessionary fare marginal capacity cost claim from 2011/12 is being forecast at £139,100 but is partially offset by an under spend on Bus Expenses, resulting in an adverse forecast position of £77,400. In addition, the Transport Policy area is forecast to under spend from vacant School Crossing Patrol posts amounting to £36,100.

It is estimated that the cost of purchasing Carbon Reduction Certificates (CRC) for 2012/13 is £102,500, which has been partially offset by a surplus of certificates from last year worth £55,000. The net position of £47,500 is covered by an item in the Risk Fund in 2012/13.

### **Summary of Risk Fund Items**

<b>Service Activity</b>	<b>£000's</b>
Crematorium Fee Income	59.0
Waste Collection Fuel Inflation	86.0
Crematorium Fuel Inflation	36.0
Car Parking Income	286.0
Itchen Bridge Toll Income	140.0
Carbon Reduction Certificates	48.0
Bus Shelter Contract	69.0
<b>Risk Fund Items</b>	<b>724.0</b>



**HOUSING & LEISURE SERVICES PORTFOLIO****KEY ISSUES – MONTH 6**

The Portfolio is currently forecast to over spend by **£246,600** at year end, which represents a percentage variance against budget of **1.9%**. This forecast is constructed from the bottom up through discussions with individual budget holders and is then adjusted to take into account the wider Portfolio view and corporate items as shown below:

	<b>£000's</b>	<b>%</b>
Baseline Portfolio Forecast	490.6 A	3.7
Risk Fund Items	244.0 F	
<b>Portfolio Forecast</b>	<b>246.6 A</b>	<b>1.9</b>
Potential Carry Forward Requests	0.0	

**The CORPORATE issues for the Portfolio are:**

**HLS 1 – Arts & Heritage (forecast adverse variance £416,300)**

**There is an over spend on Geothermal Heating in SeaCity Museum plus shortfalls in income in Tudor House Museum, the Art Gallery and Visitor Information Centre.**

**Forecast Range £500,000 adverse to £400,000 adverse**

There are a number of forecast over spends relating to the Museum Service including:

- **Energy** – Geothermal Heating is forecast to over spend by £97,100 in addition to £76,100 on electricity and £10,000 on rates in SeaCity Museum. The energy usage is being examined by Ramboll (the M&E consultants) to determine underlying causes of these significant variances. This may be offset by income as currently visitor numbers are above the indicative profile. The situation will be reviewed on a monthly basis.
- **Income Shortfall** – Significant reduction in visitor numbers at Tudor House resulting in a shortfall of entry income of £64,000, hire income of £11,000 and shop and cafe profit of £35,000. Work on Halloween and Christmas promotions is underway.

This is offset by a forecast under spend of £99,100 on payments to the museums repairs and maintenance fund.

There are shortfalls in net income in the Art Gallery shop of £84,100, Archaeology Unit of £65,500, the Visitor Information Centre of £31,700 partly offset by savings in supplies & services. Provision for the shortfall in income in the Art Gallery has been made in the Risk Fund.

There is also a shortfall in annual rental income of £25,700 at the Fountains café since the current lease holders have left. The ongoing accommodation review has meant that no new tenant has been pursued in order to retain future flexibility.

**The OTHER KEY issues for the Portfolio are:**

**HLS 2 – Leisure Events (forecast adverse variance £63,300)**

**There is a shortfall in income following the proposed closure of Oaklands Pool.**

**Forecast Range £100,000 adverse to £20,000 adverse**

The closure of the Oaklands Pool will lead to a £64,300 shortfall in income.

**Summary of Risk Fund Items**

<b>Service Activity</b>	<b>£000's</b>
Leisure & Culture	244.0
<b>Risk Fund Items</b>	<b>244.0</b>

**LEADER'S PORTFOLIO****KEY ISSUES – MONTH 6**

The Portfolio is currently forecast to under spend by **£201,000** at year-end, which represents a percentage under spend against budget of **4.7%**. This forecast is constructed from the bottom up through discussions with individual budget holders and is then adjusted to take into account the wider Portfolio view and corporate items as shown below:

	<b>£000's</b>	<b>%</b>
Baseline Portfolio Forecast	201.0 F	4.7
Risk Fund Items	0.0	
<b>Portfolio Forecast</b>	<b>201.0 F</b>	<b>4.7</b>
Potential Carry Forward Requests	0.0	

There are no **CORPORATE** issues for the Portfolio at this stage.

The **OTHER KEY** issues for the Portfolio are:

**LEAD 1 – Customer and Business Improvement (forecast favourable variance £58,000)**

**Under spends on salaries and general supplies & services budgets in the Communications team**

**Forecast Range not applicable**

A detailed review of all budgets has been undertaken within the Communications Division resulting in the identification of salary under spends from vacant posts.

**LEAD 2 – Skills, Economy & Housing Renewal (forecast favourable variance £62,000)**

**Under spend on salaries in the Economic Development team**

**Forecast Range £60,000 favourable to £70,000 favourable**

Four posts are currently vacant in the Economic Development team.

**LEAD 3 – Legal & Democratic (forecast favourable variance £93,300)**

**General under spends**

**Forecast Range not applicable**

The favourable forecast variance is due to a combination of factors including early delivery of 2013/14 salary savings, an anticipated increase in Land Charges income and reduced spend on Elections. This favourable position has been partly offset by reduced income/increased costs within Licensing which are subject to further review.

**RESOURCES PORTFOLIO****KEY ISSUES – MONTH 6**

The Portfolio is currently forecast to under spend by **£484,100** at year-end, which represents a percentage under spend against budget of **1.1%**. This forecast is constructed from the bottom up through discussions with individual budget holders and is then adjusted to take into account the wider Portfolio view and corporate items as shown below:

	<b>£000's</b>	<b>%</b>
Baseline Portfolio Forecast	484.1 F	1.1
Risk Fund Items	0.0	
<b>Portfolio Forecast</b>	<b>484.1 F</b>	<b>1.1</b>
Potential Carry Forward Requests	0.0	

**There are no CORPORATE issues for the Portfolio at this stage.**

**The OTHER KEY issues for the Portfolio are:**

**RES 1 – Portfolio General (forecast favourable variance £434,100)**

**Under spends on salaries and general supplies & services budgets**

**Forecast Range not applicable**

A detailed review of all budgets has been undertaken across the Portfolio resulting in the identification of salary under spends from vacant posts together with general under spends on supplies and services. The favourable forecast under spend also reflects the recent moratorium on spend for the remainder of the year across these budgets.

**RES 2 – IT services (forecast favourable variance £50,000)**

**Saving from rationalisation of IT equipment**

**Forecast Range not applicable**

The favourable forecast variance has arisen from the managed rationalisation of PCs across the authority.

**SUMMARY OF EFFICIENCIES, ADDITIONAL INCOME AND SERVICE REDUCTIONS**

Portfolio	Efficiencies	2012/13			RISK TO DELIVERY		
		Income	Service Reductions	Total	Implemented and Saving Achieved	Not Yet Fully Implemented and Achieved But Broadly on Track	Saving Not on Track to be Achieved
		£000's	£000's	£000's	£000's	%	%
Adult Services	(2,030)	(200)	(920)	(3,150)	91.1%	8.9%	0.0%
Childrens Services	(3,115)	0	0	(3,115)	100.0%	0.0%	0.0%
Communities	(305)	(25)	(352)	(682)	83.1%	16.9%	0.0%
Environment & Transport	(1,594)	(295)	(95)	(1,984)	52.4%	41.1%	6.6%
Housing & Leisure Services	(645)	(110)	(652)	(1,407)	66.0%	34.0%	0.0%
Leader's Portfolio	(553)	(30)	(266)	(849)	100.0%	0.0%	0.0%
Resources	(978)	0	(577)	(1,555)	67.8%	32.2%	0.0%
<b>Total</b>	<b>(9,220)</b>	<b>(660)</b>	<b>(2,862)</b>	<b>(12,742)</b>	<b>81.8%</b>	<b>17.2%</b>	<b>1.0%</b>

Portfolio	Efficiencies	2012/13			FINANCIAL ACHIEVEMENT			Total
		Income	Service Reductions	Total	Implemented and Saving Achieved	Not Yet Fully Implemented and Achieved But Broadly on Track	Saving Not on Track to be Achieved	
		£000's	£000's	£000's	£000's	£	£	
Adult Services	(2,030)	(200)	(920)	(3,150)	(2,870)	(280)	0	(3,150)
Childrens Services	(3,115)	0	0	(3,115)	(3,115)	0	0	(3,115)
Communities	(305)	(25)	(352)	(682)	(567)	(115)	0	(682)
Environment & Transport	(1,594)	(295)	(95)	(1,984)	(1,039)	(570)	(15)	(1,624)
Housing & Leisure Services	(645)	(110)	(652)	(1,407)	(929)	(461)	0	(1,390)
Leader's Portfolio	(553)	(30)	(266)	(849)	(849)	0	0	(849)
Resources	(978)	0	(577)	(1,555)	(1,055)	(500)	0	(1,555)
<b>Total</b>	<b>(9,220)</b>	<b>(660)</b>	<b>(2,862)</b>	<b>(12,742)</b>	<b>(10,424)</b>	<b>(1,926)</b>	<b>(15)</b>	<b>(12,365)</b>
							<b>Shortfall</b>	<b>377</b>
								<b>3%</b>

**FINANCIAL HEALTH INDICATORS – MONTH 6**

**Prudential Indicators Relating to Borrowing**

	<b><u>Maximum</u></b>	<b><u>Forecast</u></b>	<b><u>Status</u></b>
Maximum Level of External Debt £M	£911M	£426M	Green
As % of Authorised Limit	100%	47%	Green
	<b><u>Target</u></b>	<b><u>Actual YTD</u></b>	<b><u>Status</u></b>
Average % Rate New Borrowing	5.00%	0.00%	Green
Average % Rate Existing Long Term Borrowing	5.00%	3.31%	Green
Average Short Term Investment Rate	0.68%	0.83%	Green

**Minimum Level of General Fund Balances**

		<b><u>Status</u></b>
Minimum General Fund Balance	£5.0M	
Forecast Year End General Fund balance	£7.5M	Green

**Income Collection**

	<b><u>2011/12</u></b>	<b><u>Actual YTD</u></b>	<b><u>Status</u></b>
Outstanding Debt:			
More Than 12 Months Old	31%	39%	Amber
Less Than 12 Months But More Than 6 Months Old	8%	9%	Amber
Less Than 6 Months But More Than 60 Days Old	9%	12%	Amber
Less Than 60 Days Old	52%	41%	Amber

**Creditor Payments**

		<b><u>Status</u></b>
Target Payment Days	30	
Actual Current Average Payment Days	23	Green
Target % of undisputed invoices paid within 30 days	95.0%	
Actual % of undisputed invoices paid within 30 days	80.57%	Amber

**Tax Collection rate**

	<b><u>Target Collection Rate</u></b>	<b><u>Month 6 Collection Rate</u></b>		<b><u>Status</u></b>
		<b><u>Last Year</u></b>	<b><u>This Year</u></b>	
Council Tax	96.20%	54.71%	54.45%	Amber
National Non Domestic Rates	99.20%	61.46%	61.83%	Green

**QUARTERLY TREASURY MANAGEMENT REPORT – MONTH 6**

**1. Background**

Treasury Management (TM) is a complex subject but in summary the core elements of the strategy for 2012/13 are:

- To make use of short term variable rate debt to take advantage of the continuing current market conditions of low interest rates.
- To constantly review longer term forecasts and to lock in to longer term rates through a variety of instruments as appropriate during the year, in order to provide a balanced portfolio against interest rate risk.
- To secure the best short term rates for borrowing and investments consistent with maintaining flexibility and liquidity within the portfolio.
- To invest surplus funds prudently, the Council's priorities being:
  - Security of invested capital
  - Liquidity of invested capital
  - An optimum yield which is commensurate with security and liquidity.
- To approve borrowing limits that provide for debt restructuring opportunities and to pursue debt restructuring where appropriate and within the Council's risk boundaries.

In essence TM can always be seen in the context of the classic 'risk and reward' scenario and following this strategy will contribute to the Council's wider TM objective which is to minimise net borrowing cost short term without exposing the Council to undue risk either now or in the longer in the term.

The main activities undertaken during 2012/13 to date are summarised below:

- Investment returns during 2012/13 will continue to remain low as a result of low interest rates, with interest received estimated to be £0.8M. However, the average rate achieved to date for fixed term deals (0.83%) exceeds the performance indicator of the average 7 day LIBID rate (0.68%) mainly due to residual deals from the rolling programme of yearly deposits placed last year which is currently suspended due to uncertainty in the market place. New investments are placed in instant access accounts or term deposits up to 100 days depending on advice of our Treasury advisors.
- In order to continue to balance the impact of ongoing lower interest rates on investment income we have continued to use short term debt which is currently available at lower rates than long term debt due to the depressed market. As a result the average rate for repayment of debt, (the Consolidated Loans & Investment Account Rate – CLIA), at 3.31% is lower than that budgeted for but slightly higher than last year which is in line with reported strategy. The predictions based on all of the economic data are that this will continue for an extended period. However, it should be noted that the forecast for longer term debt is a steady increase in the longer term and so new long term borrowing is likely to be taken out above this rate, leading to an anticipated increase in the CLIA (reaching 3.50% by 2014/15).



## **2. Economic Background**

The world economy faced yet another soft patch. The UK and the Eurozone (with the exception of Germany) struggled to show discernible growth whilst the US economy grew slowly. UK Gross Domestic Product (GDP) contracted by 0.3% in the first calendar quarter of 2012 and by 0.4% in second, reflecting the difficult economic conditions faced by businesses and consumers domestically and globally. Businesses were more inclined to take defensive strategies involving cost cutting rather than increasing capital spending. Financial conditions facing households continued to be weak as wage growth remained subdued and was, for much of the period, outstripped by inflation. Much of the fall in Quarter 2 GDP could probably be attributed to the impact of the additional bank holiday for the Diamond Jubilee, and is likely to be recovered in Quarter 3.

Inflation, which had remained stubbornly sticky throughout 2011, slowly began to fall. The annual Consumer Price Index (CPI) dipped below 3% for the first time in two and half years in May and fell to the lowest level since November 2009 in June, with a reading of 2.4%. It ticked up marginally to 2.5% by August. Although the recent rise in commodity prices has been worrying, the rise in oil and food prices – the latter mainly due to poor weather-related yields - are well below the spikes of 2010/11.

Some barometers of economic activity, however, provided a more buoyant and positive picture but tended to get overshadowed. Employment rose by 236,000 in the three months to July and the employment rate was at its highest since the three months to April 2009. Whilst the effect of the Olympics undoubtedly played a part, despite its temporary nature, the underlying data pointed to a more resilient and optimistic outlook for the economy.

The lack of growth and the fall in inflation were persuasive enough for the Bank of England to sanction £50 billion asset purchases in July, taking total Quantitative Easing (QE) to £375 billion. The possibility of a rate cut from the current level of 0.5% was discussed at the Bank's Monetary Policy Committee meetings in June and July; however reference to it was subsequently dropped suggesting that this policy option had left the table for the immediate future. The government's Funding for Lending (FLS) initiative, intended to lower banks' funding costs, commenced in August and the Bank of England will assess its effects in easing the flow of credit before committing to further policy action.

Banks were embroiled in the scandal to manipulate LIBOR rates during the abnormal market conditions at the height of the 2007/2008 financial crisis. Barclays was fined a record £290 million, the FSA was also investigating HSBC, RBS, Citicorp and UBS; Lloyds was named in a lawsuit in the US. The big-four UK banks were also being investigated for mis-selling interest rate swaps to small businesses.

The US Federal Reserve (the Fed) extended QE through 'Operation Twist', in which it buys longer-dated bonds with the proceeds of shorter-dated US Treasuries. Poor employment data for August preceded the Fed further easing monetary policy at its September meeting. The Fed committed to purchasing \$40 billion of agency mortgage-backed securities each month until the outlook for the labour market improves "substantially", and also pledged to keep interest rates low until mid-2015. In Greece, the formation of an alliance of pro-euro parties after a second round of parliamentary elections prevented an immediate and disorderly exit from the Euro. The Euro region suffered a renewed bout of stress when Italian and Spanish government borrowing costs rose sharply and Spain was also forced to officially seek a bailout for its domestic banks. The European Central Bank (ECB) responded with the announcement in September of its Outright Monetary Transactions (OMT) facility which allows the ECB to buy unlimited amounts of 1-3 year sovereign bonds provided the

sovereign(s) first asks for such assistance and adheres to the strict conditionality attached to such purchases.

### 3. Outlook for Quarter 3

The economic interest rate outlook provided by the Council's treasury advisor, Arlingclose Ltd, as at September 2012 is detailed below. Economic growth remains elusive and tight credit conditions and weak earnings growth are constraining consumer and corporate spending. The outlook is for official interest rates to remain low for an extended period, as shown below.

	Dec-12	Mar-13	Jun-13	Sep-13	Dec-13	Mar-14	Jun-14	Sep-14	Dec-14	Mar-15	Jun-15	Sep-15	Dec-15
<b>Official Bank Rate</b>													
Upside risk				0.25	0.25	0.25	0.25	0.50	0.50	0.50	0.50	0.50	0.50
<b>Central case</b>	<b>0.50</b>	<b>0.50</b>	<b>0.50</b>	<b>0.50</b>	<b>0.50</b>	<b>0.50</b>	<b>0.50</b>	<b>0.50</b>	<b>0.50</b>	<b>0.50</b>	<b>0.50</b>	<b>0.50</b>	<b>0.50</b>
Downside risk	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25	-0.25

### 4. Debt Management

Activity within the debt portfolio up to Quarter 2 is summarised below:

	Balance on 01/04/2012	Debt Maturing or Repaid	New Borrowing	Balance as at 30/9/2012	Increase/ (Decrease) in Borrowing for Year
	£M	£M	£M	£M	£M
Short Term Borrowing	0	0	0	0	0
Long Term Borrowing	300	(12)	0	288	(12)
<b>Total Borrowing</b>	<b>300</b>	<b>(12)</b>	<b>0</b>	<b>288</b>	<b>(12)</b>

**Public Works Loan Board (PWLB) Borrowing:** The PWLB remained an attractive source of borrowing for the Council as it offers flexibility and control. The large downward move in gilt yields in the second quarter resulted in PWLB rates falling across all maturities.

In August HM Treasury announced details of the "Certainty Rate" which will enable "eligible authorities" to access cheaper PWLB funding, with a 20 basis point reduction on the standard PWLB borrowing rate. Initially announced in the March 2012 Budget, HM Treasury have introduced this initiative to incentivise local authorities to provide robust forecasts on borrowing plans. This rate is to be introduced in November 2012. The Council has completed the pro-forma projecting the Council's likely borrowing requirement over a three year period and returned it to CLG by the deadline of 17 September 2012 and has been confirmed as being eligible.

**Alternative Sources:** Whilst there are several claims that a competitive, comparable equivalent to PWLB is readily available, the Council will continue to adopt a cautious and considered approach to funding from the capital markets. The Council's treasury advisor, Arlingclose, is actively consulting with investors, investment banks, lawyers and credit rating agencies to establish the attraction of different sources of borrowing, including bond schemes, loan products and their related risk/reward trade off.

As at the 31 March 2012 the Council used £70M of internal resources in lieu of borrowing which has been the most cost effective means of funding past capital expenditure to date. This has lowered overall treasury risk by reducing both external debt and temporary investments.

However, this position will not be sustainable over the medium term and the Council will need to borrow to cover this amount as balances fall. Following the September capital update the Council is expected to borrow an additional £77M for capital purposes by 2014/15 of which £47.5M relates to refinancing of existing debt and £32M to externalising internal debt to cover the expected fall in balances and also to lock back into longer term debt prior to interest rises. However due to the continued and increased uncertainty in the markets and the expectations of interest rates staying lower for longer it may be appropriate to maintain the council use of internal resources for part or all of this amount; providing that balances can support it.

No borrowing is expected to be taken until the second half of the year when the 20 basis points discount on loans from the PWLB is expected to be implemented.

The Council has £35M variable rate loans which were borrowed prior to 20 October 2010 (the date of change to the lending arrangements of the PWLB post CSR) and are maintained on their initial terms and are not subject to the additional increased margin, they are currently averaging 0.62% and are helping to keep overall borrowing costs down.

Variable rate borrowing (currently around 1.45% for new borrowing) is expected to remain attractive for some time as the Bank of England maintains the base rate at historically low levels and the Council is currently expected to borrow an addition £25M at variable rates at an estimated 1.5% during 2012. Whilst in the current climate of low interest rates this remains a sound strategy, at some point when the market starts to move, the Council will need to act quickly to lock into fixed long term rates which may be at similar levels to the debt it restructured. Furthermore, the volatility in the financial markets means that interest costs and investment income will continue to fluctuate for some time.

In order to mitigate these risks the Council approved the creation of an Interest Equalisation Reserve in 2009. At that point a major debt restructuring exercise was undertaken in order to take advantage of market conditions and produce net revenue savings. The Interest Equalisation Reserve was created to help to manage volatility in the future and ensure that there was minimal impact on annual budget decisions or council tax in any single year. However, it should be noted that the sum set aside in the Interest Equalisation Reserve is a one off sum of money to help manage the initial transitional period during which the council will convert its variable rate loan portfolio to longer term fixed rate debt. The actual ongoing recurring revenue impact of switching to fixed rate long term debt will still need to be factored in to the budget forecasts for future years. Based on the current predictions of lower for longer interest rate forecasts, it is unlikely that this pressure will emerge in the short term, but it is likely to become a reality towards the back end of the Council's current medium term forecast horizon.

**Debt rescheduling:** The fall in PWLB repayment rates enlarged the premium / diminished the residual discounts on the premature repayment of debt, reducing the attractiveness of debt rescheduling during the quarter. No rescheduling activity was undertaken.

## **5. Investment Activity**

The Guidance on Local Government Investments in England gives priority to security and liquidity and the Council's aim is to achieve a yield commensurate with these principles. The table below summarises activity during the year to date:

	Balance on 01/04/2012	Investments Repaid	New Investments	Balance as at 30/9/2012	Increase/ (Decrease) in Investment for Year
	£M	£M	£M	£M	£M
Short Term Investments	10	(66)	80	24	14
Money Market Funds	52	(208)	213	57	5
EIB Bonds	6	0	0	6	0
Long Term Investments	0	0	0	0	0
<b>Total Investments</b>	<b>68</b>	<b>(274)</b>	<b>293</b>	<b>87</b>	<b>19</b>

Security of capital has remained the Council's main investment objective. This has been maintained by following the Council's counterparty policy as set out in its TM Strategy Statement for 2012/13. This has restricted new investments to the following institutions:

- Other Local Authorities;
- AAA-rated Stable Net Asset Value Money Market Funds;
- Deposits with UK Banks and Building Societies
- Debt Management Office.

On the advice of our Treasury Advisor the authority has recently set up custody accounts with King & Shaxton and RBC Investor Services. By opening these custody accounts the Council now has the ability to use a number of approved investment instruments as outlined in the 2012/13 TM Strategy and diversify the investment portfolio. Investment instruments requiring a custodian facility include:

- Certificates of Deposit (CDs) and Term Deposits with UK Banks and Building Societies systemically important to the UK banking system and with select non-UK Banks;
- Treasury Bills, UK Government Gilts and DMADF (Debt Management Office);

By establishing custody arrangements, the Council will be better-placed to consider the use of alternative investment instruments in response to evolving credit conditions

Counterparty credit quality is assessed and monitored with reference to: Credit Ratings. The Council's minimum long-term counterparty rating is A- (or equivalent) across rating agencies Fitch, S&P and Moody's); credit default swaps; GDP of the country in which the institution operates; the country's net debt as a percentage of GDP; sovereign support mechanisms /potential support from a well-resourced parent institution; share price.

A break down of investments as at 30 September 2012 by credit rating at the end of the quarter and maturity profile can be seen in following table.

Current Rating	Initial Rating	Less than 1 Month £000's	1 - 3 Months £000's	3 - 6 Months £000's	6 - 9 Months £000's	9 - 12 Months £000's	Over 12 Months £000's	Total £000's
BBB	A+	0	0					0
A-	A-							0
A	A	8,989	14,080					23,069
A	A+	10,000						10,000
A	AA-							0
A+	A+	10,000						10,000
AA-	AA-	10,000						10,000
AA+	AA+							0
AAA	AAA	27,631				3,000	3,036	33,667
		<b>66,620</b>	<b>14,080</b>	<b>0</b>	<b>0</b>	<b>3,000</b>	<b>3,036</b>	<b>86,736</b>

### **Counterparty Update**

In June Moody's completed its review of banks with global capital market operations, downgrading the long-term ratings of all of them by between one to three notches. The banks on the Council's lending list which were affected by the ratings downgrades were Barclays, HSBC, Royal Bank of Scotland, as well as Royal Bank of Canada, JP Morgan Chase, BNP Paribas, Societe Générale, Credit Agricole/Credit Agricole CIB, Credit Suisse and Deutsche Bank. Separately, the agency also downgraded the ratings of Lloyds Bank, Bank of Scotland, National Westminster Bank and Santander UK plc. None of the long-term ratings of the banks on the Council's lending list were downgraded to below the Council's minimum A-/A3 credit rating threshold.

Following the decision to shorten deposit durations with investment counterparties back in May this year, the Council has since extended duration (decision made in late July). The move to extend duration was as a result of monitoring economic and political developments in the UK, Europe and globally. The various risk metrics used to assess the creditworthiness of financial institutions had shown continued signs of stabilisation, and in some cases, considerable improvement.

At this time of extending duration limits with UK, Australian, Canadian and American banks, the Council also reintroduced the strongest banks in the stronger European sovereigns onto its approved lending list.

Maturities for new investments with financial institutions on the Council's list are currently as follows:

#### **UK Institutions**

- Santander UK, Royal Bank of Scotland and National Westminster for a maximum period of 35 days;
- Barclays Bank, Lloyds TSB, Bank of Scotland and Nationwide Building Society for a maximum period of 100 days;
- HSBC Bank and Standard Chartered for a maximum period of 12 months.

#### **Non-UK Institutions**

- Approved Australian and Canadian banks for a maximum period of 12 months;
- JP Morgan Chase Bank for a maximum period of 6 months;
- Bank Nederlandse Gemeenten N.V., Deutsche Bank AG, Nordea Bank, Rabobank and Svenska Handelsbanken for a maximum period of 100 days.

**Authority Banking Arrangements:** Along with many other authorities the Council uses the Co-op as its banker, which at the current time does not meet the minimum credit criteria of A- (or equivalent) long term. However, there are not many banks actively in the tendering process for local authority banking, which would meet our criteria and it is a costly and complicated process. With this in mind, despite the credit rating being below the Authority's minimum criteria, it will continue to be used for short term liquidity requirements (overnight and weekend investments) and business continuity arrangements.

**Budgeted Income and Outturn:** The authority does not expect any losses from non-performance by any of its counterparties in relation to its investments. The Council's investment income for the year is currently estimated to be £0.8M. The UK Bank Rate has been maintained at 0.5% since March 2009 and is not expected to rise until 2015/16 and short-term money market rates have remained at very low levels.

## 6. Compliance with Prudential Indicators

All indicators in Quarter 1 and 2 complied with the Prudential Indicators approved. Details of the performance against key indicators are detailed in the following paragraphs:

### 6.1. Capital Financing Requirement

The Capital Financing Requirement (CFR) measures the Council's underlying need to borrow for a capital purpose. In order to ensure that over the medium term net borrowing will only be for a capital purpose, the Council ensures that net external borrowing does not, except in the short term, exceed the CFR in the preceding year, plus the estimates of any additional capital financing requirement for the current and next two financial years. It differs from actual borrowing due to decisions taken to use internal balances and cash rather than borrow. The following table shows the actual position as at 31 March 2012 and the estimated position for the current and next two years based on the capital programme submitted to council:

Capital Financing Requirement	2011/12 Actual £M	2012/13 Approved Estimate £M	2012/13 Estimate £M	2013/14 Estimate £M	2014/15 Estimate £M
<b>Balance B/F</b>	<b>360</b>	<b>444</b>	<b>445</b>	<b>448</b>	<b>450</b>
Capital expenditure financed from borrowing	21	15	13	9	9
HRA Debt	74	(8)	0	3	4
Revenue provision for debt Redemption.	(7)	(8)	(7)	(8)	(8)
Movement in Other Long Term Liabilities	(2)	(2)	(3)	(2)	(2)
<b>Cumulative Maximum External Borrowing</b>	<b>445</b>	<b>441</b>	<b>448</b>	<b>450</b>	<b>453</b>

Capital Financing Requirement	2011/12 Actual £M	2012/13 Approved Estimate £M	2012/13 Estimate £M	2013/14 Estimate £M	2014/15 Estimate £M
General Fund	271	265	274	273	272
HRA	174	176	174	177	181
<b>Total CFR</b>	<b>445</b>	<b>441</b>	<b>448</b>	<b>450</b>	<b>453</b>

## 6.2. Balances and Reserves

Estimates of the Council's level of overall Balances and Reserves for 2012/13 to 2014/15 are as follows:

	2011/12 Actual	2012/13 Estimate	2013/14 Estimate	2014/15 Estimate
	£M	£M	£M	£M
Balances and Reserves	70	33	26	26

## 6.3. Authorised Limit and Operational Boundary for External Debt

The Local Government Act 2003 requires the Council to set an Affordable Borrowing Limit, irrespective of their indebted status. This is a statutory limit which should not be breached. The Council's **Affordable/Authorised Borrowing Limit** was set at £911M for 2012/13 (£832M for borrowing and £79m for other long term liabilities).

The **Operational Boundary** is based on the same estimates as the Authorised Limit but reflects the most likely, prudent but not worst case scenario without the additional headroom included within the Authorised Limit. The Operational Boundary for 2012/13 was set at £869M (£794M for borrowing and £75m for other long term liabilities).

The Chief Financial Officer (CFO) confirms that there were no breaches to the Authorised Limit and the Operational Boundary and during the period to the end of September 2012 borrowing at its peak was £300M.

The above limits are set to allow maximum flexibility within TM, for example, a full debt restructure, actual borrowing is significantly below this as detailed below:

	Balance on 01/04/2012	Balance as at 30/9/2012	2012/13 Estimate	2013/14 Estimate	2014/15 Estimate
	£M	£M	£M	£M	£M
Borrowing	300	288	352	355	352
Other Long Term Liabilities	72	72	74	78	83
<b>Total Borrowing</b>	<b>372</b>	<b>360</b>	<b>426</b>	<b>433</b>	<b>435</b>

## 6.4. Upper Limits for Fixed Interest Rate Exposure and Variable Interest Rate

### Exposure

These indicators allow the Council to manage the extent to which it is exposed to changes in interest rates. The upper limit for variable rate exposure allows for the use of variable rate debt to offset exposure to changes in short-term rates on our portfolio of investments.

	Limits for 2012/13
Upper Limit for Fixed Rate Exposure	100%
Compliance with Limits:	Yes
Upper Limit for Variable Rate Exposure	50%
Compliance with Limits:	Yes

The Upper limit represents the maximum proportion of borrowing which is subject to variable rate interest and was set at 50%, although in practice it would be unusual for the exposure to exceed 25% based on past performance, the highest to date is 15%. The limit was set at a higher level to allow for a possible adverse cash flow position, leading to a need for increased borrowing on the temporary market and to take advantage of the low rates available through the PWLB for variable debt. There has been no adverse cash flow to date but it is proposed that the limit remain at 50%, to allow for flexibility in case of any slippage in expected capital receipts.

#### **6.5. Total principal sums invested for periods longer than 364 days**

This indicator allows the Council to manage the risk inherent in longer term investments. The limit for 2012/13 was set at £50M. Due to the current uncertainty in the market no more investments will be made unless the markets settle down and our advisors recommend it.

#### **6.6. Maturity Structure of Fixed Rate Borrowing**

This indicator is to limit large concentrations of fixed rate debt needing to be replaced at times of uncertainty over interest rates.

	Lower Limit	Upper Limit	Actual Fixed Debt as at 30/9/2012	Average Fixed Rate as at 30/9/2012	% of Fixed Rate as at 30/9/2012	Compliance with set Limits?
	%	%	£M	%		
Under 12 months	0	45	7	2.43	3.03	Yes
12 months and within 24 months	0	45	0	0.00	0.00	Yes
24 months and within 5 years	0	50	0	0.00	0.00	Yes
5 years and within 10 years	0	75	98	3.23	40.18	Yes
10 years and within 15 years	0	75	0	0.00	0.00	Yes
15 years and within 20 years	0	75	0	0.00	0.00	Yes
20 years and within 25 years	0	75	0	0.00	0.00	Yes
25 years and within 30 years	0	75	10	4.68	4.09	Yes
30 years and within 35 years	0	75	5	4.60	2.05	Yes
35 years and within 40 years	0	75	25	4.62	10.23	Yes
40 years and within 45 years	0	75	53	3.61	21.64	Yes
45 years and within 50 years	0	75	46	3.54	18.79	Yes
50 years and above	0	100	0	0.00	0.00	Yes
			<b>244</b>	<b>3.47</b>	<b>100.00</b>	

Please note: the TM Code Guidance Notes (page 15) states: "The maturity of borrowing should be determined by reference to the earliest date on which the lender can require payment. If the lender has the right to increase the interest rate payable without limit, such as in a LOBO loan, this should be treated as a right to require payment". For this indicator, the next option dates on the Council LOBO loans will therefore determine the maturity date of the loans.

#### **6.7. Ratio of Financing Costs to Net Revenue Stream**

This is an indicator of affordability and highlights the revenue implications of existing and proposed capital expenditure by identifying the proportion of the revenue budget required to meet borrowing costs.



The definition of financing costs is set out at paragraph 87 of the Prudential Code. The ratio is based on costs net of investment income. The increase in the HRA financing costs is due to the reform of HRA of council housing finance which took effect from 28 March 2012. The upper limit for this ratio is currently set at 10% for the General Fund to allow for known borrowing decision in the next two years and to allow for additional borrowing affecting major schemes. The table below shows the likely position based on the capital programme approved in February 2012 adjusted for actual borrowing made to 30 September 2012.

Ratio of Financing Costs to Net Revenue Stream	2011/12 Actual %	2012/13 Approved %	2012/13 Estimate %	2013/14 Approved %	2014/15 Approved %
General Fund	6.30	6.84	6.48	7.42	7.17
HRA	4.65	10.92	9.11	11.05	10.84
<b>Total</b>	<b>7.12</b>	<b>8.84</b>	<b>8.14</b>	<b>9.36</b>	<b>8.93</b>

### **6.8. Gross and Net Debt**

The purpose of this treasury indicator is to highlight a situation where the Authority is planning to borrow in advance of need. CIPFA has acknowledged that the upper limit does not work as was intended and is working on a revised indicator. This indicator will be amended once revised guidance has been received from CIPFA. The Authority reports that it has not borrowed in advance of need and that at the 31 March 2012 it had used £70M of internal resources in lieu of borrowing, as this has been the most cost effective means of funding past capital expenditure to date.

### **6.9. Net Debt and the Capital Financing Requirement**

This is a key indicator of prudence. In order to ensure that over the medium term net borrowing will only be for a capital purpose, the Authority should ensure that the net external borrowing does not, except in the short term, exceed the total of the capital financing requirement in the preceding year plus the estimates of any additional increases to the capital financing requirement for the current and next two financial years.

The Authority has had no difficulty in meeting this requirement so far in 2012/13, nor is there any difficulties envisaged for future years. This view takes into account current commitments, existing plans and the proposals in the approved budget.

	31/03/2012 Actual £M	31/03/2013 Approved £M	31/03/2013 Estimate £M	31/03/2014 Estimate £M	31/03/2015 Estimate £M
General Fund CFR	271	265	274	273	272
Housing CFR	174	176	174	177	181
<b>Total CFR</b>	<b>445</b>	<b>441</b>	<b>448</b>	<b>450</b>	<b>453</b>
<b>Less:</b>					
Existing Profile of Borrowing and Other Long Term Liabilities	372	416	426	433	435
<b>Cumulative Maximum External Borrowing Requirement</b>	<b>73</b>	<b>25</b>	<b>22</b>	<b>17</b>	<b>18</b>
Balances & Reserves	70	21	33	26	26
<b>Cumulative Net Borrowing Requirement / (Investments)</b>	<b>3</b>	<b>4</b>	<b>(11)</b>	<b>(9)</b>	<b>(8)</b>

*Please note: CIPFA are currently consulting on this indicator. The proposal is to change the PI to 'Gross Debt and the CFR'. The Council will report on any developments in the next activity report.*

### **6.10. Credit Risk**

This indicator has been incorporated to review the Council's approach to credit risk. The Council confirms it considers security, liquidity and yield, in that order, when making investment decisions. Credit ratings remain an important element of assessing credit risk, but they are not the sole feature in the Authority's assessment of counterparty credit risk. The authority considers the following tools to assess credit risk:

- Published credit ratings of the financial institution and its sovereign;
- Sovereign support mechanisms;
- Credit default swaps (where quoted);
- Share prices (where available);
- Economic fundamentals, such as a country's net debt as a percentage of its GDP);
- Corporate developments, news, articles, markets sentiment and momentum.

The Council can confirm that all investments were made in line with minimum credit rating criteria set in the 2012/13 TMSS:

- long-term ratings of A- or equivalent;
- long-term ratings of AA+ or equivalent for non-UK sovereigns.

### **6.11. HRA Limit on Indebtedness**

This purpose of this indicator is for the Council to report on the level of the limit imposed at the time of implementation of self-financing by the Department for Communities and Local Government. The following tables show this plus the actual level of debt and expected movement in year.

<b>HRA Limit on Indebtedness</b>	<b>2011/12 Actual £m</b>	<b>2012/13 Estimate £m</b>	<b>2012/13 Revised £m</b>	<b>2013/14 Revised £m</b>	<b>2014/15 Revised £m</b>
HRA Debt Cap (as prescribed by CLG)	199.6	201.3	199.6	199.6	199.6
HRA CFR	174.2	175.5	174.2	177.5	181.4
<b>Difference</b>	<b>25.4</b>	<b>25.8</b>	<b>25.4</b>	<b>22.1</b>	<b>18.2</b>

<b>HRA Summary of Borrowing</b>	<b>2012/13 Estimate £m</b>	<b>2012/13 Revised £m</b>	<b>2013/14 Revised £m</b>	<b>2014/15 Revised £m</b>
Brought Forward	174.2	174.2	171.7	177.5
Maturing Debt	(8.6)	(8.6)	(8.8)	(5.4)
New borrowing	4.8	6.1	14.6	9.3
<b>Carried forward</b>	<b>170.4</b>	<b>171.7</b>	<b>177.5</b>	<b>181.4</b>
HRA Debt Cap (as prescribed by CLG)	201.3	199.6	199.6	199.6
<b>Headroom</b>	<b>30.9</b>	<b>27.9</b>	<b>22.1</b>	<b>18.2</b>

## 7. Summary

In compliance with the requirements of the CIPFA Code of Practice this report provides members with a summary report of the TM activity up to the 30 September 2012. As indicated in this report none of the Prudential Indicators have been breached and a prudent approach has been taking in relation to investment activity with priority being given to security and liquidity over yield.

**HOUSING REVENUE ACCOUNT**

**KEY ISSUES – MONTH 6**

The Housing Revenue Account (HRA) is currently forecast to under spend by **£240,500** on income and expenditure items at year-end. There is an additional adverse variance of **£725,800** on capital financing costs, due to the earlier repayment of a loan, however, this is a timing issue rather than an increase of cost in the business planning period and will correct itself by the end of financial year 2013/14.

**There are no CORPORATE issues for the HRA at this stage.**

**The OTHER KEY issues for the HRA are:**

**HRA 1 – Housing Transformation Project (forecast favourable variance £196,200)**

**Slippage of Mobile Working.**

The implementation of Mobile Working has been delayed to enable the output from the Lean project to inform the decision on the most suitable solution. The devices needed for Mobile Working will not be required until 2013/14 so a carry forward request for £180,000 will be made at year end.

**HRA 2 – Capital Financing Costs (forecast adverse variance £725,800)**

**Repayment of loan earlier than plan.**

As part of re-profiling the HRA loans, timing of the repayment of one loan has fallen into 2012/13 rather than 2013/14. This is a timing issue rather than an increase of cost in the business planning period and will correct itself by the end of financial year 2013/14.

**HRA 3 –Dwellings Rent (forecast favourable variance £306,500)**

**There is an increase in Dwellings Rent income.**

Dwelling rent income, including Local Authority New Build, is higher than budget leading to a favourable variance of £163,400. Every seven years there is a 53 week rent year. Additional rental from a previous 53 week rent year has now been amortised over the six years in which there are 52 rent weeks. This additional income has now been included in the forecast leading to a favourable variance of £143,100.

**HRA 4 – Tenants Service Charges (forecast adverse variance of £263,300)**

**There is a shortfall in income from service charges due to delays in implementation of the Wardens Review.**

Delays in approving the Warden's restructure have delayed the introduction of the new charging regime. The plan is to start charging from 1 April 2013 provided the new structure can be approved in time for consultation to take place ahead of the changes.

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	CIVIL SERVICE SPORTS GROUND – APPROVAL TO SPEND
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR CHILDREN’S SERVICES
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

**BRIEF SUMMARY**

The purchase of the former Civil Service Sports Ground has now been completed and options for the future use of the land have been considered. It is proposed to bring the land back into playing field use in accordance with the terms of the Compulsory Purchase Order (CPO). Longer term school and community use solutions may be considered in consultation with all interested parties, who may seek additional, third party funding to achieve further developments. However, the focus of this report is purely on the options considered to bring the land into school playing field use, in line with the requirements of the CPO.

**RECOMMENDATIONS:**

- (i) To approve, in accordance with Financial Procedure Rules, capital expenditure of £77,000 in 2012/13, £462,000 in 2013/14 and £11,000 in 2014/15 for the provision of additional school playing facilities and associated ground works at the former Civil Service Sports Ground.
- (ii) To delegate authority to the Director of Children’s Services and Learning to determine the form and content of consultation on the preferred option for the refurbishment of the former Civil Service Sports Ground.
- (iii) To delegate authority to the Director of Children’s Services and Learning following the consultation referred to at (ii) above, to determine the final layout and refurbishment of the former Civil Service Sports Ground and, within the approved budget, to do anything necessary to deliver the works necessary to bring the site back into educational use.

**REASONS FOR REPORT RECOMMENDATIONS**

1. The former Civil Service Sports Ground was purchased by the Council using powers of compulsory purchase and will be brought back into use as sports/playing field facilities and for associated educational purposes for St. Marks CE Primary School and other local schools.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. If no further work was carried out at the ground, the Council would fail to achieve the outcomes envisaged by the Compulsory Purchase Order through which the property was acquired as the site is not currently in a condition that would allow educational use due to lack of use and passage. The Council would also continue to be in contravention of the Government guidance

provided in Building Bulletin 99 – Area Guidelines for Schools due to the shortage of playing field provision for schools in the area.

3. To permit this site to be used for other purposes would invalidate the terms upon which the site was legally acquired (i.e. for the purpose of increasing the volume of school playing fields available locally) and therefore raise the risk of legal challenge from the previous owners. Alternative uses would also mean the potential health and social benefits accruing from playing field use would not be realised.

**DETAIL (Including consultation carried out)**

4. Prior to proceeding with any improvement work to the ground, a number of surveys have been commissioned. These surveys will determine:-
  - drainage requirements;
  - ecological issues;
  - contamination;
  - topographical issues.
5. Early indications from the Ecological Survey show that there are slow worms and reptiles on site which will have to be moved to another site as they are a protected species. This will have a cost implication which is yet to be determined but will need to be managed solely within the available budget.
6. During the time that these studies have been carried out, CSL commissioned Capita to produce an Options Appraisal which has resulted in five options. Indicative costs produced by the Quantity Surveyor indicated that only one proposal (see table below) was within the available budget, whilst also achieving the requirements of the CPO together with limited community use. A paper presenting these options was taken to CSL Capital Board on 13 September 2012 and approval to consult on Option 1.1 was given.

	<b>Estimate Contract value</b>	<b>Capita fees</b>	<b>Other professional fees</b>	<b>Client contingency</b>	<b>Total</b>
Option 1	585,000	80,739	26,111	40,000	731,490
Option 1.1	425,000	58,395	26,111	40,000	549,506
Option 1.2	576,000	79,142	26,111	40,000	721,253
Option 1.3	545,000	74,883	26,111	40,000	685,994
Option 1.4	568,000	78,043	26,111	40,000	712,154
Option 1.5	580,000	79,692	26,111	40,000	725,803
Option 1.6	641,000	88,073	26,111	40,000	795,184

**Consultation**

7. It is proposed that key stakeholders will be consulted on Option 1.1 in late November/early December 2012.

Consultation will include:

- parents of St. Mark's pupils;
- Head Teachers of feeder schools;
- immediate neighbours and local businesses via a letter drop;
- outside bodies which have expressed an interest e.g. Friends of the Field
- Ward Members
- Statutory Bodies such as Sport England

A consultation meeting/s will be organised with the help of St. Mark's, to be held either in the school or on the field, subject to the weather. Every effort will be made to accommodate the times when consultees will be available. It has been shown to be advantageous to time a meeting to coincide with the end of school, with evening sessions for those people at work during the day. An opportunity to respond to the proposals by post will be offered for those who cannot attend a meeting. A translated version of the consultation documents will be available on request.

### **Planning requirements**

8. General Development Control advice has been sought and the following general planning requirements should be considered:

**Fencing to boundary of neighbouring properties** – it is proposed that this fencing be 1.8 -2 metres high and we will seek planning permission.

**Fencing/gates to Highways boundary** - new fencing/gates over 1 metre high require planning permission. This will apply to the Malmesbury Road and Malmesbury Place entrance.

**Fencing within the site** – as long as the fencing is not more than 2.4 metres high, no planning permission is required

**Play equipment** – although there is currently no allowance for play equipment, any future installation may be permissible under permitted development rights. However, certain play equipment requires full planning permission. Development Control advice should be sought prior to installing any play equipment.

### **Programme**

9. A final decision on the proposed option for refurbishment will be taken under delegated powers following review of all material considerations including technical reports, resource availability, legal and planning considerations, consultation responses and any other relevant matters. This will inform any planning applications required prior to work commencing on site. It is not possible to provide a detailed programme at this time. However, based on previous experience it is envisaged that work will start on site in the 2<sup>nd</sup> quarter of 2013.

## **RESOURCE IMPLICATIONS**

### **Capital**

10. On 14 March 2012, Council approved the transfer from the Leader's Capital Programme to the Children's Services Capital Programme a sum of £550,000 in order to carry out works at the former Civil Service Sports Ground. Approval to spend is now being requested.

The table below details the estimated costs of the proposed works:

<b>Estimated costs</b>	<b>2012/13</b>	<b>2013/14</b>	<b>2014/15</b>	<b>Total</b>
Surveys	£26,000			£26,000
Japanese knotweed removal	£5,000			£5,000
Capita fees	£46,000	£13,000		£59,000
Retention			£11,000	£11,000
Contract sum		£449,000		£449,000
<b>Total</b>	<b>£77,000</b>	<b>£462,000</b>	<b>£11,000</b>	<b>£550,000</b>

### **Revenue**

11. The cost of annual maintenance of the site will depend on what pitches and athletic facilities are provided. An estimate of £12,000 per annum has been quoted for maintenance based the proposals. These costs will be funded from the Children’s Services Portfolio.

### **Property/Other**

12. None

### **LEGAL IMPLICATIONS**

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

13. The proposed works to re-instate a playing field on compulsory acquired land can be undertaken pursuant to the Council’s power of general competence under Section 1 of the Localism Act 2011; the exercise of which is subject to any pre-commencement prohibitions or restrictions that may exist.

#### **Other Legal Implications:**

14. The refurbishment of the site will be subject to compliance with the Equalities Act 2010, S 17 Crime and Disorder Act 1998, and the Council’s Contract Procedure Rules in relation to the procurement of the works and services to deliver the refurbishment.

### **POLICY FRAMEWORK IMPLICATIONS**

15. The purchase of the former sports ground and its development would help to achieve priorities 1 and 6 of the Council set out in the statutory Children and Young People’s Plan (2009-2012):

**Priority 1:** Every child and young person will be given the opportunity to have the healthiest possible start in life and be supported to make healthy lifestyle choices.

**Priority 2:** We will support the transformation in educational attainment and outcomes for children, young people, families and communities by investing in new infrastructure and school buildings.

<b>AUTHOR:</b>	Name:	Karl Limbert	Tel:	023 80837596
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**KEY DECISION** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	Freemantle and Bargate
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## SUPPORTING DOCUMENTATION

### Appendices

1.	None
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### Documents In Members' Rooms: No

1.	Drawings 1-1.6
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### Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No
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### Other Background Documents – None

Title of Background Paper(s)

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

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<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	JOINT WORK WITH THE ISLE OF WIGHT TO DELIVER EDUCATION SUPPORT SERVICES
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR CHILDREN'S SERVICES
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

## **BRIEF SUMMARY**

This report provides information on the continuing partnership with the Isle of Wight Council and gives detail on the specific support to be provided in the area of school improvement support and challenge; the provision of statutory responsibilities in relation to those pupils with special educational needs and potentially other areas of children's services related activity.

## **RECOMMENDATIONS:**

- (i) To agree to the continuation and further development of the working relationship with the Isle of Wight Council to provide school improvement and the provision of statutory as well as related education functions for the academic year 2012/13 and the following two academic years.
- (ii) To delegate authority to the Executive Director of Children's Services and Learning to do anything necessary to support, plan and implement the collaborative working arrangements.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. Both the Isle of Wight and Southampton City Councils are seeking greater efficiencies in their delivery. This joint working relationship, builds on the achievements of the past academic year, enabling both authorities to rationalise delivery whilst maintaining a focus on statutory duties and outcomes for children and young people.
2. The Isle of Wight Council has a number of statutory responsibilities which it is currently relying upon contractors to fulfil. This limits continuity or confidence amongst the school community. A traded services arrangement with Southampton City Council provides immediate access to a broader range of expertise than the Isle of Wight Council currently is able to secure. It gives some Southampton City Council staff the opportunity to work on a broader scale and will ease the sharing of expertise across schools in both local authorities.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

3. Not to work in partnership with the Isle of Wight Council to deliver school improvement, special educational needs and related services, would reduce the ability of both authorities to gain efficiencies in the management and delivery of services.

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

4. By the two Authorities working together, sharing expertise and combining resources and purchasing power; the level and quality of services being delivered will be sustained more efficiently and at less cost to the council taxpayer. The only changes our customers should see are improved services.
5. The Isle of Wight's schools and learning function has recently been reviewed as part of a council restructure and a number of key posts have not been filled on a permanent basis. The result is that the council does not have ongoing access to the range and breadth of skills and experience required to meet its statutory responsibilities.
6. Over the last year, Southampton City Council has retained an experienced team to support school improvement both in Southampton and on the Isle of Wight. The role and responsibilities of local authorities with regard to school improvement is changing with greater autonomy given to schools. Further changes are planned, including consideration of a national formula for school funding and an increase in the pupil premium. This is likely to further reduce the budgets that the councils will have for this area of activity. Standards on the Isle of Wight, particularly at primary school age 11, are low and the council is committed to working with schools, especially in the first few years of the new two tier school organisational structure, to address the standards issue.
7. With regard to the provision of the statutory educational psychology service on the Isle of Wight, their previous attempts to recruit qualified staff have proved unsuccessful. Over the last year Southampton has successfully recruited additional staff to enable effective delivery of services across both Local Authorities.
8. The Isle of Wight Council has rejected the option to seek a range of short term contracts with specialists from within the private sector and is looking to enter a longer term arrangement with Southampton City Council to ensure the continuation and development of the current services.
9. The Isle of Wight Council is seeking to enter a longer term arrangement with Southampton City Council to provide a range of staff with the relevant qualifications and expertise. At the same time the Isle of Wight will provide Southampton access to staff who have expertise and experience that we are able to utilise and would value.
10. This agreement will provide longer term sustainability for both Local Authorities by establishing a range of already agreed shared services and allowing for additional commissioned service to be added.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

11. A consistent schedule of charges has already been agreed and implemented to ensure that the full cost of services provided is charged. Any efficiencies made will form part of the Council's savings proposals.

## Property/Other

12. There are no property/other implications.

## **LEGAL IMPLICATIONS**

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

13. Each upper tier local authority must have a mechanism to monitor the performance of its schools (in particular, standards and finance) and the ability to provide advice to schools that are identified as failing or at risk of failing. Each Authority will maintain this duty through their Directors of Children's Services and Learning.
14. Local Authorities also have responsibilities with regard to distribution of the dedicated schools grant, school admissions, home to education transport, safeguarding, sufficiency of school places, and health and safety. These areas are not affected by this proposal and will remain the responsibility of designated chief and senior officers within the Council.

### **Other Legal Implications:**

15. None

## **POLICY FRAMEWORK IMPLICATIONS**

16. The proposals have implications for the Children and Young People's Plan and 14-19 Strategy

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**KEY DECISION** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	All
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### **SUPPORTING DOCUMENTATION**

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

#### **Appendices**

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

1.	None
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#### **Equality Impact Assessment**

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No
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#### **Other Background Documents – None**

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

Title of Background Paper(s)

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

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<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	CITY CENTRE PRIMARY SCHOOL EXPANSIONS – STATUTORY CONSULTATION
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR CHILDREN’S SERVICES
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

## **BRIEF SUMMARY**

Southampton is currently experiencing an unprecedented rise in the number of children in the City that require a school place, with the main pressure point being the central spine of the City running from Bassett in the North to Bargate in the South. This report sets out proposals for statutory consultation on increasing the number of places available in the City centre.

## **RECOMMENDATIONS:**

- (i) To note the outcome of the pre-statutory consultation as set out in the report and appendix 1.
- (ii) To commence 4 weeks of statutory consultation in November and December 2012 on proposals to:
  - Increase the PAN of Bassett Green Primary School from 60 to 90 from September 2013 (the school has initially expanded for 1 year only from September 2012)
  - Increase the PAN of Bevois Town Primary School from 30 to 60 from September 2013 (the school has initially expanded for 1 year only from September 2012)
  - Increase the PAN of St John’s Primary and Nursery School from 30 to 60 from September 2014
- (iii) To delegate authority to the Director of Children’s Services and Learning, following consultation with the Head of Legal, HR and Democratic Services, to determine the final format and content of consultation in accordance with statutory and other legal requirements.
- (iv) Subject to complying with Financial and Contractual Procedure Rules, to delegate authority to the Director of Children’s Services & Learning, following consultation with the Cabinet Member for Children’s Services & Learning, to do anything necessary to give effect to the recommendations in this report.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. The centre of the City is experiencing greater pressure on places than any other area and whilst a number of schools in the City centre have already expanded, additional primary school places are required if we are to meet our statutory duty to provide a school place to all those children that require one.

2. Primary Review Phase 2 projects increased the number of year R places in the City to 3,030 from September 2012 and this number of places would be replicated in all primary aged year groups in subsequent years. While existing expansion plans would provide enough places Citywide, it is likely that there would be a shortage of places in the City centre if these proposals were not taken forward.
3. The demand in the City centre was greater than anticipated for the 2012/13 year and two schools had to be expanded, initially for one year only, to accommodate the extra demand. The schools selected were Bassett Green Primary and Bevois Town Primary, as they could admit an extra class at short notice and also had the potential to expand throughout all year groups. These two schools, along with St John's Primary, are now proposed to expand across all year groups.
4. If the proposal were approved, the City would have a total of 3,120 year R places from September 2014 and in subsequent years.

#### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

5. If no action were taken, the City would have a significant deficit number of year R places from September 2014 onwards. It is estimated that we could need up to 3,240 places in 2015/16, but we do not believe that pupil numbers will stay at this level. It is anticipated that numbers will drop to around 3,100 in 2016/17. At the moment we only have enough funding to expand the three schools in this report and do not feel it would be prudent to permanently expand more schools when the places may only be needed for one year only. The creation of further school places (in addition to the proposals in this report) would be subject to the Local Authority receiving further allocations of capital funding from the DfE.
6. Other schools in the central spine of the City were visited (Portswood Primary and Swaythling Primary) both in relation to short and long term expansion projects. However, both these schools were discounted due to a lack of internal space and site restrictions, which would make expansion/capital works difficult and expensive. They had no rooms which could be converted at short notice into a classroom for September 2012 and had no outdoor space which could conceivably be used to accommodate multiple classrooms.

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

7. 4 weeks of pre-statutory consultation were held between 27 September and 25 October. Drop in sessions were held at all of the schools involved, at which members of the public could come and speak to Local Authority officers about the proposals. A consultation document and response form (see appendices 2 & 3) were distributed to all parents and pupils at the schools included in the proposals, local pre-schools, SureStart centres and libraries. Details of the consultation were also sent to local MP's, City Council staff, all Southampton headteachers, local Councillors, union representatives and neighbouring local authorities. Responses to the consultation can be found in appendix 1.



8. The responses to the consultation were largely positive, with the majority of people acknowledging that schools needed to be expanded in response to the increased numbers of children in the City. However, some concerns were raised:

- The small site at Bevois Town and concerns that outdoor space would be reduced;
- A preference to build brand new buildings rather than expand existing schools;
- Preference for smaller schools;
- Traffic issues near and around St John's Primary;
- Thought needs to be given to secondary school places in the City centre; and
- Concern that academic and disciplinary problems could worsen if number of pupils increased.

In response to these concerns, officers can provide the following:

- A limited amount of playground space may be built on, however some teaching space will be created using a Council owned building close to, but not on, the existing site; and
- The Local Authority does not have the land or the funding to build brand new schools. It is more cost effective to expand existing school buildings;
- It is becoming increasingly difficult to keep the size of schools small, when there is such a large increase in the number of children in the City. By expanding a number of schools we hope to avoid having very large primary schools;
- If the conversion of Eagle Warehouse is a feasible option, traffic issues will have to be looked at as there is a one way street (French Street) separating the existing site and Eagle Warehouse;
- At present, Children's Services & Learning are concentrating on the demand for primary school places in the City, although it is acknowledged that due to current demand for primary schools places and the lack of secondary schools in the City centre, additional secondary schools places in the City will be required; and
- The Local Authority have great confidence in the leadership and teaching structures at all three schools and are more than confident that they will be able to manage the increased pupils numbers.

9. In addition to these issues, it is recognised that there may be an increase in the amount of traffic near these schools, once they have expanded. Traffic congestion is an issue that affects most schools in the City at the start and end of the school day and we liaise with the Local Authority's school travel plan officer in an attempt to mitigate this risk.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

10. The revenue costs of all schools are met from the Individual Schools Budget Funded by the Dedicated Schools Grant. The amount of Dedicated Schools Grant that the authority receives each year is based on the number of children in the City. If the City's overall numbers grow, this will result in an increase in the amount of grant received which can be passed onto schools via budget shares calculated using Southampton's Fair Funding Formula.
11. The Council has received £3,899,000 of non-ringfenced Basic Need capital grant from the DfE, which was distributed to those authorities that had the greatest projected deficit of school places. If the proposals are approved the majority of this funding, £3,000,000, would be allocated to these projects.
12. Detailed cost estimates of the proposed capital projects will be brought for approval at the final stage of the consultation process. This detail will be included in the report which is planned to go to cabinet in January or February 2013.

### **Property/Other**

13. It is proposed that the schools will expand as follows:
  - Bassett Green Primary – 7 new classrooms to be built on site
  - Bevois Town Primary – former SCC office space (on Cedar Road) to be converted into 2 classrooms and 4 classrooms to be built on the existing site. The staff room has already been converted into a classroom.
  - St John's Primary and Nursery – a nearby SCC owned and occupied building has been tentatively identified as a space that the school could use to expand. However, the use of this space for the school is subject to negotiation, consultation and decision amongst internal SCC management and staff. As St John's is not proposed to expand until September 2014, the capital project for this school is currently less well developed than the projects for the other two schools. St John's is a foundation school and a member of the Regents Park Trust. At present, we are in the process of transferring the land to the Trust.
14. Should it be decided (after considering any responses to statutory consultation) that these proposals be taken forward for final cabinet approval, the cabinet paper for that decision will include more specific detail on how the additional accommodation will be provided, an estimate of the capital cost, timescales for delivery and information on how each project will be funded.

## **LEGAL IMPLICATIONS**

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

15. Local Authorities have a statutory duty to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. Local Authority's must also ensure that there are sufficient schools in their area and promote diversity and parental preference.

16. Alterations, changes, creation or removal of primary provision across the City is subject to the statutory processes contained in the School Standards & Framework Act 1998 as amended by the Education & Inspections Act 2006. Proposals for change are required to follow the processes set out in the School Organisation (Prescribed Alterations to Maintained Schools) Regulations 2007 as amended, together with the corresponding Admissions Regulations as appropriate. Statutory Guidance on bringing forward proposals applies, which requires a period of pre-statutory consultation (and additional rounds of pre-statutory consultation if further viable options are identified during initial consultation) followed by publications of statutory notices, representation periods and considerations of representations by Cabinet or considerations by the Admissions Forum and approval as part of the Admissions Process as required.

**Other Legal Implications:**

17. In bringing forward school organisation proposals the Local Authority must have regard to the need to consult the community and users, the statutory duty to improve standards and access to educational opportunities and observe the rules of natural justice and the provisions of the Human Rights Act 1998, article 2 of the First Protocol (right to education) and equalities legislation.

**POLICY FRAMEWORK IMPLICATIONS**

18. The proposals outlined in this document will contribute directly to the achievement of the outcomes set out in the Children and Young Peoples Plan by investing in new infrastructure and school buildings.

<b>AUTHOR:</b>	Name:	James Howells	Tel:	023 8091 7501
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**KEY DECISION?** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	Bassett, Swaythling, Portswood, Bevois, Bargate
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**SUPPORTING DOCUMENTATION**

**Appendices**

1.	Responses to the consultation
2.	Consultation document
3.	Consultation response form
4.	DfE Guidance – Expanding a Maintained Mainstream School

**Documents In Members’ Rooms**

1.	None
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**Equality Impact Assessment**

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

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

<http://www.southampton.gov.uk/learning/schools/consultations/citycentreexpansions.aspx>

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	Equality Impact Assessment	
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# Agenda Item 12

Person	School	Bassett Green	Bevois Town	St John's	Comments
Parent/carer			Yes / Don't Mind		Concerns in relation to Bevois Town. Will staff ratio stay the same (i.e. double)? Given limited after school provision (after schools clubs, homework clubs) at present at Bevois Town, will this become even less if the school size doubles. Advice has been given one extra building space, but what about outdoor space? Will this become less due to building? Will the plans include how young people at Bevois Town could utilise outdoor space e.g. external grounds? sports centres / secondary schools on a regular basis. Will the expansion give the school the opportunity to improve facilities e.g. IT provision, more up to date learning methods / resources.
Parent/carer & governor	Bevois Town		Yes		
Parent/carer	Bevois Town	Yes	Yes	Yes	
Parent/carer	Bevois Town	Yes	Yes	Yes	
Parent/carer	Bevois Town	Yes	Yes	No	
Parent/carer	Bevois Town	No	Yes	Ni	
Parent	Bassett Green Primary	Yes	Don't mind	Don't mind	I think that expanding Bassett Green Primary school is a good idea because there's a huge demand in the "area" and no many other schools around either. Also I think Bassett Green should build extra classrooms on the outside to make more space and not have children cramped into one room
Parent/carer	Bassett Green Primary	Don't mind			
Parent/carer	Bassett Green Primary	No	No	No	I would say build other schools as some of the schools struggle to cope with numbers they already got (children) and you would have to pay money to build 7 new classrooms at each of the named schools so wouldn't be cost affective
Parent	Bevois Town	Don't mind	No	Don't mind	My child goes to Bevois Town school. The main reason for sending my child here was because it is a very small school (1 class per year). The teachers know all the children, very good education. I feel expanding the school would mean less space for the children to play outside. Teaching quality would reduce. I also have another child due to go next year would have to think about looking elsewhere if schools expanded. Why change, if parents are happy with the way it is now. Think it is too small to add classes of children. Offsite building would separate children when they should be together. Don't support.
Parent	St John's	Don't mind	Yes	Don't mind	As long as there is enough room and space for children, would like to see some achievement towards learning with loads of teachers. Outlook all nice not an eye sore.

					I think it's a very good idea as there is such a demand for St John's in the local area. Bigger classes would enable people in the local area to get places and not have to travel far. St John's is a fab school.
Parent	St John's	Don't mind	Don't mind	Yes	
Parent	St John's	Don't mind	Don't mind	Yes	
Staff	St John's			Yes	
Staff	St John's	Yes	Yes	Yes	
Staff	St John's	Yes	Yes	Yes	
					I really think part of French Street should be closed off for St John's School. Cars, buses and vans drive down this road way too fast. Also a huge number of cars drive the wrong way up the one way street from West quay Road when they are looking for the registry office. This is only set to get worse with the expansion to make that road accessible for port traffic and so everyone will be driving even faster. This is very dangerous around school children. Please add a CCTV camera to the end of the road to catch these cars driving the wrong way up the road.
Parent/Carer		Yes	Yes	Yes	
Member of local community		Yes	Yes	Yes	
Parents	St John's	Yes	Yes	Yes	
Parent/carers				Yes	
Parent/carers	St John's	Yes	Yes	Yes	
					I hope you will be planning ahead a bit more proactively when it comes to secondary schools, now that all the primaries are getting squeezed.
Parent/carers	St John's	Don't mind	Don't mind	Yes	
Parent/carers				No	They more concentrate on attendance to 95% but lack control on children discipline and academic. Increase of pupil numbers will make it worse.
Staff					As a member of staff I feel if there is room to expand any of these schools, without compromising quality of education, it should be done.
Parent	Bevois Town		Yes		Yes, we say more schools should be able to expand so children could come in and have a good education
Parent			Yes		
Parent / Governor	Bevois Town	Don't mind	Yes	Don't mind	
Parent / Carer	Bevois Town	Don't mind	Don't mind	Don't mind	
Staff	St John's			Yes	

					St John's need to have an extra reception class during this academic year as there are many children in the area either not going to school now or will not have a place in year 1 either or cannot get to the schools they have allocated. The school has room now. There is real need for a small senior school in the area - plans should start seriously now looking at the potential of empty sites as the recession continues this provides an opportunity to redress the real inequality in provision in this area. Historically our children have had to disperse all over the city at all key stages. The provision of the primary school and possible expansion goes towards redressing this inequality for some of the neediest children in the city - it needs the next step now - an inner city small senior school to deliver better outcomes for the community.
Governor / Staff	St John's	Yes	Yes	Yes	
Parent / Carer		Don't mind	Don't mind	Don't mind	But also I think schools will be crowded.
Member of staff	St John's	Don't mind	Don't mind	Yes	
Parent / Carer	St John's			Yes	
Parent / Carer	St John's	No	No	Yes	
	St John's	Yes	Yes	Yes	
Staff	St John's	Don't mind	Don't mind	Don't mind	
					I think it's a brilliant idea to expand St John's school as this will help people in the catchment area to have more peace of mind knowing their child can get into the local school. As it as a huge disappointment for many parents whose children did not get into St John's Reception this year, despite their children attending St John's Nursery.
Parent / Carer		Yes	Yes	Yes	
Parent	St John's	Don't mind	Don't mind	Yes	
					I feel it's important for these schools to expand. Also there is huge demand for a much need senior school in the city is vital too. Re: expansion - Traffic would need to be managed carefully for the safe transfer of pupils from building to the next. For their safety. Maybe temporary barrier when children need to cross.
Staff	St John's	Yes	Yes	Yes	
Other (School Kitchen)	St John's	Don't mind	Don't mind	Yes	
Other (School Kitchen)	St John's	Don't mind	Don't mind	Yes	
Parent / Carer		Don't mind	Don't mind	Yes	
Staff	St John's	Yes	Yes	Yes	

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## **City Centre Primary School Expansion Consultation**

### **Why do we need to expand more schools?**

Southampton, along with many other local authorities, is facing a huge demand for primary school places over the next few years. This is on top of the increase in pupil numbers in 2011 and 2012. While it had previously been anticipated that our expansion plans under the Primary Review Phase 2 would give us enough places, we now know that the city will not have enough places if no other schools are expanded. This is largely due to a rise in the number of children being born in the city.

### **The proposals**

Our pupil forecasts show that at least 3,040 Year R places will be needed at Southampton primary schools by September 2014, with further places likely required in the future. Our Primary Review Phase 2 proposals provided the city with 3,030 Year R places. To make up the difference and to make sure that we can offer places to children who move into the city during the school year, we are proposing to expand the following schools:

#### **Bassett Green Primary School**

The proposal is to increase the number of pupils that the school can admit to year R from 60 to 90, from September 2013. This would see the school expand from 420 to 630 places.

*Please note that the Published Admission Number of Bassett Green Primary increased from 60 to 90 for one year only in September 2012 to accommodate a higher than expected number of children in the city. This consultation is about the permanent expansion of the school.*

#### **Bevois Town Primary School**

The proposal is to increase the number of pupils that the school can admit to year R from 30 to 60, from September 2013. This would see the school expand from 210 to 420 places.

*Please note that the Published Admission Number of Bevois Town Primary increased from 30 to 60 for one year only in September 2012 to accommodate a higher than expected number of children in the city centre. This consultation is about the permanent expansion of the school.*

#### **St John's Primary and Nursery School**

The proposal is to increase the number of pupils that the school can admit to year R from 30 to 60, from September 2014. This would see the school expand from 210 to 420 places.

### **How many places are needed?**

We predict that we will need at least 3,040 Year R places in September 2014, with the greatest demand being through the centre of the city from Bassett in the north, down to Bargate in the south. The proposals in this document, if approved, would give us a 3,120 year R places. We need some spare places in the city so that we can offer places to new people who might move into the area during the year. It may be that more places are need in the future but we only have enough funding for these three proposals at the moment.

### **Why are the places needed?**

There has been an increase in the number of children requiring a school place in Southampton over the past few years. The main reason for this is the increase in the number of children being born in the city. We know this because of:

- Child benefit data , which shows how many children there are in the city
- Birth data given to us by the Primary Care Trust

### **How will the extra places be added?**

We do not yet have final plans for how these schools could expand as we need to find out what people think about the proposal before we commit ourselves to building projects. However, we have some ideas and these are set out below.

Bassett Green Primary School – It is proposed that an extension will be added to the school and that some existing school space could be converted into a classroom.

Bevois Town Primary – the possibility of converting a nearby council building into teaching space is being investigated along with the addition of classrooms to the existing site.

St John's Primary and Nursery – as this is not proposed to expand until September 2014, the plans for this school are less clear. At this stage we are investigating the possibility of extending the existing building and/or refurbishing nearby council owned properties.

### **Why aren't any new schools being built?**

Two new schools – Banister & Wordsworth – are being rebuilt and expanded as part of the Primary Review Phase 2. Unfortunately, financial restrictions and a lack of suitable sites means that we are unable to build any brand new schools in the city centre, which is the area with the greatest demand for places.

### **Why these schools?**

The area with the greatest demand for places is the central spine of the city, running from Bassett in the north to Bargate in the south. The three schools which are proposed for expansion are within this area and have space on their sites, or nearby, which could be used to create extra classrooms.

### **Is there money available to create new schools places?**

The Local Authority receives Basic Need funding from Central Government which is used to create school places. At the moment the Local Authority only has enough money to expand the three schools included in this consultation. We may need to expand more schools in the future if pupil numbers continue to rise, but further expansions would be dependent on the Local Authority receiving more funding from Government and further consultation.

### **Will any schools be closed or opened?**

There are currently no plans to open brand new schools or close any existing schools in the city.

### **What happens next?**

We know that extra school places will be needed by September 2014. The consultation on these proposals runs from 27 September 2012 to 25 October 2012. After this, we will look at all the responses we have received and, if there are no great objections to the proposals, we will progress to the next stage of consultation. This involves the publication of notices at all the schools included in the proposals, in the Daily Echo and on the Southampton City Council website. A four week consultation period would follow. We are planning for this to happen in November & December 2012.

The final stage would be to get Cabinet approval to implement the proposals. We hope this could happen by February 2013.

If the proposals are approved they will be phased in over a number of years to ensure that the correct number of school places are added at the right time. If we made all the changes at the same time there would be too many new places in the city with not enough children to fill them. We also have to make sure that none of the existing schools lose pupils because too many places are available elsewhere in the city. We are proposing that the size of each year group would expand year-on-year until all year groups have expanded.

While we are confident that these proposals would add the correct number of school places, we have put forward options which will be implemented in stages. This means that if there is a change in the number of places that are needed, the plans can be changed.

### **How to have your say**

You may have a view on the overall strategy of increasing the size of schools, or you may just want to comment on the school nearest your home. We would also welcome any other suggestions you may have for adding extra school places in the city. It is entirely up to you how you respond.

You can respond to the consultation by writing to: Primary School Expansions, Infrastructure, Children's Services & Learning (OGS), Southampton City Council, Civic Centre, Southampton, SO14 7LY, or emailing [infrastructureandcapital.projects@southampton.gov.uk](mailto:infrastructureandcapital.projects@southampton.gov.uk)

You can also fill in one of our response forms and return it to any of the schools included in the proposals or to the address above.

The consultation closes on 25 October 2012 and all responses should be returned by this date.

We have also arranged drop-in sessions at the affected schools where you can come along and speak to us about the proposals. Please see below for details of these events.

<b>School names</b>	<b>Drop-in venue</b>	<b>Date</b>	<b>Time</b>
Bassett Green Primary School	Bassett Green Primary School	Tuesday 2 October 2012	3.15pm – 4.15pm
Bevois Town Primary School	Bevois Town Primary School	Friday 28 September 2012	3.15pm – 4.15pm
St John's Primary & Nursery School	St John's Primary & Nursery School	Thursday 11 October 2012	9.15am – 10.00am

**CONSULTATION RESPONSE FORM: PROPOSALS TO EXPAND CITY CENTRE PRIMARY SCHOOLS**

Your views on the proposals are important to us. Please let us know what you think by completing the form below.

**I am a (please tick the relevant box):**

Parent/carer	
Governor	
Member of staff	
Member of the local community	
Other (please specify)	

Please name the school you are involved with.....

Do you support the proposal of adding more places at:

Bassett Green Primary School\* (30 extra places per year group starting from September 2013)

Yes       No       Don't Mind

Bevois Town Primary School\* (30 extra places per year group starting from September 2013)

Yes       No       Don't Mind

St John's Primary and Nursery School (30 extra places per year group starting from September 2014)

Yes       No       Don't Mind

*\*Please note that Bassett Green and Bevois Town have already expanded Year R for 2012/13 only. This consultation is about the permanent expansion of these schools.*

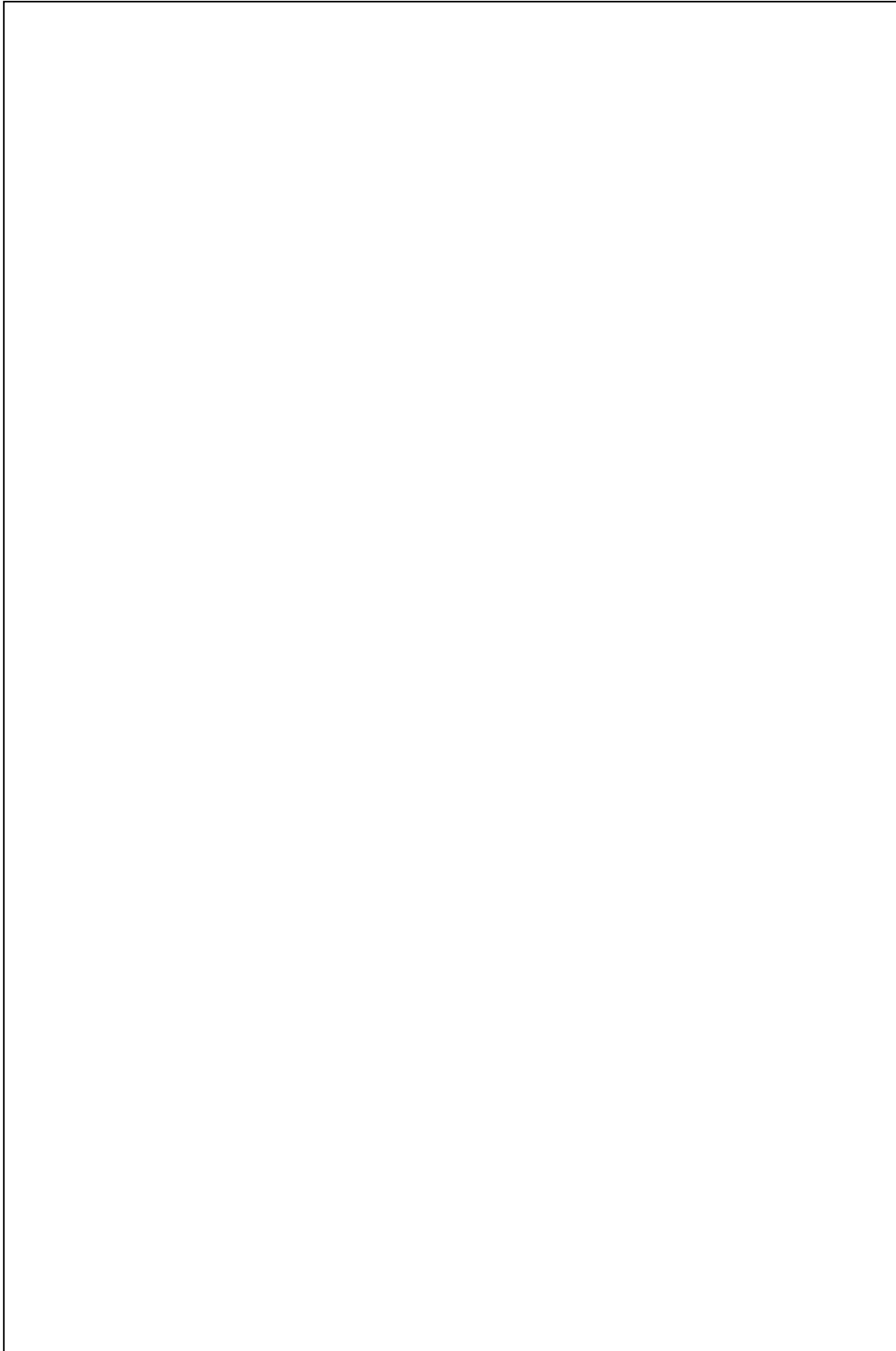
If you would like to make any additional comments, you can do this on page 2 of this form.

Please return this form to: Primary School Expansions, Infrastructure, Children's Services & Learning (OGS), Southampton City Council, Civic Centre, Southampton, SO14 7LY or to any of the schools included in the proposals.

Alternatively you can email any comments to [infrastructureandcapital.projects@southampton.gov.uk](mailto:infrastructureandcapital.projects@southampton.gov.uk)

Any responses should be returned by **Thursday 25 October 2012.**

Additional comments:

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# Expanding a Maintained Mainstream School by Enlargement or Adding a Sixth Form

## A Guide for Local Authorities and Governing Bodies

For further information:

School Choice & Operations Team  
Department for Education  
Mowden Hall  
Darlington  
DL3 9BG

Tel: 01325 735749

Email: [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk)

Last updated 1 February 2010

## EXPANDING A MAINTAINED MAINSTREAM SCHOOL BY ENLARGING OR ADDING A SIXTH FORM - A GUIDE FOR LOCAL AUTHORITIES AND GOVERNING BODIES

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## INTRODUCTION

### **EXPANDING A MAINTAINED MAINSTREAM SCHOOL BY ENLARGING OR ADDING A SIXTH FORM - A GUIDE FOR LOCAL AUTHORITIES AND GOVERNING BODIES**

**(Covering Enlarging a School and Adding a Sixth Form, also known as 'excepted expansions')**

#### **Introduction** (Paragraphs 1-25)

1. This guide provides information on the procedures established by The Education and Inspections Act 2006 (EIA 2006) and The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended by The School Organisation and Governance (Amendment)(England) Regulations 2007 which came into force on 21 January 2008 and The School Organisation and Governance (Amendment)(England) Regulations 2009 which came into force on 1 September 2009). For your convenience, a consolidated version of the Prescribed Alteration Regulations and the two sets of Amending Regulations can be found at: [www.dcsf.gov.uk/schoolorg/guidance.cfm?id=29](http://www.dcsf.gov.uk/schoolorg/guidance.cfm?id=29). The relevant provisions of the EIA 2006 came into effect on 25 May 2007.

2. This guide contains both statutory guidance (i.e. guidance to which local authorities (LAs) and governing bodies have a statutory duty to have regard) and non-statutory guidance, on the process for "expanding" a school. Throughout this guide any reference to "expand" (i.e. or "expanding"/ "expansion"/"excepted expansion") covers the following "prescribed alterations":

- Enlargement to premises - enlarging the physical capacity of a school; and
- Alteration of upper age limit - raising the school's upper age limit to add a sixth form.

NOTE: For more detailed information on when proposals are required and why 'Increase in number of pupils' (increasing a school's admission number by 27 or more pupils) no longer falls under School Organisation regulations, see paragraphs 11 to 17 below.

Although both "Enlargement" and "Adding a sixth Form" are prescribed alterations, they are dealt with separately from other prescribed alterations, because there are significant differences e.g. who can publish the proposals, the length of the representation period and who can appeal to the schools adjudicator.

Altering the upper age range of a school, other than to add a sixth form e.g. lowering the upper age to remove a sixth form, changing from an infant to a primary school (from 3/5-7 to 3/5-11), or raising the upper age of a middle deemed secondary, also fall under "Alteration of upper age limit" within

## INTRODUCTION

Regulations, but are dealt with in “Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals)” - [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation)

The statutory guidance sections are indicated by shading, the word **must** in bold refers to a requirement in legislation, whilst the word **should** in bold is a recommendation.

3. If you have any comments on the content or layout of this guide, please send these to the School Choice & Operations Team at: [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk)) making sure that you identify the title of the guide and quote the page and paragraph numbers where relevant.

### **Who is this Guide for? (Paragraphs 4-5)**

4. This guide is for those considering publishing proposals to expand a school under section 19 of EIA 2006, referred to as “proposers” (i.e. the LA or the governing body), those deciding proposals, referred to as the “Decision Maker” (i.e. the LA or the schools adjudicator) and also for information for those affected by proposals for the expansion of a school.

5. Separate guides are available from the School Organisation website for:

- Becoming a Foundation or “Trust” school (changing category to foundation; a foundation school acquiring a foundation (i.e. a Trust); a Trust school acquiring a majority of foundation governors on the governing body) – “Changing School Category to Foundation” and “Trust School Proposals” - [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation)
- Opening a new school – “Establishing a new maintained mainstream school” - [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation);
- Ceasing to maintain a school – “Closing a Maintained Mainstream School” - [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation); and
- Making other prescribed alterations to a maintained school (e.g. change of age range other than adding a sixth form, add SEN, transfer of site) – “Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals)” - [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation)..

## INTRODUCTION

### School Organisation Planning Requirements (Paragraphs 6-8)

6. LAs are under a **statutory duty** to ensure that there are sufficient school places in their area, promote high educational standards, ensure fair access to educational opportunity and promote the fulfilment of every child's educational potential. They **must** also ensure that there are sufficient schools in their area, promote diversity and increase parental choice.

7. Parents can make representations about the supply of school places and LAs have a **statutory duty** to respond to these representations. Further statutory guidance on this duty is available in "Duty to Respond to Parental Representations about the Provision of Schools" which is on the School Organisation website at: [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation)

8. Currently, LAs **must** publish a Children and Young People's Plan (CYPP) as the single strategic overarching plan for all services affecting children and young people which also includes reference to strategic planning for school places. It is for LAs, in partnership with other stakeholders, to plan for the provision of places. LAs **should** also explore the scope for collaborating with neighbouring authorities when planning the provision of schools. In particular, LAs are encouraged to work together to consider how to meet the needs of parents seeking a particular type of school for their children in cases where there is insufficient demand for such a school within the area of an individual LA.

Responsibility for CYPPs is passing to The Children's Trust Board for each area and from 1 April 2011 each will be required to have a new 'jointly owned' CYPP in place.

Children's Trusts are the sum total of co-operation arrangements and partnerships between organisations with a role in improving outcomes for children and young people in each area. The Trust is not in itself a separate legal entity; each partner retains its own functions and responsibilities within the partnership framework. However, the Apprenticeships, Skills, Children and Learning Act 2009 strengthens Children's Trusts by requiring all local authorities to have a Children's Trust Board in place by April 2010. It also extends the number of statutory "relevant partners" who will be represented on the Board to include schools (including Academies), colleges, Job Centre Plus and the management committees of short stay schools (formerly PRUs).

In each local authority area the Children's Trust Board will be responsible for preparing and monitoring the implementation of the CYPP. This will give ownership of the plan to the partnership – whereas at present the CYPP is the responsibility of the local authority alone.

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### **The Secretary of State's Role** (Paragraphs 9-10)

9. The Secretary of State has the power to issue guidance to which the Decision Maker **must** have regard when deciding proposals. This should ensure that proposals and consultation responses and representations received from stakeholders are considered in a consistent way and that Ministers' key priorities for raising standards and transforming education are taken into account when decisions are taken. When drawing up their proposals, proposers are strongly advised to look at the factors which the Decision Maker **must** take into account when considering their proposals (see [Stage 4](#)).

10. The Secretary of State does not decide statutory proposals relating to schools, except where proposals have been published by the Learning and Skills Council (LSC)<sup>1</sup> under Section 113A of the Learning and Skills Act 2000 (as inserted by Section 72 of the Education Act 2002), for changes to 16-19 provision in schools.

### **When are expansion proposals required?** (Paragraphs 11-17)

11. Schedules 2 and 4 of The School Organisation (Prescribed Alterations to maintained Schools)(England) Regulations 2007 (as amended) set out the alterations that can be made by governing bodies and LAs. The following sets out the changes covered by this guide:

#### Enlargement to premises

12. Statutory proposals are required for a proposed enlargement of the premises of the school which would increase the capacity of the school by **both**:-

- a. more than 30 pupils; **and**
- b. by 25% or 200 pupils (whichever is the lesser).

The capacity of the school is the number of pupil places it can accommodate; it is the responsibility of the LA to assess the net capacity of all maintained mainstream schools in the Authority. The guidance document "Assessing the Net Capacity of Schools" .

Examples of when you would and would not need to publish 'enlargement' proposals are as follows:

---

<sup>1</sup> References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

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If you are increasing a 750 net capacity secondary school (5 form of entry - 30 pupils per class, 5 classes per year group, 5 year groups) by 1 form of entry (30x5=150 pupils) = an increase to a net capacity of 900 pupils. **No** proposals would be required, as although the increase is by 'more than 30' pupils, it is less than '200', and also less than '25%' of the current capacity (i.e. by less than 187).

You could increase a 50 net capacity rural primary school by up to 29 pupils **without** having to publish statutory proposals, because although it is by more than '25%' (12), it is still less than 30.

If you were adding 300 places to a school, it is **both** 'more than 30' **and** '200' (it may or may not be more than '25%'), so you **would** need to follow the statutory process to enlarge the school.

If you had a 1 form of entry primary (30x7=210) and increased it by 105 to 1.5 forms of entry (45x7=315), that **is** 'more than 30', less than '200', but **more than** '25%' (52), so again, the statutory process **would** need to be followed to enlarge the school.

13. Proposals may be required for some cumulative expansions and you **must** therefore look back and take into account any other enlargements that were made without the need for statutory proposals. You **must** therefore:-

- add any enlargements made:-
  - o in the 5 year period that precedes the proposed expansion date; or
  - o since the last approved statutory proposal to enlarge the school (within this 5 year period).
- exclude any temporary enlargements (i.e. where the enlargement was in place for less than 3 years); and
- add the making permanent of any temporary enlargement.

This is to ensure that 'creeping enlargements' trigger the statutory process to be undertaken if a school's capacity has previously been enlarged, but not significantly enough to require statutory proposals to be published, but when looking back up to 5 years, the latest enlargement (which may in itself be less than 30 pupils and/or by less than 200 pupils or 25%) does trigger the requirement to publish proposals e.g. a primary school with one form of entry slowly increases its capacity:

2006 – school's capacity was 210 (30x7)

2007 – school's capacity was increased to 245 (35x7) – this is an increase of

## INTRODUCTION

'more than 30', but less than '25%' (52 pupils), so no proposals were required.

2010 – the school's capacity is to be increased by a further 35 pupils (5 per year group), to 280 (40x7) – if you only looked back to 2007, no proposals would be published, as although it is an increase of 'more than 30', it is less than '25%' (61 pupils) of the school's current 245 capacity. However, looking back 5 years, it is clear that in effect, the school's capacity would have increased by 70 pupils, and therefore the statutory process **must** now be followed.

This ensures that schools wishing to enlarge significantly (whether that be in one go or over a period of 5 years), can only do so after following the statutory process, which includes consulting with anybody that may be affected by the proposals (parents, pupils, local schools etc.).

Where the proposed enlargement proposal will be dependent upon an increase in the school's admission number being agreed (see paragraph 15 below), the enlargement proposal **should** be approved conditionally upon the decision of the schools adjudicator to approve any related change in admission numbers (see paragraph 4.75 (g)).

### Alteration of upper age limit – Addition of a sixth form

(This is not about raising the school leaving age. From 2013 all young people will be required to continue in some form of education or training post-16. We are increasing the minimum age at which young people can leave learning in two stages, to the end of the academic year in which they turn 17 from 2013 and until their 18th birthday from 2015.)

14. **For proposers (LAs and governing bodies) other than governing bodies of community schools**, statutory proposals are required for the alteration of the upper age limit (the highest age of pupils for whom education is normally provided at the school) by a year or more, to provide a new sixth form except where:

- the school is to provide education for pupils over compulsory school age who are repeating a course of education completed before they reach compulsory school age (e.g. re-sitting GCSEs);
- the school is to provide part-time further education for pupils aged over compulsory school age, or full-time further education for persons aged 19 or over (i.e. under section 80(1) of SSFA 1998); or
- the alteration is a temporary one which will be in place for no more than 2 years.

15. **For governing bodies of community schools**, statutory proposals are required for the alteration of the upper age limit (the highest age of pupils for whom education is normally provided at the school) so as to provide sixth form

## INTRODUCTION

education except where:

- the school is to provide part-time further education for pupils aged over compulsory school age, or full-time further education for persons aged 19 or over (i.e. under section 80(1) of SSFA 1998).

NOTE: You would need to publish 'addition of a sixth form' proposals if you were changing the upper age range of a school from 16 to 18/19, however, if you were adding a 200 place sixth form to a school, it is **both** more than 30 **and** 200 or more pupils, so you would **also** need to follow the statutory process to enlarge the school.

If you are changing the upper age range of the school in addition to adding a sixth form e.g. changing the age range of a middle deemed secondary school from 8-13 to 11-18, you **should** also refer to the "Making Changes to a Maintained Mainstream School (Other than Expansion, Foundation, Discontinuance & Establishment Proposals)" - [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation) – guidance, which covers changing the age range of a school other than by adding a sixth form.

### Increase in number of pupils (now falls under the School Admissions Code)

16. The School Organisation and Governance (Amendment) (England) Regulations 2009, which came into force on 1 September 2009, remove the statutory requirement to publish proposals under school organisation legislation when increasing the number of pupils in any relevant age group<sup>2</sup> to be admitted to a maintained mainstream school by 27 or more, although any corresponding enlargement to the school premises may of course require statutory proposals (see paragraphs 12 and 13 above). Any proposed increase in the admission number **must** now be processed in accordance with the School Admissions Code. Any relevant statutory proposals that were published prior to 1 September 2009 **should** be concluded under the previous statutory process arrangements.

17. Sections 1.20 and 1.21 of The School Admissions Code - explain that if an admission authority wishes to increase a school's published admission number (PAN), they can propose to do so during the consultation and determination of admission arrangements for all schools in the area, or, if it is after the admission arrangements have been determined, as a result of a major change in circumstance, they **must** refer a variation to the Schools Adjudicator.

### **Overview of Process (Paragraph 18)**

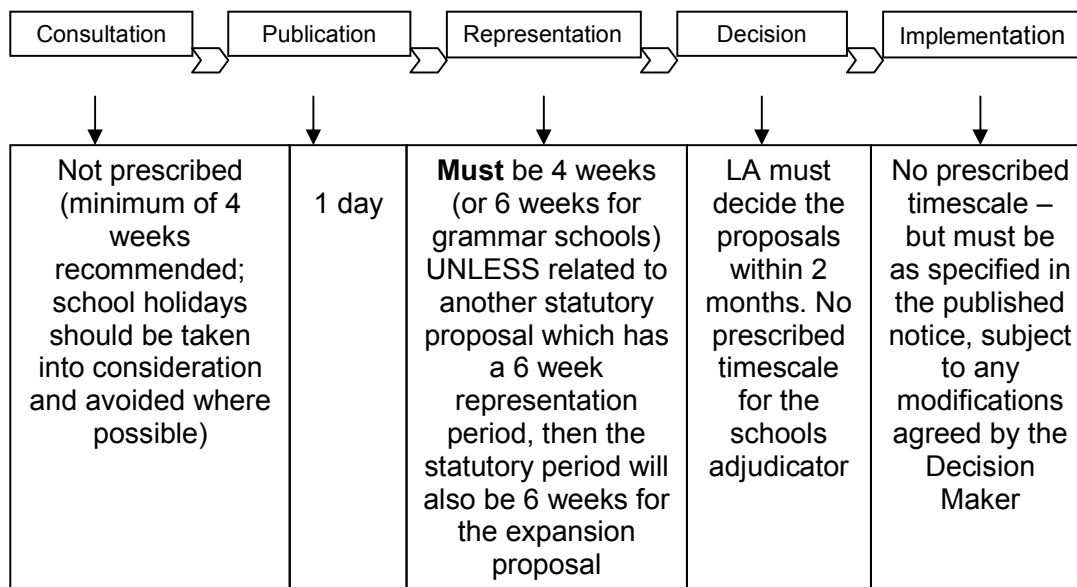
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<sup>2</sup> A "relevant age group" is defined in law as "an age group in which pupils are or will normally be admitted" to the school in question (section 142 of the School Standards and Framework Act 1998). It may be necessary for a school to have more than one admission number eg. where a secondary school operates a sixth form and admits children from other schools at age 16, an admission number will be required for Year 12 as well as for the main year or years in which children join the lower school, e.g. Year 7.



## INTRODUCTION

18. There are 5 statutory stages for a statutory proposal for an excepted expansion:



### Who Can Make Proposals to Expand a School? (Paragraph 19)

19. An LA can publish proposals to expand any category (community, voluntary aided, voluntary controlled, foundation (including Trust), community special and foundation special) of maintained school. The governing body of a maintained school may also publish proposals to expand their own school.

### Where to Start? (Paragraph 20)

20. Before commencing formal consultation, the LA or governing body **should** ensure they understand the statutory process that **must** be followed, the factors that are likely to be considered by the Decision Maker and that they have a sufficiently strong case and supporting evidence for their proposals. Published proposals cannot be considered unless the capital funding for their implementation is in place (perhaps conditionally on the proposals being agreed). See 21 below.

### Capital Funding (Paragraphs 21-24)

21. Where proposals require capital resources for their implementation the funding for the proposals **should** be in place when the proposals are decided (see paragraph [4.57](#) of the decision maker’s guidance section. Where proposers require capital funding to implement their proposals, they **should** secure this before publishing proposals. For the provision of additional sixth form places, the local LSC **should** be contacted for information on the 16-19 capital fund which it

## INTRODUCTION

currently administers<sup>3</sup>.

22. In accordance with the Government's position that there **should** be no increase in academic selection, the expansion of grammar schools, and selective places at partially selective schools, are excluded from any capital incentive schemes.

### Other expansions

23. All LAs are allocated capital funding over each spending review period to support their investment in school buildings. Where an LA identifies the need to make changes to local school provision, as part of a Building Schools for the Future (BSF) project, the funding will be provided through the BSF programme. Details of capital funding for the project in respect of all schools will be decided in discussions between the LA, the Department and Partnerships for Schools and will be included in the Final Business Case which the Department agrees. This may include the contribution by the LA (or schools or other stakeholders such as dioceses) to BSF funding of receipts from land made available through school reorganisation. For voluntary aided schools, government funding will normally be at 100% of the approved capital costs.

24. Where capital work is proposed for a community, foundation (including Trust) or voluntary controlled school other than as part of BSF, the proposers **should** secure a capital allocation from the LA. The LA **should** consider how they can prioritise this need in their asset management planning for the formulaic capital funding they receive, and for other resources which are available to them. Similarly proposers in respect of voluntary aided schools will need to get a commitment of grant through the LA, with the rate of grant support normally being 90% of the expenditure. The governing body will be responsible for funding the remaining 10% (unless an LA uses its power to assist).

### **Amalgamations/Mergers** (Paragraph 25)

25. There are two ways to 'merge' or 'amalgamate' two or more existing schools:

a. The LA or GB (depending on school category) can publish proposals to close two (or more) schools and the LA or a proposer other than the LA (e.g. Diocese, faith or parent group, Trust) depending on category, can publish proposals to open a new school, either through a competition (under section 7 of EIA 2006), or after receiving exemption from the Secretary of State\* (under section 10 of the EIA 2006). This results in a new school number being issued for the new school.

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<sup>3</sup> The 16-19 capital fund for 2010-11 is currently under review to ensure best use of funds in the light of current and future demand on the fund.

## INTRODUCTION

b. The LA and/or GB (depending on school category) can publish proposals to close one school (or more) and proposals to enlarge/change the age range/transfer site etc of an existing school, to accommodate the displaced pupils. The remaining school would retain its original school number, as it is not a new school, even if its education phase has changed.

\*All section 10 exemption applications are considered on their individual merits. However there is a 'presumption for approval' for infant/junior amalgamations, faith school reorganisations and new schools proposed by proposers other than the LA, because Ministers have indicated, during debates in Parliament, that they may be prepared to give consent to requests under these criteria, for publication of proposals without holding a competition. See Section B of the "Establishing a Maintained Mainstream School" guide for further information ([www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation)).

## STAGE 1 - CONSULTATION

### Stage 1 – Consultation (Paragraphs 1.1-1.7)

1.1 The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (“the Regulations”) (as amended) provide that those bringing forward statutory proposals to expand a school **must** consult interested parties, and in doing so **must** have regard to the Secretary of State’s guidance. The statutory guidance for this purpose is contained in paragraphs 1.2 to 1.4 below. Where an LA or governing body carries out any preliminary (informal) consultation to consider a range of options, and/or principles, for a possible reorganisation, this would not be regarded as the statutory (formal) period of consultation as required by regulations. The statutory consultation would need to cover the specific expansion of the school in question.

1.2 The Secretary of State requires those bringing forward proposals to consult all interested parties (see paragraph 1.3 below). In doing so they **should**:

- allow adequate time;
- provide sufficient information for those being consulted to form a considered view on the matters on which they are being consulted;
- make clear how their views can be made known; and
- be able to demonstrate how they have taken into account the views expressed during consultation in reaching any subsequent decision as to the publication of proposals.

1.3 The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) require proposers to consult the following interested parties:

- the governing body of any school which is the subject of proposals (if the LA are publishing proposals);
- the LA that maintains the school (if the governing body is publishing the proposals);
- families of pupils, teachers and other staff at the school;
- any LA likely to be affected by the proposals, in particular neighbouring authorities where there may be significant cross-border movement of pupils;
- the governing bodies, teachers and other staff of any other school that may be affected;

## STAGE 1 - CONSULTATION

- families of any pupils at any other school who may be affected by the proposals including where appropriate families of pupils at feeder primary schools;
- any trade unions who represent staff at the school; and representatives of any trade union of any other staff at schools who may be affected by the proposals;
- (if proposals involve, or are likely to affect a school which has a particular religious character) the appropriate diocesan authorities or the relevant faith group in relation to the school;
- the trustees of the school (if any);
- (if the proposals affect the provision of full-time 14-19 education) the Learning and Skills Council (LSC);
- MPs whose constituencies include the schools that are the subject of the proposals or whose constituents are likely to be affected by the proposals;
- the local district or parish council where the school that is the subject of the proposals is situated;
- any other interested party, for example, the Early Years Development and Childcare Partnership (or any local partnership that exists in place of an EYDCP) where proposals affect early years provision, or those who benefit from a contractual arrangement giving them the use of the premises; and
- such other persons as appear to the proposers to be appropriate.

1.4 Under Section 176 of the Education Act 2002 LAs and governing bodies are also under a duty to consult pupils on any proposed changes to local school organisation that may affect them.

### **Conduct of Consultation** (Paragraphs 1.5-1.7)

1.5 **How** statutory consultation is carried out is not prescribed in regulations and it is for the proposers to determine the nature of the consultation including, for example, whether to hold public meetings. Although regulations do not specify the consultation's duration, the Department strongly advises that the proposers **should** allow at least 4 weeks for consultation on enlargement proposals. This will allow consultees an opportunity to consider what is being proposed and to submit their comments. Proposers **should** avoid consulting on proposals during school holidays, where possible.

## STAGE 1 - CONSULTATION

1.6 At the end of the consultation the proposer **should** consider the views expressed during that period before reaching any final decision on whether to publish statutory proposals. Where, in the course of consultation, a new option emerges which the proposer wishes to consider, it will probably be appropriate to consult afresh on this option before proceeding to publish statutory notices.

1.7 If the need for the enlargement or sixth form arises from an area wide reorganisation e.g. as a result of long-term LA planning, any related proposals **should** be consulted on at the same time. Notices for related proposals **should** be published at the same time and specified as “related” so that they are decided together (see paragraph 2.5 ).

Remember:

<b>Do</b>	<b>Don't</b>
Consult all interested parties	Consult during school holidays (where possible)
Provide sufficient time and sufficient information	Use language which could be misleading, e.g. We <u>will</u> expand the school – instead, use ‘propose to’.
Think about the most appropriate consultation method	
Consider feedback and views	
Consider alternative options	
Explain the decision making process	

## STAGE 2 - PUBLICATION

### Stage 2 – Publication (Paragraphs 2.1-2.11)

2.1 LAs can publish expansion proposals for any category of maintained school within the LA. Governing bodies of any category of maintained school can publish proposals to expand their own school. Proposals **should** be published within a reasonable timeframe following consultation so that the proposals are informed by up-to-date feedback. Proposals **should** therefore be published within 12 months of consultation being concluded.

2.2 Proposals **must** contain the information specified in The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended). The regulations specify that part of the information (as set out in Regulation 28, Part 2 of Schedules 3 and 5), is published in a statutory notice (see paragraphs 2.3-2.4 below), and the complete proposal (as set out in Part 1 of Schedules 3 and 5), **must** be sent to a range of copy recipients (see paragraphs 2.9-2.10). [Annex A](#) can be used to prepare the complete proposal; the notice builder tool (see paragraph 2.4) can be used to prepare the draft statutory notice.

2.3 A statutory notice containing specified information (as set out in Regulation 28, Part 2 of Schedules 3 and 5) **must** be published in a local newspaper, and also posted at the main entrance to the school (or all the entrances if there is more than one) and at some other conspicuous place in the area served by the school (e.g. the local library, community centre or post office etc). The 'date of publication' is regarded as being the date on which the last of the above conditions is met. Proposers may circulate a notice more widely in order to ensure that all those substantially affected have the opportunity to comment.

NOTE: When publishing a statutory notice to add a sixth form, when completing the section on admission numbers, it may be necessary for a school to have more than one admission number e.g. where a secondary school operates a sixth form and admits children from other schools at age 16, an admission number will be required for Year 12 as well as for the main year or years in which children join the lower school, e.g. Year 7.

Paragraph 1.43 of the School Admissions Code states that an admission number need only be set for a school sixth form when it is a normal point of entry to the school i.e. the school sets out to admit external candidates to its sixth form, rather than just deal with ad-hoc applications. The published admission number **must** relate only to those being admitted to the school for the first time, and should be based on an estimate of the minimum number of external candidates likely to be admitted, although it would be acceptable to exceed this if demand for available courses can be met.

This means that the admission numbers must not include children transferring from earlier age groups, e.g. if a school has an admission number of 120, of

## STAGE 2 - PUBLICATION

which the majority are expected to continue on into the sixth form, but the sixth form will cater for 150 in Year 12, the admission number for Year 12 would be 30. If all 120 pupils from Year 11 do not continue into the sixth form, the school can accept applications over the 30, from external applicants, to fill the available spaces.

2.4 To help proposers prepare their statutory notice, the School Organisation website includes an online Notice Builder tool which will help ensure that the statutory notice complies with the Regulations and offers an opportunity for the notice to be checked by the School Organisation & Competitions Unit of the DCSF. Proposers are strongly advised to use this facility. The Notice Builder can be found at [www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation). To gain access the proposer needs to register for the “Members’ Area” on the website but this is free of charge. A template for the complete proposal is provided automatically by the Notice Builder when the draft statutory notice is finalised, alternatively the template can be found in “Standard Forms” in the Members’ Area of the website.

### **Related Proposals** (Paragraph 2.5)

2.5 Where proposals are interdependent (linked) they **should** be identified as “related”, either by being published in a single notice or the link to the other proposals made clear in each notice. Where proposals by the LA are “related” to proposals by governing bodies or other proposers (e.g. where an entire area is to be reorganised) the LA and governors or proposers may publish a single notice but this **must** make it clear who is making which proposals, under their respective powers, and there **should** be separate signatures for each relevant section. Where proposals are not “related”, they **should not** be published on the same notice unless the notice makes it very clear that the proposals are not “related”.

### **Implementation date** (Paragraph 2.6)

2.6 There is no maximum limit on the time between the publication of a proposal and its proposed date of implementation but circumstances may change significantly if too long a period elapses. In general, therefore - with the possible exception of BSF or major authority-wide reorganisation proposals which may have to be phased in over a long period – the implementation date for the proposals (stated in the statutory notice) **should** be within 3 years of their publication. Proposers may be expected to show good reason if they propose a longer timescale. If the proposals are approved, they **must** then be implemented by the proposed implementation date, subject to any modifications made by the Decision Maker.

### **Explanatory Note** (Paragraph 2.7)

2.7 If the full effect of the proposals is not apparent to the general public from



## STAGE 2 - PUBLICATION

the statutory notice, it may be supplemented by an explanatory note or background statement, but this **should** be clearly distinguishable from the formal proposals as it does not form a statutory part of the notice. Ideally, whilst complying with regulations, the statutory notice **should** be as concise as possible, so that it is easily understood (this will also help keep publication costs to a minimum), with more detailed information contained in the complete proposal.

### **Invalid Notice** (Paragraph 2.8)

2.8 Where a published notice has not been properly formulated in accordance with the regulations, the notice may be judged invalid and therefore ineligible to be determined by the LA or schools adjudicator. In these circumstances the proposer **should** publish a revised notice making it clear that this replaces the first notice and that the statutory period for representations will run from the publication date of the revised notice (and whether or not any representations already received will still be considered by the Decision Maker). If the issue is very minor, e.g. a typo, a published addendum may suffice, in which case, the representation period would not need to change.

### **Who must be sent copies of proposals?** (Paragraphs 2.9-2.10)

2.9 The proposer **must, within one week of the date of publication**, send a full copy of the complete proposal, to:

- the LA (if the governing body published the proposals);
- the school's governing body (if the LA published the proposals);  
and

**within one week of the receipt of the request**, send a full copy of the complete proposal, to:

- any person who requests a copy; and

if the notice includes "related" proposed school closures, **on the date of publication**:

- if the governing body are the proposers of the school closure(s), they **must** submit a copy of their complete proposal to the LA that maintains the school (it would also be helpful to submit a copy of the statutory notice);
- if the LA are the proposers of the school closure(s), they **must** submit a copy of their complete proposal to the governing body of the school proposed for closure (it would also be helpful to submit a copy of the statutory notice).

## STAGE 2 - PUBLICATION

2.10 The proposers **must** also send to the Secretary of State (i.e. to SOCU, DCSF, Mowden Hall, Darlington DL3 9BG or via email to [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk) ) **within a week of publication:**

- a complete copy of the proposal, excluding all documentation relating to the consultation; and
- a copy of the statutory notice that appeared in the local newspaper, showing the date of publication.

### **Compulsory Purchase Orders** (Paragraph 2.11)

2.11 Where an LA needs to acquire land compulsorily in conjunction with any statutory proposals, the LA **should not** make the compulsory purchase order until proposals have been approved conditionally on the acquisition of the site. The Secretary of State will not consider confirming and sealing an order until proposals have been approved.

## STAGE 3 - REPRESENTATIONS

### **Stage 3 – Representations** (Paragraphs 3.1-3.2)

3.1 Once proposals are published there follows a statutory representation period during which comments on the proposals can be made. These **must** be sent to the LA. Any person can submit representations, which can be objections as well as expressions of support for the proposals. The representation period is the final opportunity for people and organisations to express their views about the proposals and ensure that they will be taken into account by the Decision Maker.

3.2 The representation period is specified in legislation and **must not** be altered e.g. cannot be shortened or extended to fit in with scheduled meetings or to take into account school holidays – meetings will need to be rescheduled and every effort **should** be made to advise stakeholders during the consultation period when the notice is likely to be published. The representation period for statutory notices for enlargements and the addition of a sixth form is prescribed as **4** weeks **except** where:

- a. the proposal is “related” to another proposal which has a 6 week representation period, then the excepted expansion proposal **must** also have a **6** week representation period (this is a change introduced by the 2009 Amendment Regulations); or
- b. the proposed change is to a grammar school, where the representation period **must** be **6** weeks.

## STAGE 4 - DECISION

### **Stage 4 – Decision** (Paragraphs 4.1-4.80)

#### **Who Will Decide the Proposals?** (Paragraphs 4.1-4.4)

4.1 Decisions on school organisation proposals are taken by the LA or by the schools adjudicator. In this chapter both are covered by the form of words “Decision Maker” which applies equally to both.

4.2 Section 21 of the EIA 2006 provides for regulations to set out who **must** decide proposals for any prescribed alterations (i.e. including expansions). The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (SI:2007 No. 1289) (as amended) make detailed provision for the consideration of prescribed alteration proposals (see in particular Schedules 3 and 5). Decisions on expansions will be taken by the LA with some rights of appeal to the schools adjudicator. Only if the prescribed alteration proposals are “related” to other proposals that fall to be decided by the schools adjudicator, will the LA not be the decision maker in the first instance.

4.3 If the LA fail to decide proposals within 2 months of the end of the representation period the LA **must** forward proposals, and any received representations (i.e. not withdrawn in writing), to the schools adjudicator for decision. They **must** forward the proposals within one week from the end of the 2 month period.

4.4 The Department does not prescribe the process by which an LA carries out their decision-making function (e.g. full Cabinet or delegation to Cabinet member or officials). This is a matter for the LA to determine but the requirement to have regard to statutory guidance (see paragraph 4.15 below) applies equally to the body or individual that takes the decision.

#### **Who Can Appeal Against an LA Decision?** (Paragraphs 4.5-4.6)

4.5 The following bodies may appeal against an LA decision on school expansion proposals:

- the local Church of England diocese;
- the bishop of the local Roman Catholic diocese;
- the LSC where the school provides education for pupils aged 14 and over;
- the governing body of a community school that is proposed for expansion; and
- the governors and trustees of a foundation (including Trust) or voluntary school that is proposed for expansion.

## STAGE 4 - DECISION

4.6 Any appeals **must** be submitted to the LA within 4 weeks of the notification of the LA's decision. On receipt of an appeal the LA **must** then send the proposals, and the representations received (together with any comments made on these representations by the proposers), to the schools adjudicator within 1 week of the receipt of the appeal. The LA **should** also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals **must** also be sent to the schools adjudicator.

### **Checks on Receipt of Statutory Proposals** (Paragraph 4.7)

4.7 There are 4 key issues which the Decision Maker **should** consider before judging the respective factors and merits of the statutory proposals:

- Is any information missing? If so, the Decision Maker **should** write immediately to the proposer specifying a date by which the information **should** be provided;
- Does the published notice comply with statutory requirements? (see paragraph 4.8 below);
- Has the statutory consultation been carried out prior to the publication of the notice? (see paragraph 4.9 below);
- Are the proposals "related" to other published proposals? (see paragraphs 4.10 to 4.14 below).

### **Does the Published Notice Comply with Statutory Requirements?** (Paragraph 4.8)

4.8 The Decision Maker **should** consider whether the notice is valid as soon as a copy is received. Where a published notice does not comply with statutory requirements - as set out in The School Organisation (Prescribed Alterations)(England) Regulations 2007 (SI:2007 - 1289) (as amended) - it may be judged invalid and the Decision Maker **should** consider whether they can decide the proposals.

### **Has the Statutory Consultation Been Carried Out Prior to the Publication of the Notice?** (Paragraph 4.9)

4.9 Details of the consultation **must** be included in the proposals. The Decision Maker **should** be satisfied that the consultation meets statutory requirements (see Stage 1 paragraphs [1.2](#)–1.4). If some parties submit objections on the basis that consultation was not adequate, the Decision Maker may wish to take legal advice on the points raised. If the requirements have not been met, the Decision Maker may judge the proposals to be invalid and needs to consider whether they can decide the proposals. Alternatively the Decision

## STAGE 4 - DECISION

Maker may take into account the sufficiency and quality of the consultation as part of their overall judgement of the proposals as a whole.

### **Are the Proposals Related to Other Published Proposals?** (Paragraphs 4.10-4.14)

4.10 Paragraph 35 of Schedule 3, and Paragraph 35 of Schedule 5, to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) provides that any proposals that are “related” to particular proposals (e.g. for a new school; school closure; prescribed alterations to existing schools i.e. change of age range, acquisition of a Trust, addition of boarding, etc; or proposals by the LSC to deal with inadequate 16-19 provision) **must** be considered together. This does not include proposals that fall outside of School Organisation Prescribed Alteration or Establishment and Discontinuance regulations e.g. removal of a Trust, opening of an Academy, federation proposals. Paragraphs 4.11-4.14 provide statutory guidance on whether proposals **should** be regarded as “related”.

4.11 Generally, proposals **should** be regarded as “related” if they are included on the same notice (unless the notice makes it clear that the proposals are not “related”). Proposals **should** be regarded as “related” if the notice makes a reference to a link to other proposals (published under School Organisation and Trust regulations). If the statutory notices do not confirm a link, but it is clear that a decision on one of the proposals would be likely to directly affect the outcome or consideration of the other, the proposals **should** be regarded as “related”.

4.12 Where proposals are “related”, the decisions **should** be compatible e.g. if one set of proposals is for the removal of provision, and another is for the establishment or enlargement of provision for displaced pupils, both **should** be approved or rejected.

4.13 Where proposals for an expansion of a school are “related” to proposals published by the local LSC<sup>4</sup> which are to be decided by the Secretary of State, the Decision Maker **must** defer taking a decision until the Secretary of State has taken a decision on the LSC proposals. This applies where the proposals before the Decision Maker concern:

- the school that is the subject of the LSC proposals;
- any other secondary school, maintained by the same LA that maintains a school that is the subject of the LSC proposals; or

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<sup>4</sup> References throughout this document to the LSC only apply up to April 2010. The Apprenticeships, Skills, Children and Learning Act (ASCL) Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People's Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

## STAGE 4 - DECISION

- any other secondary school in the same LA area as any FE college which is the subject of the LSC proposals.

4.14 The proposals will be regarded as “related” if their implementation would prevent or undermine effective implementation of the LSC proposals.

### **Statutory Guidance – Factors to be Considered by Decision Makers**

(Paragraphs 4.15-4.16)

4.15 Regulation 8 of The Regulations provides that both the LA and schools adjudicator **must** have regard to guidance issued by the Secretary of State when they take a decision on proposals. Paragraphs 4.17 to 4.73 below contain the statutory guidance.

4.16 The following factors **should not** be taken to be exhaustive. Their importance will vary, depending on the type and circumstances of the proposals. All proposals **should** be considered on their individual merits.

### **EFFECT ON STANDARDS AND SCHOOL IMPROVEMENT**

#### **A System Shaped by Parents** (Paragraphs 4.17-4.18)

4.17 The Government's aim, as set out in the Five Year Strategy for Education and Learners and the Schools White Paper Higher Standards, Better Schools For All, is to create a schools system shaped by parents which delivers excellence and equity. In particular, the Government wishes to see a dynamic system in which:

- weak schools that need to be closed are closed quickly and replaced by new ones where necessary; and
- the best schools are able to expand and spread their ethos and success.

4.18 The EIA 2006 amends the Education Act 1996 to place duties on LAs to secure diversity in the provision of schools and to increase opportunities for parental choice when planning the provision of schools in their areas. In addition, LAs are under a specific duty to respond to representations from parents about the provision of schools, including requests to establish new schools or make changes to existing schools. The Government's aim is to secure a more diverse and dynamic schools system which is shaped by parents. The Decision Maker **should** take into account the extent to which the proposals are consistent with the new duties on LAs.

## STAGE 4 - DECISION

### **Standards** (Paragraphs 4.19-4.20)

4.19 The Government wishes to encourage changes to local school provision which will boost standards and opportunities for young people, whilst matching school place supply as closely as possible to pupils' and parents' needs and wishes.

4.20 Decision Makers **should** be satisfied that proposals for a school expansion will contribute to raising local standards of provision, and will lead to improved attainment for children and young people. They **should** pay particular attention to the effects on groups that tend to under-perform including children from certain ethnic groups, children from deprived backgrounds and children in care, with the aim of narrowing attainment gaps.

### **Diversity** (Paragraphs 4.21-4.23)

4.21 Decision Makers **should** be satisfied that when proposals lead to children (who attend provision recognised by the LA as being reserved for pupils with special educational needs) being displaced, any alternative provision will meet the statutory SEN improvement test (see paragraphs 4.69-4.72).

4.22 The Government's aim is to transform our school system so that every child receives an excellent education – whatever their background and wherever they live. A vital part of the Government's vision is to create a more diverse school system offering excellence and choice, where each school has a strong ethos and sense of mission and acts as a centre of excellence or specialist provision.

4.23 Decision Makers **should** consider how proposals will contribute to local diversity. They **should** consider the range of schools in the relevant area of the LA and whether the expansion of the school will meet the aspirations of parents, help raise local standards and narrow attainment gaps.

### **Every Child Matters** (Paragraph 4.24)

4.24 The Decision Maker **should** consider how proposals will help every child and young person achieve their potential in accordance with "Every Child Matters" principles which are: to be healthy; stay safe; enjoy and achieve; make a positive contribution to the community and society; and achieve economic well-being. This **should** include considering how the school will provide a wide range of extended services, opportunities for personal development, access to academic and applied learning training, measures to address barriers to participation and support for children and young people with particular needs, e.g. looked after children or children with special educational needs (SEN) and disabilities.



## STAGE 4 - DECISION

### SCHOOL CHARACTERISTICS

#### Boarding Provision (Paragraphs 4.25-4.26)

4.25 In making a decision on proposals that include the expansion of boarding provision, the Decision Maker **should** consider whether or not there would be a detrimental effect on the sustainability of boarding at another state maintained boarding school within one hour's travelling distance of the proposed school.

4.26 In making a decision on proposals for expansion of boarding places the Decision Maker **should** consider:-

- a. the extent to which boarding places are over subscribed at the school and any state maintained boarding school within an hour's travelling distance of the school at which the expansion is proposed;
- b. the extent to which the accommodation at the school can provide additional boarding places;
- c. any recommendations made in the previous CSCI/Ofsted reports which would suggest that existing boarding provision in the school failed significantly to meet the National Minimum Standards for Boarding Schools;
- d. the extent to which the school has made appropriate provision to admit other categories of pupils other than those for which it currently caters (e.g. taking pupils of the opposite sex or sixth formers) if they form part of the expansion;
- e. any impact of the expansion on the continuity of education of boarders currently in the school;
- f. the extent to which the expansion of boarding places will help placements of pupils with an identified boarding need; and
- g. the impact of the expansion on a state maintained boarding school within one hour's travelling distance from the school which may be undersubscribed.

## STAGE 4 - DECISION

### **Equal Opportunity Issues** (Paragraphs 4.27)

4.27 The Decision Maker **should** consider whether there are any sex, race or disability discrimination issues that arise from the changes being proposed, for example, that where there is a proposed change to single sex provision in an area, there is equal access to single sex provision for the other sex to meet parental demand. Similarly there needs to be a commitment to provide access to a range of opportunities which reflect the ethnic and cultural mix of the area, while ensuring that such opportunities are open to all.

### **NEED FOR PLACES**

#### **Creating Additional Places** (Paragraphs 4.28-4.30)

4.28 The Decision Maker **should** consider whether there is a need for the expansion and **should** consider the evidence presented for the expansion such as planned housing development or demand for provision. The Decision Maker **should** take into account not only the existence of spare capacity in neighbouring schools, but also the quality and popularity with parents of the schools in which spare capacity exists and evidence of parents' aspirations for places in the school proposed for expansion. The existence of surplus capacity in neighbouring less popular or successful schools **should not** in itself prevent the addition of new places.

4.29 Where the school has a religious character, or follows a particular philosophy, the Decision Maker **should** be satisfied that there is satisfactory evidence of sufficient demand for places for the expanded school to be sustainable.

4.30 Where proposals will add to surplus capacity but there is a strong case for approval on parental preference and standards grounds, the presumption **should** be for approval. The LA in these cases will need to consider parallel action to remove the surplus capacity thereby created.

#### **Expansion of Successful and Popular Schools** (Paragraph 4.31-4.34)

4.31 The Government is committed to ensuring that every parent can choose an excellent school for their child. We have made clear that the wishes of parents **should** be taken into account in planning and managing school estates. Places **should** be allocated where parents want them, and as such, it **should** be easier for successful and popular primary and secondary schools to grow to meet parental demand. For the purposes of this guidance, the Secretary of State is not proposing any single definition of a successful and popular school. It is for the Decision Maker to decide whether a school is successful and popular, however, the following indicators **should** all be taken into account:

- a. the school's performance;

## STAGE 4 - DECISION

- i. in terms of absolute results in key stage assessments and public examinations;
  - ii. by comparison with other schools in similar circumstances (both in the same LA and other LAs);
  - iii. in terms of value added;
  - iv. in terms of improvement over time in key stage results and public examinations.
- b. the numbers of applications for places;
- i. the Decision Maker should also take account of any other relevant evidence put forward by schools.

4.32 The strong presumption is that proposals to expand successful and popular schools **should** be approved. In line with the Government's long standing policy that there **should** be no increase in selection by academic ability, this presumption does not apply to grammar schools or to proposals for the expansion of selective places at partially selective schools.

4.33 The existence of surplus capacity in neighbouring less popular schools **should not** in itself be sufficient to prevent this expansion, but if appropriate, in the light of local concerns, the Decision Maker **should** ask the LA how they plan to tackle any consequences for other schools. The Decision Maker **should** only turn down proposals for successful and popular schools to expand if there is compelling objective evidence that expansion would have a damaging effect on standards overall in an area, which cannot be avoided by LA action.

4.34 Before approving proposals the Decision Maker **should** confirm that the admission arrangements of schools proposed for expansion fully meet the provisions of the School Admissions Code. Although the Decision Maker may not modify proposed admission arrangements, the proposer **should** be informed that proposals with unsatisfactory admission arrangements are unlikely to be approved, and given the opportunity to revise them in line with the Code of Practice. Where the LA, rather than the governing body, is the admissions authority, we will expect the authority to take action to bring the admission arrangements in to line with the School Admissions Code.

### **Travel and Accessibility for All** (Paragraphs 4.35-4.36)

4.35 In considering proposals for the reorganisation of schools, Decision Makers **should** satisfy themselves that accessibility planning has been properly taken into account. Facilities are to be accessible by those concerned, by being located close to those who will use them, and the proposed changes **should not**

## STAGE 4 - DECISION

adversely impact on disadvantaged groups.

4.36 In deciding statutory proposals, the Decision Maker **should** bear in mind that proposals **should not** have the effect of unreasonably extending journey times or increasing transport costs, or result in too many children being prevented from travelling sustainably due to unsuitable routes e.g. for walking, cycling etc.

### **16-19 Provision** (Paragraphs 4.37-4.39)

4.37 The pattern of 16-19 provision differs across the country. Many different configurations of school and college provision deliver effective 14-19 education and training. An effective 14-19 organisation has a number of key features:

- standards and quality: the provision available **should** be of a high standard – as demonstrated by high levels of achievement and good completion rates;
- progression: there **should** be good progression routes for all learners in the area, so that every young person has a choice of the full range of options within the 14-19 entitlement, with institutions collaborating as necessary to make this offer. All routes **should** make provision for the pastoral, management and learning needs of the 14-19 age group;
- participation: there are high levels of participation in the local area; and,
- learner satisfaction: young people consider that there is provision for their varied needs, aspirations and aptitudes in a range of settings across the area.

4.38 Where standards and participation rates are variable, or where there is little choice, meaning that opportunity at 16 relies on where a young person went to school, the case for reorganisation, or allowing high quality providers to expand, is strong.

4.39 Where standards and participation rates are consistently high, collaboration is strong and learners express satisfaction that they have sufficient choice, the case for a different pattern of provision is less strong. The Decision Maker therefore will need to take account of the pattern of 16-19 provision in the area and the implications of approving new provision.

## STAGE 4 - DECISION

### **Addition of post-16 provision by “high performing” schools** (Paragraphs 4.40-4.51)

4.40 The Government remains committed to the principle that high performing 11-16 schools **should** be allowed to add post-16 provision where there is parental and student demand, in order to extend quality and choice. But the context in which this principle will operate is changing. From April 2010, the Apprenticeships, Skills, Children and Learning Act 2009 will transfer the responsibility for 16-19 planning and funding from the LSC to LAs. LAs will be responsible for maintaining an effective and coherent system of 14-19 organisation which delivers the new entitlement – to a new curriculum and new qualifications, including all 17 Diploma lines from 2013 and an Apprenticeship place for those who meet the entry criteria - to all young people in their area. Collaboration will be a key feature of 14-19 provision.

4.41 So, while there is still a strong presumption of approval for proposals from high performing schools, that decision **should** now be informed by additional factors: the need for local collaboration; the viability of existing post-16 providers in the local area; and the improvement of standards at the school that is proposing to add post-16 provision. Only in exceptional circumstances\* would these factors lead Decision Makers not to approve a proposal. If the Decision Maker were minded not to approve a proposal, he **should** first consider whether modification of the proposal would enable the proposer to comply with these conditions (see paragraph 4.49).

*\* Exceptional circumstances in which the Decision Maker might reject the proposal to add a sixth form to a presumption school would include if there is specific evidence that a new sixth form was of a scale that it would directly affect the viability of another neighbouring, high quality institution that itself was not large in comparison to other institutions of that type. Exceptional circumstances might also include a situation where there are a number of presumption schools in the same area at the same time and/or where there is clear evidence that the scale of the aggregate number of additional 16-18 places far exceeds local need and affordability and is therefore clearly poor value for money.*

4.42 There **should** be a strong presumption in favour of the approval of proposals for a new post-16 provision where:

- a. the school is a high performing specialist school that has opted for an applied learning specialism; or
- b. the school, whether specialist or not, meets the DCSF criteria for ‘high performing’ and does not require capital support.

4.43 The school **should** ensure that, in forwarding its proposals to the Decision Maker, it provides evidence that it meets one of the criteria at paragraph 4.42 above.

## STAGE 4 - DECISION

4.44 Where a new sixth form is proposed by a specialist school that has met the 'high performing' criteria and which has opted for an applied learning specialism, capital funding may be available from the 16-19 Capital Fund.

4.45 This presumption will apply to proposals submitted to the Decision Maker within:

- a. two years from the date a school commences operation with applied learning specialist school status; or
- b. two years from the date a school is informed of its Ofsted Section 5 inspection results which would satisfy DfE criteria for 'high performing' status.

NOTE: 'submitted to the Decision Maker' above refers to when proposals and representations are with the Decision Maker, following the end of the representation period.

4.46 The increase in the period in which a school is eligible to expand its post-16 provision recognises the time required to embed the new presumption places within a local 14-19 delivery plan and for effective collaboration to take place.

4.47 New post-16 provision in schools **should**, as appropriate, operate in partnership with other local providers to ensure that young people have access to a wide range of learning opportunities. In assessing proposals from 'high performing' schools to add post-16 provision, Decision Makers **should** look for:

- a. evidence of local collaboration in drawing up the presumption proposal; and
- b. a statement of how the new places will fit within the 14-19 organisation in an area; and
- c. evidence that the exercise of the presumption is intended to lead to higher standards and better progression routes at the 'presumption' school.

4.48 If a school has acted in a collaborative way and has actively attempted to engage other partners in the local area, but it is clear that other institutions have declined to participate, that fact **should not** be a reason for declining to approve a proposal. The onus is on other providers to work with a school which qualifies for the presumption of approval for new post-16 provision.

4.49 The Decision Maker **should** only turn down proposals to add post-16 provision from schools eligible for the sixth form presumption if there is compelling and objective evidence that the expansion would undermine the viability of an existing high quality post-16 provider or providers. The fact that an existing school or college with large numbers of post-16 students might recruit a smaller number of students aged 16-19 is not, of itself, sufficient to meet this condition, where the "presumption" school can show that there is reasonable

## STAGE 4 - DECISION

demand from students to attend the school after age 16.

4.50 The existence of surplus capacity in neighbouring schools or colleges that are not high performing **should not** be a reason to reject a post-16 presumption proposal. It is the responsibility of the LA to consider decommissioning poor quality provision as well as commissioning high quality provision. The LA should therefore plan to tackle any consequences of expansion proposals for other schools.

4.51 Before approving proposals the Decision Maker **should** confirm that the admission arrangements of schools proposed for expansion fully meet the provisions of the mandatory Schools Admissions Code. Although the Decision Maker may not modify proposed admission arrangements, the proposer **should** be informed that proposals with unsatisfactory admission arrangements are unlikely to be approved, and given the opportunity to revise them in line with the Code. Where the LA, rather than the governing body, is the admissions authority, we will expect the authority to take action to bring the admission arrangements into line with the School Admissions Code.

### **Conflicting Sixth Form Reorganisation Proposals** (Paragraph 4.52)

4.52 Where the implementation of reorganisation proposals by the LSC<sup>5</sup> conflict with other published proposals put to the Decision Maker for decision, the Decision Maker is prevented (by the School Organisation Proposals by the LSC for England Regulations 2003) from making a decision on the “related” proposals until the Secretary of State has decided the LSC proposals (see paragraphs 4.13 to 4.14 above).

### **16-19 Provision ‘Competitions’** (Paragraphs 4.53-4.56)

4.53 Non-statutory competitions for new 16-19 provision were introduced from January 2006. They are administered by the regional arm of the LSC, in line with the LSC’s current role as commissioner of 16-19 provision. The Government intends to transfer the responsibility for 16-19 provision from the LSC to LAs from 2010.<sup>6</sup>

4.54 The current arrangements for the establishment of new institutions by competition involves a two-stage approval process:

- a. the competition selection process;

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<sup>5</sup> References throughout this document to the LSC only apply up to April 2010. The ASCL Act 2009 will transfer the responsibilities of the LSC in respect of 16-19 education and training to LAs, supported by the Young People’s Learning Agency. This guidance will be revised by April 2010 to take account of these changes.

<sup>6</sup> The ASCL Act will remove the LSC and also the power of LAs to establish sixth form schools, whether by a competition or otherwise. Section 126 of the Act amends section 16 of the Education Act 1996 and sections 7,10 and 11 of EIA 2006.

## STAGE 4 - DECISION

b. approval of the outcome by existing processes (e.g. Decision Maker approval of school/LA proposals and Secretary of State approval of college/LSC proposals, as required by law).

4.55 Competitors will be eligible to apply to the 16-19 Capital Fund. Where a competition is 'won' by a school, they **must** then publish statutory proposals and these **must** be considered by the Decision Maker on their merits.

4.56 Where proposals to establish sixth forms are received, and the local LSC is running a 16-19 competition, the Decision Maker **must** take account of the competition when considering the proposals.

### FUNDING AND LAND

#### Capital (Paragraphs 4.57-4.59)

4.57 The Decision Maker **should** be satisfied that any land, premises or capital required to implement the proposals will be available. Normally, this will be some form of written confirmation from the source of funding on which the promoters rely (e.g. the LA, DCSF, or LSC). In the case of an LA, this **should** be from an authorised person within the LA, and provide detailed information on the funding, provision of land and premises etc.

4.58 Where proposers are relying on DCSF as a source of capital funding, there can be no assumption that the approval of proposals will trigger the release of capital funds from the Department, unless the Department has previously confirmed in writing that such resources will be available; nor can any allocation 'in principle' be increased. In such circumstances the proposals **should** be rejected, or consideration of them deferred until it is clear that the capital necessary to implement the proposals will be provided.

4.59 Proposals **should not** be approved conditionally upon funding being made available, subject to the following specific exceptions: For proposals being funded under the Private Finance Initiative (PFI) or through the BSF programme, the Decision Maker **should** be satisfied that funding has been agreed 'in principle', but the proposals **should** be approved conditionally on the entering into of the necessary agreements and the release of funding. A conditional approval will protect proposers so that they are not under a statutory duty to implement the proposals until the relevant contracts have been signed and/or funding is finally released.

#### Capital Receipts (Paragraphs 4.60-4.62)

4.60 Where the implementation of proposals may depend on capital receipts from the disposal of land used for the purposes of a school (i.e. including one proposed for closure in "related" proposals) the Decision Maker **should** confirm



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whether consent to the disposal of land is required, or an agreement is needed, for disposal of the land. Current requirements are:

- a. Community Schools – the Secretary of State’s consent is required under paragraph 2 of Schedule 35A to the Education Act 1996 and, in the case of playing field land, under section 77 of the Schools Standards and Framework Act 1998 (SSFA 1998).
- b. Foundation (including Trust) and Voluntary Schools:
  - i. playing field land – the governing body, foundation body or trustees will require the Secretary of State’s consent, under section 77 of the SSFA 1998, to dispose, or change the use of any playing field land that has been acquired and/or enhanced at public expense.
  - ii. non-playing field land or school buildings – the governing body, foundation body or trustees no longer require the Secretary of State’s consent to dispose of surplus non-playing field land or school buildings which have been acquired or enhanced in value by public funding. They will be required to notify the LA and seek local agreement of their proposals. Where there is no local agreement, the matter **should** be referred to the Schools Adjudicator to determine. (Details of the new arrangements can be found in the Department’s guidance “The Transfer and Disposal of School Land in England: A General Guide for Schools, Local Authorities and the Adjudicator”).

4.61 Where expansion proposals are dependent upon capital receipts of a discontinuing foundation or voluntary school the governing body is required to apply to the Secretary of State to exercise his various powers in respect of land held by them for the purposes of the school. Normally he would direct that the land be returned to the LA but he could direct that the land be transferred to the governing body of another maintained school (or the temporary governing body of a new school). Where the governing body fails to make such an application to the Secretary of State, and the school subsequently closes, all land held by them for the purposes of the discontinued school will, on dissolution of the governing body, transfer to the LA unless the Secretary of State has directed otherwise before the date of dissolution.

4.62 Where consent to the disposal of land is required, but has not been obtained, the Decision Maker **should** consider issuing a conditional approval for the statutory proposals so that the proposals gain full approval automatically when consent to the disposal is obtained (see paragraph 4.75).

### **New Site or Playing Fields** (Paragraph 4.63)

4.63 Proposals dependent on the acquisition of an additional site or playing

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field may not receive full approval but **should** be approved conditionally upon the acquisition of a site or playing field.

### **Land Tenure Arrangements** (Paragraph 4.64)

4.64 For the expansion of voluntary or foundation schools it is desirable that a trust, or the governing body if there is no foundation, holds the freehold interest in any additional site that is required for the expansion. Where the trustees of the voluntary or foundation school hold, or will hold, a leasehold interest in the additional site, the Decision Maker will need to be assured that the arrangements provide sufficient security for the school. In particular the leasehold interest **should** be for a substantial period – normally at least 50 years – and avoid clauses which would allow the leaseholder to evict the school before the termination of the lease. The Decision Maker **should** also be satisfied that a lease does not contain provisions which would obstruct the governing body or the headteacher in the exercise of their functions under the Education Acts, or place indirect pressures upon the funding bodies.

### **School Playing Fields** (Paragraph 4.65)

4.65 The Education (School Premises) Regulations 1999 set out the standards for school premises, including minimum areas of team game playing fields to which schools **should** have access. The Decision Maker will need to be satisfied that either:

- a. the premises will meet minimum requirements of The Education (School Premises) Regulations 1999; or
- b. if the premises do not meet those requirements, the proposers have secured the Secretary of State's agreement in principle to grant a relaxation.

Where the Secretary of State has given 'in principle' agreement as at paragraph 4.60(b) above, the Decision Maker **should** consider issuing conditional approval so that when the Secretary of State gives his agreement, the proposals will automatically gain full approval.

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### **SPECIAL EDUCATIONAL NEEDS (SEN) PROVISION**

#### **Initial Considerations** (Paragraphs 4.66-4.67)

4.66 SEN provision, in the context of School Organisation legislation and this guidance, is provision recognised by the LA as specifically reserved for pupils with special educational needs. When reviewing SEN provision, planning or commissioning alternative types of SEN provision or considering proposals for change LAs **should** aim for a flexible range of provision and support that can respond to the special educational needs of individual pupils and parental preferences, rather than necessarily establishing broad categories of provision according to special educational need or disability. There are a number of initial considerations for LAs to take account of in relation to proposals for change. They **should** ensure that local proposals:

- a. take account of parental preferences for particular styles of provision or education settings;
- b. offer a range of provision to respond to the needs of individual children and young people, taking account of collaborative arrangements (including between special and mainstream), extended school and Children's Centre provision; regional centres (of expertise ) and regional and sub-regional provision; out of LA day and residential special provision;
- c. are consistent with the LA's Children and Young People's Plan;
- d. take full account of educational considerations, in particular the need to ensure a broad and balanced curriculum, including the National Curriculum, within a learning environment in which children can be healthy and stay safe;
- e. support the LA's strategy for making schools and settings more accessible to disabled children and young people and their scheme for promoting equality of opportunity for disabled people;
- f. provide access to appropriately trained staff and access to specialist support and advice, so that individual pupils can have the fullest possible opportunities to make progress in their learning and participate in their school and community;
- g. ensure appropriate provision for 14-19 year-olds, taking account of the role of local LSC funded institutions and their admissions policies; and
- h. ensure that appropriate full-time education will be available to all displaced pupils. Their statements of special educational needs will require amendment and all parental rights must be ensured. Other interested partners, such as the Health Authority should be involved.

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4.67 Taking account of the considerations, as set out above, will provide assurance to local communities, children and parents that any reorganisation of SEN provision in their area is designed to improve on existing arrangements and enable all children to achieve the five Every Child Matters outcomes.

### **The Special Educational Needs Improvement Test** (Paragraph 4.68)

4.68 When considering any reorganisation of provision that would be recognised by the LA as reserved for pupils with special educational needs, including that which might lead to some children being displaced through closures or alterations, LAs, and all other proposers for new schools or new provision, will need to demonstrate to parents, the local community and Decision Makers how the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with special educational needs. All consultation documents and reorganisation plans that LAs publish and all relevant documentation LAs and other proposers submit to Decision Makers **should** show how the key factors set out in paragraphs 4.69 to 4.72 below have been taken into account by applying the SEN improvement test. Proposals which do not credibly meet these requirements **should not** be approved and Decision Makers **should** take proper account of parental or independent representations which question the LA's own assessment in this regard.

### **Key Factors** (Paragraphs 4.69-4.72)

4.69 When LAs are planning changes to their existing SEN provision, and in order to meet the requirement to demonstrate likely improvements in provision, they **should**:

- a. identify the details of the specific educational benefits that will flow from the proposals in terms of:
  - i. improved access to education and associated services including the curriculum, wider school activities, facilities and equipment, with reference to the LA's Accessibility Strategy;
  - ii. improved access to specialist staff, both education and other professionals, including any external support and/or outreach services;
  - iii. improved access to suitable accommodation; and
  - iv. improved supply of suitable places.
- b. LAs **should** also:

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- i. obtain a written statement that offers the opportunity for all providers of existing and proposed provision to set out their views on the changing pattern of provision seeking agreement where possible;
- ii. clearly state arrangements for alternative provision. A 'hope' or 'intention' to find places elsewhere is not acceptable. Wherever possible, the host or alternative schools should confirm in writing that they are willing to receive pupils, and have or will have all the facilities necessary to provide an appropriate curriculum;
- iii. specify the transport arrangements that will support appropriate access to the premises by reference to the LA's transport policy for SEN and disabled children; and
- iv. specify how the proposals will be funded and the planned staffing arrangements that will be put in place.

4.70 It is to be noted that any pupils displaced as a result of the closure of a BESD school (difficulties with behavioural, emotional and social development) **should not** be placed long-term or permanently in a Pupil Referral Unit (PRU) if a special school place is what they need. PRUs are intended primarily for pupils who have been excluded, although LAs can and do use PRU provision for pupils out of school for other reasons such as illness and teenage pregnancies. There may of course be pupils who have statements identifying that they have BESD who have been placed appropriately in a PRU because they have been excluded; in such cases the statement **must** be amended to name the PRU, but PRUs **should not** be seen as an alternative long-term provision to special schools.

4.71 The requirement to demonstrate improvements and identify the specific educational benefits that flow from proposals for new or altered provision as set out in the key factors are for all those who bring forward proposals for new special schools or for special provision in mainstream schools including governors of foundation schools and foundation special schools. The proposer needs to consider all the factors listed above.

4.72 Decision Makers will need to be satisfied that the evidence with which they are provided shows that LAs and/or other proposers have taken account of the initial considerations and all the key factors in their planning and commissioning in order to meet the requirement to demonstrate that the reorganisation or new provision is likely to result in improvements to SEN provision.

### **OTHER ISSUES**

#### **Views of Interested Parties** (Paragraphs 4.73)

4.73 The Decision Maker **should** consider the views of all those affected by the proposals or who have an interest in them including: pupils; families of pupils;

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staff; other schools and colleges; local residents; diocesan bodies and other providers; LAs; the LSC (where proposals affect 14-19 provision) and the Early Years Development and Childcare Partnership if one exists, or any local partnership or group that exists in place of an EYDCP (where proposals affect early years and/or childcare provision). This includes statutory objections and comments submitted during the representation period. The Decision Maker **should not** simply take account of the numbers of people expressing a particular view when considering representations made on proposals. Instead the Decision Maker **should** give the greatest weight to representations from those stakeholders likely to be most directly affected by the proposals.

### **Types of Decision** (Paragraph 4.74)

4.74 In considering proposals for the expansion of a school, the Decision Maker can decide to:

- reject the proposals;
- approve the proposals;
- approve the proposals with a modification (e.g. the implementation date); or
- approve the proposals subject to them meeting a specific condition (see paragraph 4.75 below).

### **Conditional Approval** (Paragraphs 4.75-4.76)

4.75 The regulations provide for a conditional approval to be given where the Decision Maker is otherwise satisfied that the proposals can be approved, and approval can automatically follow an outstanding event. Conditional approval can only be granted in the limited circumstances specified in the regulations i.e. as follows:

- a. the grant of planning permission under Part 3 of the Town and Country Planning Act 1990;
- b. the acquisition of any site required for the implementation of the proposals;
- c. the acquisition of playing fields required for the implementation of the proposals;
- d. the securing of any necessary access to a site referred to in sub-paragraph (b) or playing fields referred to in sub-paragraph (c);
- e. the private finance credit approval given by the DCSF following the entering into a private finance contract by an LA;

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- f. the entering into an agreement for any necessary building project supported by the DCSF in connection with BSF programme;
- g. the agreement to any change to admission arrangements specified in the approval, relating to the school or any other school or schools (this allows the approval of proposals to enlarge the premises of a school to be conditional on the decision of adjudicators to approve any related change in admission numbers);
- h. the making of any scheme relating to any charity connected with the school;
- i. the formation of any federation (within the meaning of section 24(2) of the 2002 Act) of which it is intended that the proposed school should form part, or the fulfilling of any other condition relating to the school forming part of a federation;
- j. the Secretary of State giving approval under regulation 5(4) of the Education (Foundation Body) (England) Regulations 2000 to a proposal that a foundation body must be established and that the school must form part of a group for which a foundation must act;
- k. the Secretary of State making a declaration under regulation 22(3) of the Education (Foundation Body) (England) Regulations 2000 that the school should form part of a group for which a foundation body acts;
- ka. where the proposals are to alter the upper age limit of the school, the decision of the Secretary of State to establish a new FE college under s16 of the Further and Higher Education Act 1992;
- l. where the proposals in question depend upon any of the events specified in paragraphs (a) to (ka) occurring by a specified date in relation to proposals relating to any other school or proposed school, the occurrence of such an event; and
- m. where proposals are related to proposals for the establishment of new schools or discontinuance of schools, and those proposals depend on the occurrence of events specified in regulation 20 of the School Organisation (Establishment and Discontinuance of Schools) (England) Regulations 2007<sup>7</sup> the occurrence of such an event.

4.76 The Decision Maker **must** set a date by which the condition **must** be met, but will be able to modify the date if the proposers confirm (preferably before the date expires), that the condition will be met later than originally thought. The condition-to-be-met-by date **must** be before the proposed implementation date of the proposal (which can also be modified if necessary). Therefore care **should**

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<sup>7</sup> S.I. 2007/1288.

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be taken when setting condition-to-be-met-by dates, particularly if proposals are “related” e.g. if a school is proposed to add a sixth form on 1<sup>st</sup> September one year, and enlarge on 1<sup>st</sup> September the following year, and the enlargement requires planning permission, the condition set **must** be met before the addition of a sixth form can be implemented (the earlier proposal). This is because as “related” proposals, they **should** both have the same decision, which in this case, would have been approval conditional upon planning permission being met. The proposer **should** inform the Decision Maker and the Department (SOCU, DCSF, Mowden Hall, Staindrop Road, Darlington DL3 9BG or by email to [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk)) of the date when a condition is modified or met in order for the Department’s records, and those of Edubase to be kept up to date. If a condition is not met by the date specified, the proposals **must** be referred back to the Decision Maker for fresh consideration.

### **Decisions** (Paragraphs 4.77-4.79)

4.77 All decisions **must** give reasons for the decision, irrespective of whether the proposals were rejected or approved, indicating the main factors/criteria for the decision.

4.78 A copy of all decisions **must** be forwarded to:

- the LA or governing body who published the proposals;
- the trustees of the school (if any);
- the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk));
- where the school includes provision for 14-16 education or sixth form education, the LSC;
- the local CofE diocese;
- the bishop of the RC diocese;
- each objector except where a petition has been received. Where a petition is received a decision letter **must** be sent to the person who submitted the petition, or where this is unknown, the signatory whose name appears first on the petition; and
- where the school is a special school, the relevant primary care trust, an NHS trust or NHS foundation trust.

4.79 In addition, where proposals are decided by the LA, a copy of the decision **must** be sent to the Office of the Schools Adjudicator, Mowden Hall, Darlington



## STAGE 4 - DECISION

DL3 9BG. Where proposals are decided by the schools adjudicator, a copy of the decision **must** be sent to the LA that it is proposed should maintain the school.

### **Can proposals be withdrawn?** (Paragraph 4.80)

4.80 Proposals can be withdrawn at any point before a decision is taken. Written notice **must** be given to the LA, or governing body, if the proposals were published by the LA. Written notice **must** also be sent to the schools adjudicator (if proposals have been sent to him) and the Secretary of State – i.e. via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk). Written notice **must** also be placed at the main entrance to the school, or all the entrances if there are more than one.

## STAGE 5 - IMPLEMENTATION

### Stage 5 – Implementation (Paragraphs 5.1-5.13)

5.1 The proposers are under a **statutory duty** to implement any proposals which an LA or schools adjudicator has approved, by the approved implementation date. The proposals **must** be implemented as published, taking into account any modifications made by the Decision Maker. The following bodies are responsible for the implementation of proposals:

Type of School	Body that published proposals	Duty to implement
Community	LA	LA
Foundation	Proposers	LA and the proposers as set out in published proposals
	LA	LA
Voluntary Controlled	Proposers	LA and the proposers as set out in published proposals
Voluntary Aided	Proposers	Proposers but LA to provide playing fields

5.2 The LA **must** provide any additional school site that is required where proposals are approved for a foundation, Trust or voluntary controlled school and **must** convey their interest to the governing body or the trustees as appropriate, except where proposals state that the site will be provided by the proposers. Where proposals are approved for a voluntary aided school, the proposers **must** provide any additional school site that is required, although the LA may use its power to assist proposers by providing and conveying its interest in a site.

5.3 If the approval was subject to a condition being met by a specified date, proposers **should** ensure that they meet this. If it looks as though it might not be possible to meet the condition by the specified date, the proposals **must** be considered afresh by the Decision Maker that decided the proposals. The proposer **should** seek a modification to the condition **before** the date has passed.

### Can Proposals Be Modified? (Paragraphs 5.4-5.6)

5.4 If it proves impossible to implement the proposals as approved, the proposers can seek a modification and **must** apply to the Decision Maker who decided the proposals. A modification **should** be made before the approved implementation date for the proposals is reached.

## STAGE 5 - IMPLEMENTATION

5.5 The most common modification is to the implementation date. However, proposals cannot be modified to the extent new proposals are substituted for those that have been consulted upon and published. If proposers wish to make a significant change to proposals after they have been approved, they **must** publish “revocation” proposals to be relieved of the duty to implement the proposals (see paragraphs 5.7 to 5.11 below) and publish fresh proposals.

5.6 Before modifying proposals the Decision Maker **must** consult the proposers and the LA, if the LA did not publish the proposals. The proposals should not be modified in a way that would in effect substitute new proposals – this would run the risk of successful legal challenge in the courts. The Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk)) **must** be notified of any modification and the date it was approved, within one week of the proposal being modified.

### **Revocation** (Paragraphs 5-7-5.13)

5.7 If proposers cannot implement approved proposals they **must** publish fresh proposals to be relieved of the duty to implement. Paragraph 41 of Schedules 3 and 5 of the School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended) provide that revocation proposals **must** contain the following information:

- a description of the original proposals as published;
- the date of the publication of the original proposals; and
- a statement as to why it is proposed that the duty to implement proposals should not apply in relation to the original proposals.

The proposals can be published as “related” proposals, if appropriate (following consultation). Templates for revocation notices can be found on the School Organisation website ([www.education.gov.uk/schools/leadership/schoolorganisation](http://www.education.gov.uk/schools/leadership/schoolorganisation)) under ‘Standard Forms’ via the Members’ Area. You need to register to access this area; membership is free.

5.8 The notice **must** be published in a local newspaper circulating in the area served by the school, and also posted at the main entrance to the school (and all entrances if there are more than one) and at some other conspicuous place in the area served by the school. The proposals **must** provide for anyone to submit comments and objections on the proposals to the LA within 6 weeks of the proposals being published (regardless of the length of the original representation period). The proposers **must** forward a copy of the proposals to the LA/governing body within 1 week of publication. Proposers are advised to consult interested parties on the planned revocation proposals before publication although there is

## STAGE 5 - IMPLEMENTATION

no statutory requirement to do so.

5.9 Revocation proposals **must** be decided by the LA, except where the original proposals were decided by the schools adjudicator (or School Organisation Committee), or if the schools adjudicator is required to decide any “related” proposals, in which case the LA **must** forward the proposals, and any comments and objections received, to the schools adjudicator within 2 weeks from the end of the representation period. If the LA are to decide proposals they **must** do so within 2 months from the end of the representation period and if not, **must** pass the proposals to the schools adjudicator within 1 week from the end of the 2 month period.

5.10 To approve the proposals the Decision Maker **must** be satisfied that implementation of the original proposals would be unreasonably difficult, or that circumstances have so altered since the original proposals were approved that their implementation would be inappropriate.

5.11 A copy of the decision **must** be forwarded to:

- the LA or governing body who published the proposals;
- the trustees of the school (if any);
- the Secretary of State (via the School Organisation & Competitions Unit, DCSF, Mowden Hall, Darlington DL3 9BG or by email to [school.organisationproposals@education.gsi.gov.uk](mailto:school.organisationproposals@education.gsi.gov.uk));
- where the school includes provision for 14-16 education or sixth form education, the LSC;
- the local CofE diocese;
- the bishop of the RC diocese.

5.12 The following bodies have a right of appeal to the schools adjudicator if they disagree with the LA’s decision:

- The local Church of England diocese;
- The bishop of the local Roman Catholic diocese;
- The LSC where the school is to provide education for pupils aged 14 and over; and
- The governing body and trustees (if relevant) of the school.

## STAGE 5 - IMPLEMENTATION

5.13 Appeals **must** be submitted to the LA within 4 weeks of the notification of the LA's decision. On receipt of an appeal the LA **must** then send the proposals and the representations (together with any comments made on these representations by the proposers) to the schools adjudicator within 1 week of the receipt of the appeal. The LA need to also send a copy of the minutes of the LA's meeting or other record of the decision and any relevant papers. Where the proposals are "related" to other proposals, all the "related" proposals **must** also be sent to the schools adjudicator.

## ANNEX A

### Annex A

## PROPOSALS FOR PRESCRIBED ALTERATIONS OTHER THAN FOUNDATION PROPOSALS: Information to be included in a complete proposal

*NB. If the School Organisation Notice Builder tool is used to create a draft statutory notice, a template for the complete proposal is provided automatically by the Notice Builder when the draft statutory notice is finalised, alternatively the template can be found in "Standard Forms" in the Members' Area of the website or you can enter the information required in the expandable boxes below.*

### **Extract of Part 1 of Schedule 3 and Part 1 of Schedule 5 to The School Organisation (Prescribed Alterations to Maintained Schools)(England) Regulations 2007 (as amended):**

#### **In respect of a Governing Body Proposal: School and governing body's details**

1. The name, address and category of the school for which the governing body are publishing the proposals.

#### **In respect of an LEA Proposal: School and local education authority details**

1. The name, address and category of the school .

#### **Implementation and any proposed stages for implementation**

2. The date on which the proposals are planned to be implemented, and if they are to be implemented in stages, a description of what is planned for each stage, and the number of stages intended and the dates of each stage.

#### **Objections and comments**

3. A statement explaining the procedure for making representations, including —
- (a) the date prescribed in accordance with paragraph 29 of Schedule 3 (GB proposals)/Schedule 5 (LA proposals) of The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), by which objections or comments should be sent to the local education authority; and

## ANNEX A

- (b) the address of the authority to which objections or comments should be sent.

### Alteration description

4. A description of the proposed alteration and in the case of special school proposals, a description of the current special needs provision.

### School capacity

- 5.—(1) Where the alteration is an alteration falling within any of paragraphs 1 to 4, 8, 9 and 12-14 of Schedule 2 (GB proposals)/paragraphs 1-4, 7, 8, 18, 19 and 21 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), the proposals must also include —

- (a) details of the current capacity of the school and, where the proposals will alter the capacity of the school, the proposed capacity of the school after the alteration;

- (b) details of the current number of pupils admitted to the school in each relevant age group, and where this number is to change, the proposed number of pupils to be admitted in each relevant age group in the first school year in which the proposals will have been implemented;

- (c) where it is intended that proposals should be implemented in stages, the number of pupils to be admitted to the school in the first school year in which each stage will have been implemented;

- (d) where the number of pupils in any relevant age group is lower than the indicated admission number for that relevant age group a statement to this effect and details of the indicated admission number in question.

## ANNEX A

(2) Where the alteration is an alteration falling within any of paragraphs 1, 2, 9, 12 and 13 of Schedule 2 (GB proposals) /paragraphs 1, 2, 8, 18 and 19 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended), a statement of the number of pupils at the school at the time of the publication of the proposals.

### Implementation

6. Where the proposals relate to a foundation or voluntary controlled school a statement as to whether the proposals are to be implemented by the local education authority or by the governing body, and, if the proposals are to be implemented by both, a statement as to the extent to which they are to be implemented by each body.

### Additional Site

7.—(1) A statement as to whether any new or additional site will be required if proposals are implemented and if so the location of the site if the school is to occupy a split site.

(2) Where proposals relate to a foundation or voluntary school a statement as to who will provide any additional site required, together with details of the tenure (freehold or leasehold) on which the site of the school will be held, and if the site is to be held on a lease, details of the proposed lease.

### Changes in boarding arrangements

8.—(1) Where the proposals are for the introduction or removal of boarding provision, or the alteration of existing boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom it is intended that boarding provision will be made if the proposals are approved;

- (b) the arrangements for safeguarding the welfare of children at the school;



## ANNEX A

- (c) the current number of pupils for whom boarding provision can be made and a description of the boarding provision; and

- (d) except where the proposals are to introduce boarding provision, a description of the existing boarding provision.

(2) Where the proposals are for the removal of boarding provisions or an alteration to reduce boarding provision such as is mentioned in paragraph 8 or 21 of Schedule 2 (GB proposals)/7 or 14 of Schedule 4 (LA proposals) to The School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended) —

- (a) the number of pupils for whom boarding provision will be removed if the proposals are approved; and

- (b) a statement as to the use to which the former boarding accommodation will be put if the proposals are approved.

### **Transfer to new site**

**9.** Where the proposals are to transfer a school to a new site the following information—

- (a) the location of the proposed site (including details of whether the school is to occupy a single or split site), and including where appropriate the postal address;

- (b) the distance between the proposed and current site;

## ANNEX A

(c) the reason for the choice of proposed site;

(d) the accessibility of the proposed site or sites;

(e) the proposed arrangements for transport of pupils to the school on its new site;  
and

(f) a statement about other sustainable transport alternatives where pupils are not using transport provided, and how car use in the school area will be discouraged.

### Objectives

10. The objectives of the proposals.

### Consultation

11. Evidence of the consultation before the proposals were published including—

- (a) a list of persons who were consulted;
- (b) minutes of all public consultation meetings;
- (c) the views of the persons consulted;
- (d) a statement to the effect that all applicable statutory requirements in relation to the proposals to consult were complied with; and
- (e) copies of all consultation documents and a statement on how these documents were made available.

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### Project costs

**12.** A statement of the estimated total capital cost of the proposals and the breakdown of the costs that are to be met by the governing body, the local education authority, and any other party.

**13.** A copy of confirmation from the Secretary of State, local education authority and the Learning and Skills Council for England (as the case may be) that funds will be made available (including costs to cover any necessary site purchase).

### Age range

**14.** Where the proposals relate to a change in age range, the current age range for the school.

### Early years provision

**15.** Where the proposals are to alter the lower age limit of a mainstream school so that it provides for pupils aged between 2 and 5—

- (a) details of the early years provision, including the number of full-time and part-time pupils, the number and length of sessions in each week, and the services for disabled children that will be offered;

- (b) how the school will integrate the early years provision with childcare services and how the proposals are consistent with the integration of early years provision for childcare;

- (c) evidence of parental demand for additional provision of early years provision;

## ANNEX A

- (d) assessment of capacity, quality and sustainability of provision in schools and in establishments other than schools who deliver the Early Years Foundation Stage within 3 miles of the school; and

- (e) reasons why such schools and establishments who have spare capacity cannot make provision for any forecast increase in the number of such provision.

### Changes to sixth form provision

**16.** (a) Where the proposals are to alter the upper age limit of the school so that the school provides sixth form education or additional sixth form education, a statement of how the proposals will—

- (i) improve the educational or training achievements;
- (ii) increase participation in education or training; and
- (iii) expand the range of educational or training opportunities for 16-19 year olds in the area;

- (b) A statement as to how the new places will fit within the 16-19 organisation in an area;

- (c) Evidence —

- (i) of the local collaboration in drawing up the proposals; and
- (ii) that the proposals are likely to lead to higher standards and better progression at the school;

- (d) The proposed number of sixth form places to be provided.

**17.** Where the proposals are to alter the upper age limit of the school so that the school ceases to provide sixth form education, a statement of the effect on the supply of 16-19 places in the area.

## ANNEX A

### Special educational needs

18. Where the proposals are to establish or change provision for special educational needs—

- (a) a description of the proposed types of learning difficulties in respect of which education will be provided and, where provision for special educational needs already exists, the current type of provision;

- (b) any additional specialist features will be provided;

- (c) the proposed numbers of pupils for which the provision is to be made;

- (d) details of how the provision will be funded;

- (e) a statement as to whether the education will be provided for children with special educational needs who are not registered pupils at the school to which the proposals relate;

- (f) a statement as to whether the expenses of the provision will be met from the school's delegated budget;

## ANNEX A

- (g) the location of the provision if it is not to be established on the existing site of the school;

- (h) where the provision will replace existing educational provision for children with special educational needs, a statement as to how the local education authority believes that the new provision is likely to lead to improvement in the standard, quality and range of the educational provision for such children; and

- (i) the number of places reserved for children with special educational needs, and where this number is to change, the proposed number of such places.

**19.** Where the proposals are to discontinue provision for special educational needs—

- (a) details of alternative provision for pupils for whom the provision is currently made;

- (b) details of the number of pupils for whom provision is made that is recognised by the local education authority as reserved for children with special educational needs during each of the 4 school years preceding the current school year;

- (c) details of provision made outside the area of the local education authority for pupils whose needs will not be able to be met in the area of the authority as a result of the discontinuance of the provision; and

- (d) a statement as to how the proposer believes that the proposals are likely to lead to improvement in the standard, quality and range of the educational provision for such children.

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[ ]

**20.** Where the proposals will lead to alternative provision for children with special educational needs, as a result of the establishment, alteration or discontinuance of existing provision, the specific educational benefits that will flow from the proposals in terms of—

- (a) improved access to education and associated services including the curriculum, wider school activities, facilities and equipment with reference to the local education authority's Accessibility Strategy;
  - (b) improved access to specialist staff, both educational and other professionals, including any external support and outreach services;
  - (c) improved access to suitable accommodation; and
  - (d) improved supply of suitable places.
- [ ]

### Sex of pupils

**21.** Where the proposals are to make an alteration to provide that a school which was an establishment which admitted pupils of one sex only becomes an establishment which admits pupils of both sexes—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area;
- [ ]

- (b) evidence of local demand for single-sex education; and
- [ ]

- (c) details of any transitional period which the body making the proposals wishes specified in a transitional exemption order (within the meaning of section 27 of the Sex Discrimination Act 1975).
- [ ]

**22.** Where the proposals are to make an alteration to a school to provide that a school which was an establishment which admitted pupils of both sexes becomes an establishment which admits pupils of one sex only—

- (a) details of the likely effect which the alteration will have on the balance of the provision of single-sex education in the area; and
- [ ]

## ANNEX A

- (b) evidence of local demand for single-sex education.

### Extended services

**23.** If the proposed alterations affect the provision of the school's extended services, details of the current extended services the school is offering and details of any proposed change as a result of the alterations.

### Need or demand for additional places

**24.** If the proposals involve adding places—

- (a) a statement and supporting evidence of the need or demand for the particular places in the area;

- (b) where the school has a religious character, a statement and supporting evidence of the demand in the area for education in accordance with the tenets of the religion or religious denomination;

- (c) where the school adheres to a particular philosophy, evidence of the demand for education in accordance with the philosophy in question and any associated change to the admission arrangements for the school.

**25.** If the proposals involve removing places—

- (a) a statement and supporting evidence of the reasons for the removal, including an assessment of the impact on parental choice; and

- (b) a statement on the local capacity to accommodate displaced pupils.



## ANNEX A

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### **Expansion of successful and popular schools**

**25A.** (1) Proposals must include a statement of whether the proposer considers that the presumption for the expansion of successful and popular schools should apply, and where the governing body consider the presumption applies, evidence to support this.

(2) Sub-paragraph (1) applies to expansion proposals in respect of primary and secondary schools, (except for grammar schools), i.e. falling within:

(a) (for proposals published by the governing body) paragraph 1 of Part 1 to Schedule 2 or paragraph 12 of Part 2 to Schedule 2;

(b) (for proposals published by the LA) paragraph 1 of Part 1 to Schedule 4 or 18 of Part 4 to Schedule 4

of the School Organisation (Prescribed Alterations to Maintained Schools) (England) Regulations 2007 (as amended).

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## ANNEX B

### **Proposals to enlarge the school - determining whether statutory proposals are required**

#### **Text from Prescribed Alteration Regs, including proposed amendments (in bold):**

##### **Enlargement to premises**

1. —(1) An enlargement of the premises of the school which would increase the capacity of the school by—

- (a) more than 30 pupils; and
- (b) by 25% or 200 pupils (whichever is the lesser).

(2) Subject to sub-paragraph (3) in this paragraph—

"an enlargement" of the premises of a school includes—

- (a) the proposed enlargement; and
- (b) any enlargements made in the 5 years preceding the date when the new enlargement will be made, excluding any temporary enlargements where it is anticipated the enlargement will be in place for less than 3 years; and
- (c) the making permanent of any temporary enlargement.

(3) Where there have been any enlargements for which proposals have been published and approved under section 28 of SSFA 1998 or section 19 of the Act ("approved proposal"), **in the five years preceding the date when the new enlargement will be made, an enlargement only includes those made after the latest approved proposals.**

## ANNEX B

Answer each question in turn, except where directed to a later question (i.e. according to answer given).

**If no physical enlargement of the premises is being undertaken, go straight to Question 5 below.**

1. Does the school expect to revert to its existing physical capacity within three years ie. is this a Temporary Increase?

**If Yes go to 7      If No go to 2**

2. For the purposes of answering questions 3 & 4, look back to the most recent of the following (ignoring any Temporary Increases):

a) the date up to 5 years prior to the date the current enlargement is proposed to be implemented OR

b) the date when the school opened OR

c) the date when any previous statutory proposal to enlarge the premises of the school was implemented.

Using the net capacity figures at either a, b or c (whichever is the most recent event and ignoring any Temporary Increases), **Go to 3**

3. Will the capacity of the school be increased by 30 or more pupils?

**If Yes go to 4      If No go to 5**

4. Will the capacity be increased by 25% or at least 200 pupils (whichever is the lesser)?

**If Yes go to 6      If No go to 5**

5. Will the school's admission number be increased?

**If Yes go to the School Admissions Code**

**If No go to 7**

6. Prescribed alteration proposals **must be** published for **an enlargement** to the premises of the school.

**IF THE PROPOSAL ALSO REQUIRES AN INCREASE TO THE PUPIL ADMISSION NUMBER (PAN), RETURN TO QUESTION 5.**

**IF NOT. END.**

7. Prescribed alteration proposals do **not** need to be published for **an enlargement** to the premises of the school.

ANNEX B

**IF THE PROPOSAL ALSO REQUIRES AN INCREASE TO THE PUPIL  
ADMISSION NUMBER (PAN), RETURN TO QUESTION 5.**

**IF NOT. END.**

<b>DECISION-MAKER:</b>	CABINET COUNCIL
<b>SUBJECT:</b>	REVISION OF THE COUNCIL'S EQUALITY POLICY AND OBJECTIVES
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012 14 NOVEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR COMMUNITIES
<b>STATEMENT OF CONFIDENTIALITY</b>	
Not Applicable	

## **BRIEF SUMMARY**

The current Equality Scheme expires in December 2012. Since the Scheme commenced, the Equality Act 2010 has placed different requirements on public bodies (the majority of its provisions came into force from 1st October 2010, the remainder from April 2011). This report recommends approval of a revised Equality Policy and approval of the Council's Equality Action Plan (January 2013 to March 2016) to meet these requirements and strengthen existing arrangements to monitor Equality and Safety Impact Assessments.

## **RECOMMENDATIONS:**

### **CABINET:**

- (i) To endorse and recommend to full Council approval of the revised Equality Policy (Appendix 1) and the new Equality objectives to be monitored through an Equality Action Plan (Appendix 2).
- (ii) To agree delegated authority to the Director of Environment and Economy, in consultation with the Cabinet Member for Communities, to approve the final Equality Action Plan and subsequent amendments in light of future changes to the Council's priorities and resources.
- (iii) To note the continued use of the existing system of Equality and Safety Impact Assessments to support informed Council decision making and publication of the assessments online, as appropriate.
- (iv) To note the creation of the Equalities Information webpage.

### **COUNCIL:**

- (i) To approve the revised Equality Policy (Appendix 1).
- (ii) To approve the new Equality objectives, to be monitored through an Equality Action Plan (Appendix 2).

## **REASONS FOR REPORT RECOMMENDATIONS**

1. To ensure that the Council continues to have a due regard for equalities in all aspects of its work and fulfil its obligations under the Equality Act 2010.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. None

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

### **Current Equality Scheme**

3. The Council's current Equality Scheme, which commenced in 2009, is due to expire in December 2012 and is available in Members' Rooms and on the Council's website:

[http://www.southampton.gov.uk/Images/Web%20Scheme\\_tcm46-250404.pdf](http://www.southampton.gov.uk/Images/Web%20Scheme_tcm46-250404.pdf)

Since the Scheme commenced, different legal obligations have been placed on local authorities through the Equality Act 2010 and it is therefore recommended that the Council revises its current Equality Policy and objectives.

### **Legal Requirements**

4. The Equality Act 2010 covers nine protected characteristics: - Age, Disability, Gender Reassignment, Marriage and Civil Partnership, Pregnancy and Maternity, Race, Religion or Belief, Sex and Sexual Orientation.
5. The Act places an ongoing legal duty on organisations to:
  - Eliminate unlawful discrimination, harassment and victimisation
  - Advance equality of opportunity
  - Foster good relations
6. In addition, Public Bodies have Specific Duties (Section 149) to:
  - Publish relevant, proportionate information, at least annually, that demonstrates compliance with the Equality Duty and ensures decision making is transparent and accountable
  - Set specific, measurable equality objectives – at least every four years.
  - Policy makers also need to have a due regard to the Act when considering new policies and practices.

### **Equality Policy**

7. The Council's current Equality Policy offers a broad vision and statement of intentions and needs to be updated in the light of the new legislation. The implementation of this Policy will link with the work of the proposed Fairness Commission. It is therefore recommended that the Council approves the proposed revised Equality Policy attached at Appendix 1.

### **Equality objectives**

8. Based on current information, national best practice and feedback from previous consultations the following revised objectives are recommended:

#### Strategic planning:

- To consider the needs of and impact on diverse communities and clients in developing Council strategies, policies and plans

#### Service development and delivery:

- To provide customer focussed and accessible services, taking into consideration the changing diversity of the City's population profile and needs.

- To ensure commissioning, contracting and grants decisions of the Council take into account the diverse needs of City's population

Performance:

- To monitor regularly relevant service performance in relation to the groups identified in the Equality Act and embed equalities measures in the Council Plan

Workforce:

- To ensure that policies and practices in place are fair so that they do not discriminate against anyone and the Council's workforce is reflective of the population

Communications:

- To ensure all Council communications reflect the diversity of the City's communities

Partnerships:

- To ensure that partnership activities, plans and initiatives take into consideration relevant equalities issues.

9. These Equality objectives will be reflected in the Council Plan so that they can be included in the Council's overall performance management arrangements. Full Council is recommended to approve new Equality objectives which will be monitored through an Equality Action Plan (Appendix 2).

**Equality Action Plan (January 2013 to March 2016)**

10. A draft of the Equality Action Plan is in Appendix 2. This Action Plan details how the Council will deliver its equality objectives over the next three years, from January 2013 to March 2016. Cabinet is recommended to agree delegated authority to the Director of Environment and Economy, following consultation with the Cabinet Member for Communities to approve the final Equality Action Plan and subsequent amendments in light of future changes the Council's priorities and resources.

**Equality and Safety Impact Assessments**

11. The new Equality Duty supports good decision-making – it encourages public bodies to understand how different people will be affected by their activities so that policies and services are appropriate and accessible to all and meet different people's needs.
12. Having *due regard* to the need to eliminate unlawful discrimination, harassment, victimisation and any other conduct prohibited by the Act, means consciously thinking about the three aims of the Equality Duty as part of the process of decision-making. This means that consideration of equality issues must influence the decisions reached by public bodies – such as in how they act as employers; how they develop, evaluate and review policy; how they design, deliver and evaluate services, and how they commission and procure from others.
13. However, the Equality Duty does not impose a legal requirement to conduct an Equality Impact Assessment. But it does require public bodies to show how they considered the Equality Duty and that they have been consciously

thinking about the aims of the Equality Duty as part of the process of decision-making. That will entail evidencing that the Council has an understanding of the potential effects of its activities on different people and maintains a record of how decisions were reached. Producing an Equality Impact Assessment after a decision has been reached will not achieve compliance with the Equality Duty.

14. Equality and Safety Impact Assessments are already embedded in the Council's decision making systems although there is potential to improve their implementation and quality. They are designed to provide an effective way to ensure that the Council can evidence its compliance in respect of its legal duty to have a due regard to equalities and safety in decision making. The process has been simplified and is robustly applied to some aspects of the Council's decision making e.g. decision making on Council budget setting. However, further improvement is required in the quality and diligence with which managers complete the assessments.
15. As we need to have a consistent Council wide mechanism to evidence how decisions were reached and that they did take into account equality issues, the agreement was to continue with the current systems. The Cabinet is therefore requested to note the continued use of existing systems of Equality and Safety Impact Assessments to support informed Council decision making and publication of the assessments online, as appropriate.
16. The administration is committed to tackling inequalities and discrimination, transparency and informed decision making. A key contributor will be the completion and quality of Equality and Safety Impact Assessments and consequent actions. The Cabinet have expressed their commitment to establishing a mechanism for monitoring and reviewing the quality of Equality and Safety Impact Assessments on a quarterly basis.

#### **Equality Information on the Web**

17. In line with the details in the current Equality Scheme, the Communities Team has been publishing Equality Annual Reports. These fulfil the legal requirement to publish annual information about staff (based on certain equalities criteria) and highlight the work of the Council on equalities issues. These reports, though well received, are perceived to have limited value as they are read by a small audience and may not always have up to date information. As the legal requirement is to publish information annually, not to produce annual reports, Cabinet is recommended to approve the creation of an Equalities Information webpage. This can then act as a central hub for the Equality and Safety Impact Assessments, current reports and equality information. It will enable the Council to maintain existing resources and give much more up-to-date information to customers and colleagues. The intention is for the Portal to be regularly reviewed and updated to comply with legal requirements.

#### **RESOURCE IMPLICATIONS**

##### **Capital/Revenue**

18. There are no additional resource implications.

##### **Property/Other**

19. None



## LEGAL IMPLICATIONS

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

20. The general equality duty was created by the Equality Act 2010, which replaced the public sector race, disability and gender equality duties which existed previously. The duty now covers the wider protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, race, religion or belief, and sexual orientation.
21. The general equality duty is set out in s149 of the Equality Act and requires public authorities to have due regard to the need to eliminate discrimination, harassment, victimisation and any other prohibited conduct; advance equality of opportunity between persons with protected characteristics and those without; and foster good relations between persons with protected characteristics and those without.
22. As mentioned in the report, public authorities are required to publish information to demonstrate compliance with the equality duty at least annually. This information must include information relating to people who share protected characteristics and are affected by its policies, and for organisations over 150 employees, information about how its own employees are affected by its policies. Authorities are also required to prepare and publish their own equality objectives, which must be specific and measurable, at least every 4 years. All information must be published in a way that is accessible to the public.
23. The Council is further subject to a duty under the Crime and Disorder Act 1998 to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent, crime and disorder in its area including anti-social behaviour, substance misuse and other behaviour adversely affecting the local environment.

### Other Legal Implications:

24. None

## POLICY FRAMEWORK IMPLICATIONS

25. Annual Libraries Plan, Southampton Connect Plan (Community Strategy), Children and Young Peoples' Plan, Plan and strategies which together comprise the Development Plan, Youth Justice Plan, Housing Strategy (inc. HRA Business Plan), Adult Learning Plan, 14 – 19 Strategy, Economic Development Strategy, Crime and Disorder Reduction Strategy, Local Transport Plan.

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**KEY DECISION?** Yes

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

**Appendices**

1.	Revised Equality Policy
2.	Draft Equality Action Plan (January 2013 to March 2016)

**Documents In Members' Rooms**

1.	Current Equality Scheme
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**Equality Impact Assessment**

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No – no negative impacts have been identified
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**Other Background Documents**

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

Title of Background Paper(s)

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

None	
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### **Appendix 1** **Southampton City Council Equality Policy**

#### **Vision**

Southampton is a vibrant and diverse city. This policy re-affirms the council's long standing commitment to work towards the elimination of discrimination and to achieve equality of outcomes for residents and communities in the city. This is reflected in the council's published priorities and organisational values.

#### **Definition**

The council recognises that the effects of discrimination and inequality are many and will be experienced differently by different groups of people. It also recognises the multiplicity of disadvantage – so that some people experience many different forms of inequality at the same time.

Therefore the council adopts this statement as an example of discrimination, although it is not intended to be absolutely definitive:

“Unfair or unequal treatment of people on the basis of race, colour, national and ethnic origin, culture or faith, gender, sex, sexual orientation, gender reassignment or gender identity, marital or civil partnership status, pregnancy and maternity, disability, physical, sensory or learning impairments, mental health problems, HIV status, income or age.”

#### **Scope**

The council is committed to meeting its statutory duties under the Equality Act 2010 and all statutory duties on local authorities relating to equality and to any relevant new legislation.

#### **Policy Commitment**

The council is committed to:

- improving equality practice in all its functions at both corporate and divisional levels and throughout the organisation
- providing resources to improve equality practice
- providing services fairly to all sections of the community; reducing any adverse differential impact that services may have on different communities
- identifying groups or communities whose needs or requirements are less well met by council services than others and to address gaps in service provision

#### **Policy Principles**

The council is actively striving to achieve equalities action and outcomes through the performance of its primary functions.

#### **Service Delivery**

As a major service provider, the council will demonstrate continual improvements in service outcomes for all citizens with reduced differences between diverse communities and social groups.

### **Employment Practice**

As one of the city's largest employers the council will achieve fair and equal employment policies and practice. To do this the council will:

- seek to recruit and sustain a diverse workforce
- undertake workforce profiling and use data to shape and influence service and employment practice
- achieve and sustain fair recruitment, fair employment and equal pay
- establish a workforce that is highly skilled in servicing and responding to the needs of diverse communities

### **Leadership**

As a community leader, influencer, enabler and partner the council will work with Southampton Connect, local communities, other services and organisations to achieve equality and community cohesion objectives for the city.

### **Supplier and Purchaser**

As a supplier and purchaser the council will ensure equality objectives are included and enforced in all contract, procurement and funding arrangements.

### **Implementation**

To translate this policy into practice, the council has:

- developed and is implementing an Equality Plan
- continued to set equality objectives that are integrated into the council's overall business planning and performance process
- continued to do Equality Impact Assessments to ensure equalities are embedded in policy developments and changes
- created an Equality Information Portal to provide up to date equality related information that is easily accessible

Appendix 2

Draft Equalities Action Plan – January 2013 to March 2016

	Action relating to	Outcomes	Measures	Lead	Timescale
<b>Strategic Planning: Objective 1:</b> To consider the needs of and impact on diverse communities and clients in developing council strategies, policies and plans					
1.	Equality and Safety Impact Assessments (ESIAs) for all strategies, plans, policies and reports (as appropriate) to Cabinet and Council and integration into business and service plans	Contributes to <u>elimination of unlawful discrimination</u> by identifying the equalities and safety impacts and mitigating actions that can be considered prior to decision-making	<ul style="list-style-type: none"> <li>All reports to Cabinet and Council have completed E&amp;SIAs</li> <li>Members' Panel to monitor quality of the completed ESIAs</li> </ul>	Senior Managers  Cabinet Member for Communities	Commence from January 2013 Review on a quarterly basis  ESIAs published within a month of approval
2.	Review of consultations to ensure that they include all sections of the city's diverse communities	<u>Advances equality of opportunity</u> by improving methods of consultation and ensuring the council's needs assessments draw upon data and information held across the council	<ul style="list-style-type: none"> <li>Council Consultation Framework agreed and implemented</li> </ul>	Senior Manager, Communications	June 2013
<b>Service Development and Delivery: Objective 2:</b> To provide customer focussed and accessible services, taking into consideration the changing diversity of the city's population profile and needs					
3.	Improving the quality of life for vulnerable and disabled residents	<u>Advances equality of opportunity</u> through enabling residents to become more self reliant and lead independent lives	<ul style="list-style-type: none"> <li>Proportion of people using social care who receive self directed support</li> <li>Number of safeguarding adults referrals per month that are repeat referrals</li> </ul>	Director of Health and Adult Social Care	Agree specific action by March 2013

## Appendix 2

### Draft Equalities Action Plan – January 2013 to March 2016

	Action relating to	Outcomes	Measures	Lead	Timescale
4.	Identifying pupils from different backgrounds whose educational performance is lower than city average and deliver an action plan to help them improve their attainment	<u>Advances equality of opportunity</u> by narrowing the gap in educational attainment between city averages and pupils who perform less well and are from socially excluded backgrounds (Equality Duty, poverty and looked after children)	<ul style="list-style-type: none"> <li>Improved educational performance at KS1, 2 and KS 4</li> <li>Narrow the educational achievement gap</li> </ul>	Director of Children's Services and Learning	Agree specific action by March 2013
5.	Work with services to identify and remove unintentional barriers to access our services	<u>Advances equality of opportunity</u> through increasing accessibility of services	<ul style="list-style-type: none"> <li>To be determined</li> </ul>	All Senior Managers	Ongoing
6.	Targeting access to community learning, particularly to those from socially excluded groups	<u>Advances equality of opportunity</u> by increasing numbers of learning opportunities gained by those from socially excluded groups	<ul style="list-style-type: none"> <li>Numbers of learning opportunities accessed by people from socially excluded groups</li> </ul>	Senior Manager, Skills and Economy	September 2013 – review progress in previous academic year
7.	Facilitating volunteering and community links between the city's diverse communities	<u>Fosters good relations</u> by strengthening relationships between communities	<ul style="list-style-type: none"> <li>Increased numbers recorded on Do-it database</li> <li>Numbers of volunteering opportunities and numbers filled</li> </ul>	Communities Manager, Environment and Economy Directorate	Ongoing

## Appendix 2

### Draft Equalities Action Plan – January 2013 to March 2016

	Action relating to	Outcomes	Measures	Lead	Timescale
8.	Identify and promote programmes and interventions that will reduce inequalities and ensure equality duties are met	To be added following approval of Health and Wellbeing Strategy	<ul style="list-style-type: none"> <li>To be determined following approval of Health and Wellbeing Strategy</li> </ul>	Director of Public Health	April 2013
Objective 3: To ensure commissioning, contracting and grants decisions of the council take into account the diverse needs of city's population					
9.	Commissioning frameworks, guidance, policies and practice reflecting the needs of, feedback and take up from diverse communities	Contributes towards <u>eliminating unlawful discrimination and advancing equality of opportunity</u> if commissioning frameworks are based on customer need	<ul style="list-style-type: none"> <li>Review of existing frameworks, guidance, policies and practice</li> </ul>	Senior Manager, Integrated and Joint Commissioning , HASC	Review completed by 2014/15
10.	Publish available equalities related procurement and contracts information	Contributes to <u>advancing equality of opportunity</u> as council suppliers able to demonstrate they meet needs of diverse communities	<ul style="list-style-type: none"> <li>To be determined</li> </ul>	Senior Manager, Procurement, Property and Contracts and other Senior Managers responsible for contract management	Information published by March 2013

## Appendix 2

### Draft Equalities Action Plan – January 2013 to March 2016

	Action relating to	Outcomes	Measures	Lead	Timescale
<b>Performance: Objective 4:</b> To monitor regularly relevant service performance in relation to the groups identified in the Equality Act and embed equalities measures in the Council Plan					
11.	Open access for all managers to use all council data and customer feedback information including ethnic monitoring	<u>Advances equality of opportunity</u> through: <ul style="list-style-type: none"> <li>• improved understanding of customer needs</li> <li>• decrease in silo working improved outcomes for customers</li> </ul>	<ul style="list-style-type: none"> <li>• Single system in place</li> </ul>	Directorate Business Development Managers	March 2013
12.	Embedding equalities and safety performance within the council plan	To be agreed	<ul style="list-style-type: none"> <li>• To be agreed</li> </ul>	Senior Manager, Customer and Business Improvement	March 2013
<b>Workforce: Objective 5:</b> To ensure that policies and practices in place are fair so that they do not discriminate against anyone and the council's workforce is reflective of the population					
13.	Publish on an annual basis, ethnic monitoring of the council's workforce	This contributes to <u>advancing equality of opportunity and fostering good relations</u> by a workforce that reflects the diversity of the city, driving improvements in understanding of customer needs	<ul style="list-style-type: none"> <li>• Annual publication of information</li> </ul>	Senior Manager, Legal, HR and Democratic Services	March 2014 and annually thereafter
14.	Equal Pay	This contributes to <u>elimination of unlawful discrimination and advances equality of opportunity</u> through having a more transparent, simplified, fair and consistent pay structure for council staff	<ul style="list-style-type: none"> <li>• Measures will be introduced to address any issues identified</li> </ul>	Senior Manager, Equal Pay, Corporate Services	2014/ 15



## Appendix 2

### Draft Equalities Action Plan – January 2013 to March 2016

	Action relating to	Outcomes	Measures	Lead	Timescale
15.	Access to learning, skills, apprenticeships, work placements, pre-employment training, enterprise and employment for local residents who are particularly disadvantaged.	This contributes to <u>advancing equality of opportunity</u> through increasing opportunities for residents, particularly young and unemployed people to develop their skills.	<ul style="list-style-type: none"> <li>To be agreed</li> </ul>	Senior Manager, Skills and Economy	Ongoing
<b>Communications: Objective 6:</b> To ensure all council communications reflect the diversity of the city's communities					
16.	Develop and deliver a council Communications Strategy that includes improving communications with less engaged groups	This contributes to <u>fostering good relations</u> by reviewing the accessibility and images used on the council's website, council reports, posters, leaflets and other materials to ensure that they represent the diversity of the city	<ul style="list-style-type: none"> <li>Publication of Strategy</li> </ul>	Senior Manager, Communications	By March 2014 Review communications routes with diverse communities about community safety, hate crime, cohesion, vulnerable victims and civil emergencies
<b>Partnerships: Objective 7:</b> To ensure that partnership activities, plans and initiatives take into consideration relevant equalities issues					
17.	Multiagency systems and responses to hate crime and harassment	Contributes to <u>eliminating unlawful discrimination, harassment and victimisation</u> and fostering good relations through improved responses to hate crime and harassment with targeting of resources to repeat offending/victimisation	<ul style="list-style-type: none"> <li>Levels of repeat victimisation</li> </ul>	Community Safety Manager	April 2013

## Appendix 2

### Draft Equalities Action Plan – January 2013 to March 2016

	Action relating to	Outcomes	Measures	Lead	Timescale
18.	Poverty and the Fairness Commission	Contributes to <u>elimination of unlawful discrimination</u> and the <u>advancement of equality of opportunity</u>	<ul style="list-style-type: none"> <li>Measures to be determined as part of the Welfare Reforms Scrutiny Inquiry</li> </ul>	Senior Manager, Customer and Business Improvement	Following conclusion of Scrutiny Inquiry

<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	DEVOLVING MAJOR SCHEMES TRANSPORT FUNDING
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012
<b>REPORT OF:</b>	THE DIRECTOR OF ENVIROMENT AND ECONOMY
<b>STATEMENT OF CONFIDENTIALITY</b>	
Not applicable.	

## **BRIEF SUMMARY**

This report seeks to agree the inclusion of the Isle of Wight (IoW) into Transport for South Hampshire (TFSH) to become a full member. It also informs members of the Governments proposals to devolve major scheme funding for transport measures from 2015 and notes the principles by which Southampton City Council will bid for this funding.

## **RECOMMENDATIONS:**

- (i) To agree to the inclusion of the Isle of Wight into Transport for South Hampshire as a full member and delegate authority to the TFSH monitoring officer to make appropriate changes to the joint agreement; and
- (ii) To note the principles set out in paragraph 5 by which the City Council will bid for from the devolved major scheme funding.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. The Isle of Wight Council have requested to join Transport for South Hampshire. On the 25 September, the last Joint Committee of TFSH agreed that each member authority should recommend its Executive to approve the Isle of Wight's inclusion.
2. As a result of the proposed decentralisation of major scheme transport fundin, the City Council is presented with an opportunity to secure significant funding towards transport infrastructure improvements. In order to maximise these opportunities it is necessary for the City Council to make a good case and implement an effective bid strategy.

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

- 3 Transport for South Hampshire is an existing joint committee of local highway authorities including Southampton and Portsmouth City Councils and Hampshire County Council. It performs a role in joining up transport decision making across highway authorities and in making the case for investment in transport locally. The Government is seeking to devolve decision making on the allocation of future major scheme funding to local areas that are coterminous with Local Enterprise Partnership (LEP) boundaries i.e. representative of functional economic areas. Partly as a result of this but also because of the considerable linkages between the IoW and the mainland, the Isle of Wight have made a formal request to join TFSH. The nature of the existing joint committee requires that such a decision is formally agreed by each of the existing member authorities.

4 In January of this year the Government confirmed their intention to devolve major scheme funding to a local level from 2015 onwards. At the time of writing this report the Government had not yet published its requirements for assurance frameworks. Neither had it confirmed the level of funding that would be available. They have however stated that:

*“Promoters of schemes that believe they stand a good chance of being prioritised may wish to consider whether to begin developing their business cases now. While this would be at the authorities’ own risk it may place the scheme in a stronger position when prioritisation decisions are made.”*

5 Noting the Government’s advice above and to place Southampton in a strong position the following strategy is being followed:

- That we should prioritise and put forward schemes likely to best meet the funding criteria of supporting growth and reducing carbon. Of all the measures the City Council put forward this favours a package of transport measures supporting the City Centre Masterplan
- The package should be a convincing ten year plan for investment in transport infrastructure that will support inward investment and confidence in city centre development
- Officers are undertaking feasibility and design now on the schemes so that we are prepared to deliver from 2015 onwards. This includes the schemes around the station VIP (Very Important Project) project including Civic Centre Place Junction and South and North of the Station.
- Officers are identifying a good proportion of match funding from sources other than the General Fund. These include the Local Transport Plan, developer contributions and Community Infrastructure Levy. Taking a ten year approach allows a high proportion of match funding to be identified and spreads the financial strain.
- As none of the above funding sources are guaranteed over such a period the council must be prepared, at least for the purpose of bidding, to underwrite the costs of the match funding

Members are asked to note this strategy.

6 Individual bids will be subject to normal decision making processes in due course including, where appropriate, match funding approvals and detailed impact assessments of bid proposals.

#### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

7 The option to reject the inclusion of the IoW has been considered and rejected on the basis that the inclusion of the IoW makes TfSH stronger and larger and therefore more likely to be able to access funding in the future.

8 Options not to follow the strategy for bidding outlined in paragraph 5 have been considered and include:

- Bidding for other less likely to be successful schemes, and
- Not bidding at all

Such options would probably result in us not being successful in maximising success in accessing devolved funding. Neither would they be in compliance with the best interests of the city and its residents as identified in the Local Transport Plan, Community Strategy and other corporate policy strategies. This is because they would not deliver the growth aspirations of the Local Development Framework or City Centre Masterplan.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

9 The IoW will be making an appropriate financial contribution to the administration of TfSH and so will not create any new burdens on partnership resources.

10 The impact of following the bid strategy is low in risk. In the event that Southampton were successful and the match funding did not come forward as expected then the authority would either have to find the match funding from elsewhere or withdraw.

### **Property/Other**

11 No property issues apply.

## **LEGAL IMPLICATIONS**

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

12 The inclusion of the IoW into the TfSH Joint Committee requires the agreement of all existing TfSH members. The TfSH Joint committee has passed a resolution to allow the monitoring officer for TfSH to make these alterations.

### **Other Legal Implications:**

13 The work of TfSH and its member organisations, together with the proposed bidding strategy and forthcoming bids will be subject to the Council's public sector Equality duties as set out in the Equalities Act 2010, it's crime & disorder functions in s.17 of the Crime & Disorder Act 1998 and any other statutory duties or conditions imposed on public bodies in relation to the exercise of their statutory functions.

## **POLICY FRAMEWORK IMPLICATIONS**

14 The scheme we are putting forward for funding are a critical part of the Local Transport Plan 3 strategy. Success will mean that the longer term LTP3 aspirations can be delivered.

15 The transport measures being put forward for funding are compliant with the City Centre Masterplan and the emerging City Centre Action Plan. They also help facilitate and are potentially the key catalyst to achieving city growth aspirations identified in the Local Development Framework.

- 16 The funding is designed to address two critical issues including reducing carbon from transport and supporting economic growth. These core objectives are also key themes of numerous corporate policies. The acceptance and delivery of the scheme is therefore a significant enabler of the Community Strategy, the Local Transport Plan and the Local Development Framework. In addition, many of the schemes will support educational and training opportunities and healthier lifestyles. It is therefore in support of many of our skills, education and health policies.

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### **SUPPORTING DOCUMENTATION**

#### **Appendices**

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

1.	None
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#### **Equality Impact Assessment**

Do the implications/subject/recommendations in the report require an Equality Impact Assessment to be carried out.	<b>Yes</b>
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#### **Other Background Documents**

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	The Equality Impact Assessment can be obtained from the author upon request.
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#### **Equality Impact Assessment and Other Background documents available for inspection at:**

<b>WARDS/COMMUNITIES AFFECTED:</b>	Bevois and Bargate
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# Agenda Item 15

<b>DECISION-MAKER:</b>	CABINET COUNCIL
<b>SUBJECT:</b>	ADDITION OF TRANSPORT FUNDING TO THE CAPITAL AND REVENUE PROGRAMMES
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012 14 NOVEMBER 2012
<b>REPORT OF:</b>	THE DIRECTOR OF ENVIRONMENT AND ECONOMY
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

## **BRIEF SUMMARY**

This report asks Members to accept new funding from several new sources and add the funding to the capital and revenue programmes for transport with authority to spend. The additions are programmed over the next three financial years starting in 2012/13.

## **RECOMMENDATIONS:**

### **CABINET:**

Cabinet recommends Full Council to:

- (i) Accept grant funding from the Local Sustainable Transport Fund (LSTF) of £9.013M split between Capital £7.193M and Revenue £1.819M over the following three years 2012/13 to 2014/15. Total awarded to Transport for South Hampshire (TfSH), £17.839M;
- (ii) Accept a further LSTF allocation of £330K to deliver Real Time Information (RTI) Phase 4 capital works in 2012/13;
- (iii) Accept grant funding of £50K from Better Bus Area Fund (BBAF) to fund Capital expenditure of £40K in 2012/13 and Revenue expenditure of £10K in 2012/13;
- (iv) Add to the Environment and Transport Capital Programme, Integrated Transport, £7.193M; phased £0.610M in 2012/13, £4.584M in 2013/14 and £1.999M in 2014/15, in order to deliver transport measures across the City funded by LSTF grant (see Appendix 1);
- (v) Add to the Environment and Transport Capital Programme, Integrated Transport, a further £330K of LSTF allocation to deliver Real Time Information Phase 4 capital works in 2012/13. (see Appendix 1);
- (vi) Add to the Environment and Transport Capital Programme, Integrated Transport, £40K of Better Bus Area Fund (BBAF) towards transport measures across the City in 2012/13 (see Appendix 1);

- (vii) Add to the Environment and Transport Capital Programme, Public Realm, £1.392M of Public Realm Section 106 contributions phased £142K in 2012/13, £302K in 2013/14 and £948K in 2014/15 in order to deliver the Centenary Quay public realm (see Appendix 1);
- (viii) Add to the Environment and Transport Capital Programme for Integrated Transport, £910K of Strategic Transport Section 106 contributions phased £80K in 2012/13, £410K in 2013/14 and £420K in 2014/15 towards developing transport measures across the City (see Appendix 1);
- (ix) Approve to spend, in accordance with Financial Procedure Rules, schemes and projects totalling £9.865M to the Environment and Transport Capital Programme for Integrated Transport, phased £1.202M in 2012/13, £5.296M in 2013/14 and £3.367M in 2014/15 funded as detailed in Appendix 1 on schemes as detailed in Appendix 2 and Appendix 3;
- (x) Approve the addition of £428,000 to the 2012/13 revenue estimates of the Environment and Transport Portfolio funded by government grant (LSTF and BBAF) and to note that further additions of £894,000 to the 2013/14 and £507,000 to the 2014/15 revenue estimates will be formally made as part of the preparation of those financial years' budget; and
- (xi) Note that Southampton will play a lead authority role for the delivery of a South Hampshire Smartcard for Public Transport, Legible Cities projects procured by SCC as lead authority for TfSH from LSTF Funding including developing a joint back office as agreed at TfSH Joint Council committee 25/09/2012, for which a scheme of £5M is included in the proposed capital programme, contained within the total addition to the capital programme of £9.865M.

**COUNCIL:**

It is recommended that Council:

- (i) Accept grant funding from the Local Sustainable Transport Fund (LSTF) of £9.013M split between Capital £7.193M and Revenue £1.819M over the following three years 2012/13 to 2014/15. Total awarded to Transport for South Hampshire, £17.839M;
- (ii) Accept a further LSTF allocation of £330K to deliver Real Time Information (RTI) Phase 4 capital works in 2012/13;
- (iii) Accept grant funding of £50K from Better Bus Area Fund (BBAF) to fund Capital expenditure of £40K in 2012/13 and Revenue expenditure of £10K in 2012/13;
- (iv) Add to the Environment and Transport Capital Programme, Integrated Transport, £7.193M, phased £0.610M in 2012/13, £4.584M in 2013/14 and £1.999M in 2014/15 in order to deliver transport measures across the City funded by LSTF grant (see Appendix 1);



- (v) Add to the Environment and Transport Capital Programme, Integrated Transport, a further £330K of LSTF allocation to deliver Real Time Information Phase 4 capital works in 2012/13 (see Appendix 1);
- (vi) Add to the Environment and Transport Capital Programme, Integrated Transport, £40K of Better Bus Area Fund (BBAF) towards transport measures across the City in 2012/13 (see Appendix 1);
- (vii) Add to the Environment and Transport Capital Programme, Public Realm, £1.392M of Public Realm Section 106 contributions phased £142K in 2012/13, £302K in 2013/14 and £948K in 2014/15 in order to deliver the Centenary Quay public realm (see Appendix 1);
- (viii) Add to the Environment and Transport Capital Programme for Integrated Transport, £910K of Strategic Transport Section 106 contributions phased £80K in 2012/13, £410K in 2013/14 and £420K in 2014/15 towards developing transport measures across the City (see Appendix 1);
- (ix) Approve to spend, in accordance with Financial Procedure Rules, schemes and projects totalling £9.865M to the Environment and Transport Capital Programme for Integrated Transport, phased £1.202M in 2012/13, £5.296M in 2013/14 and £3.367M in 2014/15 funded as detailed in Appendix 1 on schemes as detailed in Appendix 2 and Appendix 3;
- (x) Approve the addition of £428,000 to the 2012/13 revenue estimates of the Environment and Transport Portfolio funded by government grant (LSTF and BBAF) and to note that further additions of £894,000 to the 2013/14 and £507,000 to the 2014/15 revenue estimates will be formally made as part of the preparation of those financial years' budget.
- (xi) Note that Southampton will play a lead authority role for the delivery of a South Hampshire Smartcard for Public Transport, Legible Cities projects procured by SCC as lead authority for TfSH from LSTF Funding including developing a joint back office as agreed at TfSH Joint Council committee 25/09/2012, for which a scheme of £5M is included in the proposed capital programme, contained within the total addition to the capital programme of £9.865M.

## **REASONS FOR REPORT RECOMMENDATIONS**

- 1 Various new sources of funding have been secured for transport schemes. These include Section 106 contributions, the majority of which are for transport relating to the Centenary Quay development and capital funding associated with a recent successful funding bids to the to the DfT Local Sustainable Transport Fund, Regional Growth Fund and Better Bus Area Fund.

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

### **Centenary Quay**

- 2 The Centenary Quay developers have made early payment of some of the Section 106 transport contributions. This totals £1.392M and now needs to be added to the Capital programme with authority to spend, so that the Woolston District Centre and other transport schemes identified in the Centenary Quay Transport Assessment can be delivered.
- 3 The addition of Section 106 planning obligations follows the agreement and acceptance of planning applications which in themselves incorporate extensive local consultation and acceptance by the Planning and Right of Way Panel. The detail of scheme design will also be subject to the creation of a project board including local councillors and a meaningful community engagement process.

### **Integrated Transport**

- 4 The addition of funding is also required following successful bidding to the Local Sustainable Transport Fund (LSTF) and the Better Bus Area Fund (BBAF) by Transport for South Hampshire (TfSH). The LSTF bid for £17.839M funding was well received by Government and was one of only two to receive a full sum allocation. The BBAF scheme cost is £7.339M across the TfSH area, with £4.477M DfT funding contribution
- 5 The funding bids were developed by a bid team involving Transport for South Hampshire (TfSH) authorities at the time of the bid (Southampton, Portsmouth and Hampshire) and Public Transport Operators in partnership with relevant external stakeholders and numerous Council officers and departments. Internally, colleagues from Finance, Economic Development, Education and Highways have been involved in designing the measures and programmes of work which have then been presented to MBoD, the Head of Finance, the Portfolio Holder and the Director for Environment and Economy before submission.
- 6 Externally the bids have been developed in partnership with Public Transport Operators, who are contributing significant sums as match funding; the Chamber of Commerce, Business Solent, the University of Southampton, Southampton Connect, the LEP, PCT and NHS. Close engagement with School and Colleges which has resulted in the creation of a new transport forum for school and colleges, which is actively delivering significant costs savings for bus travel to further education and enhanced travel plans.
- 7 Key schemes to be funded include:
  - A regional public transport smart ticketing initiative for South Hampshire initially concentrating on buses and ferries;
  - Enhanced role out of Real Time Information and associated bus priority as part of Bus Punctuality Task Force;
  - Initial phases of the North of Station interchange scheme;
  - A “super cycle highway” route from the east of the City to Central Station as well as other cycle related infrastructure identified through the Southampton cycle survey;

- A Job Centre Plus initiative designed to help people into work;
- Improved Bus Infrastructure through the Legible Bus Networks Initiative;
- Additional elements of the “MyJourney” smarter choices initiative in partnership with other TfSH authorities;
- Through BBAF we will also deliver Wifi on 565 buses, internal refurbishment of 140 buses, next stop displays/announcements and improved LED lighting on 500 buses across South Hampshire.

Appendix 3 includes an assessment of scheme values and expected outputs and outcomes.

- 8 The development of a business case for a Sustainable Distribution Centre is underway and involves extensive market testing with potential customers (partners include Hammersons, freight haulage companies, hospitals and universities).
- 9 In order to take advantage of economies of scale and procurement efficiencies, Southampton City Council will be the lead delivery authority for the delivery of a South Hampshire Smartcard. Additional project management resource is being recruited to allow this to happen, and is a fixed-term post funded by the LSTF.

#### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

- 10 An alternative option is not to accept the funding for one or more of the elements seeking approval to add to the programme with authority to spend.
- 11 In terms of the successful bid funding the risks associated with accepting the funding have been minimised by taking certain actions including:
- Use of fixed term staff contracts only to put in place delivery capacity
  - Use of partnerships with others who will deliver elements of the project including SUSTRANS and the University of Southampton
  - Match funding commitments have been made from the Local Transport Plan or Section 106 funding. We have an indicative settlement letter from the DfT for future years LTP funding and Section 106 funding payment has already been received
  - Some projects have been designed to be self funding in future years and others can operate at reduced funding level to maintain impact
  - Delivery in partnership through Transport for South Hampshire
- 12 The Housing and Communities Agency requested that the authority take early payment of Section 106 contributions relating to Centenary Quay Development. Failure to authorise spending of this funding will mean that the transport impacts of the development will not be mitigated. If approval to spend these monies were not approved, then the transport measures to support the Centenary Quay development and address its transport impacts of £1.392M, would not be delivered.

## RESOURCE IMPLICATIONS

### Capital/Revenue

- 13 The following table details additional capital funding of £9.865M to be added to the Environment and Transport capital programme, phased over three years.

<b>CAPITAL £'000's</b>	2012/13	2013/14	2014/15	Total
LSTF	610	4,584	1,999	7,193
LSTF (RTI)	330	0	0	330
BBAF	40	0	0	40
Public Realm Section 106 (CQ)	142	302	948	1,392
Strategic Transport Section 106	80	410	420	910
<b>TOTAL</b>	<b>1,202</b>	<b>5,296</b>	<b>3,367</b>	<b>9,865</b>

Council is requested to add and approve to spend, in accordance with Financial Procedure Rules, schemes and projects totalling £9.865M to the Environment and Transport Capital Programme for Integrated Transport and Public Realm, phased £1.202M in 2012/13, £5.296M in 2013/14 and £3.367M in 2014/15 as detailed in Appendix 2 and Appendix 3, and summarised below.

<b>Block £000's</b>	Additional Funding 2012/13	Additional Funding 2013/14	Additional Funding 2014/15	Total of Additional Funding All Years
Accessibility	21	99	0	120
Active Travel	195	388	387	970
Public Transport	238	4,097	1,612	5,947
Network Management	526	20	20	566
Public Realm	222	692	1,348	2,262
<b>GRAND TOTAL</b>	<b>1,202</b>	<b>5,296</b>	<b>3,367</b>	<b>9,865</b>

All Projects in the programme are managed through the corporate Project Management System, "PM Connect" which help ensure the financial and timely delivery of individual projects within the overall programme. All projects will have an approved Project Initiation Document prior to commencement of works.

- 14 The following table details additional revenue funding of £1.829M to the Environment and Transport Portfolio, phased over three years.

<b>REVENUE £'000's</b>	2012/13	2013/14	2014/15	Total
LSTF	418	894	507	1,819
BBAF	10	0	0	10
<b>TOTAL</b>	<b>428</b>	<b>894</b>	<b>507</b>	<b>1,829</b>

- 15 The following table details additional revenue expenditure of £1.829M to be added to the Environment and Transport Portfolio, phased over three years.

<b>REVENUE £'000's</b>	2012/13	2013/14	2014/15	Total
Travel: A Better Connected South-Hampshire	418	894	507	1,819
Transport Operations (working with Operators)	10	0	0	10
<b>TOTAL</b>	<b>428</b>	<b>894</b>	<b>507</b>	<b>1,829</b>

The sum of £428,000 is to be added to the 2012/13 revenue estimates of the Environment and Transport Portfolio, whilst it is noted that further additions of £894,000 to the 2013/14, and £507,000 to the 2014/15 revenue estimates, will be formally made as part of the preparation of those financial years' budget.

- 16 The funding for LSTF and BBAF will be released to the Authority quarterly in arrears. Relevant settlement letters and assurances from the DfT (as in Appendix 4) and Hampshire County Council (the lead financial authority for the LSTF and BBAF bids), as in Appendix 5 and Appendix 6 respectively, have been received and are sufficient to give confidence that the funding can be added to the Capital and Revenue programmes.
- 17 The conditions of LSTF and BBAF funding require that it is spent on the schemes included in the bid and in accordance with the profile of spend stated in the bid. Failure to do so may mean that funding would need to be given back. To ensure this does not happen, many of the schemes in the bid have already been designed or are well advanced. The risk of having to hand back funding is low. The bid has also been carefully crafted to ensure that what we have put forward is deliverable in the timeframes specified and that appropriate resources are in place.
- 18 There are staffing implications associated with the delivery of schemes which will be funded. In all cases where this requires the Authority to recruit new capacity, this will be done using fixed-term recruitments that do not go beyond the period of funding. The estimated revenue costs of this are £41K in 2012/13, £86K in 2013/14 and £90K in 2014/15. The posts will be funded directly from the new LSTF funding source and so will place no burden on staff revenue budgets. Any severance costs will be funded from the revenue grant.

- 19 The schemes to be funded have been developed in accordance with bid criteria which required that the proposals within the bid should not create any ongoing liabilities and that they should maintain their effectiveness beyond the funding period. As a result, the schemes have been crafted to create positive revenue outcomes for the Council, yet still allow for ongoing effectiveness beyond the period of funding. Some feature in approved budget saving proposals. For example, the enabling of the modernisation of the Real Time Bus Information system allows a significant reduction in the revenue costs associated with running this system. Similarly, the replacement of our concessionary fares back office with a modern system and the sharing of this facility with Portsmouth and Hampshire, allows for small economies of scale to be gained. The capital improvement to be funded will improve decaying infrastructure and will be designed to have on balance, lower maintenance costs than the infrastructure they replace.

### **Property/Other**

- 20 No property issues apply as a result of the recommendations in this report. Individual schemes funded by the addition of funding may have property implications but these are expected to be positive rather than negative.

### **LEGAL IMPLICATIONS**

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

- 21 Individual schemes may have legal issues. These will be addressed in the detail design phases of each scheme.
- 22 The Section 106 agreement for the Centenary Quay development is subject to a renegotiation. The current agreement is inflexible as it has been over-specified against individual scheme elements. Agreement has been reached that the wording will be relaxed to allow for better scheme delivery. This is the subject of a further report to the Planning and Rights of Way Panel.
- 23 State Aid Implications have been dealt with through the BBAF project by offering all operators the ability to express an interest in the scheme and the project has proceeded on that basis.

#### **Other Legal Implications:**

- 24 None

### **POLICY FRAMEWORK IMPLICATIONS**

- 25 The funding bids were included as a critical part of the Local Transport Plan 3 strategy. Success means that the LTP3 aspirations can be delivered.
- 26 The funding is designed to address two critical issues including reducing carbon from transport and supporting economic growth. These core objectives are also key themes of numerous corporate policies. The acceptance and delivery of the scheme is therefore a significant enabler of the Community Strategy, the Local Transport Plan and the Local Development Framework. In addition many of the schemes will support educational and training opportunities and healthier lifestyles. It is therefore in support of many of our education and health policies.

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### **SUPPORTING DOCUMENTATION**

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

#### **Appendices**

1.	Sources of Funding
2.	Detailed 3 year Programme
3.	Capital scheme costs and expected outcomes and outputs
4.	DfT Grant Award Letter dated 13 July 2012
5.	Letter from HCC confirming SCC allocation of LSTF dated 6 September 2012
6.	Letter from HCC confirming SCC allocation of BBAF dated 1 October 2012

#### **Documents In Members' Rooms**

1.	LSTF Bid Document - Executive Summary
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#### **Equality Impact Assessment**

Do the implications/subject/recommendations in the report require an Equality Impact Assessment to be carried out.	<b>No</b>
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#### **Other Background Documents**

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1. LTP3 – Implementation Plan	This document is available by contacting Travel & Transport Policy team leader

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

<b>WARDS/COMMUNITIES AFFECTED:</b>	All
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<b>SOURCES OF CAPITAL FUNDING</b>										
	2012/13 Existing Funding £'000	2012/13 New Funding £'000	2013/14 Existing Funding £'000	2013/14 New Funding £'000	2014/15 Existing Funding £'000	2014/15 New Funding £'000	Total Existing Funding £'000	Total New Funding £'000	Grand Total £'000	
LTP (Local Transport Policy)	3,338	0	0	0	0	0	3,338	0	3,338	
LTP (Indicative - Platform For Prosperity)	0	0	411	0	432	0	843	0	843	
Council Resources	68	0	0	0	0	0	68	0	68	
Government Grant LSTF (Local Sustainable Transport Fund) - Small	136	0	170	0	110	0	416	0	416	
Government Grant RGF (Regional Growth Fund) Platform Road	1,241	0	4,354	0	0	0	5,595	0	5,595	
Government Grant BBAF (Better Bus Area Fund)	0	40	0	0	0	0	0	40	40	
Sub-total of funding	4,783	40	4,935	0	542	0	10,260	40	10,300	
S106 Site Specific	320	0	334	0	0	0	654	0	654	
S106 Strategic	784	80	0	410	0	420	784	910	1,694	
S106 Centenary Quay (Public Realm)	0	142	0	302	0	948	0	1,392	1,392	
Sub- total S106	1,104	222	334	712	0	1,368	1,438	2,302	3,740	
Government Grant LSTF Large (Physical Interventions)	0	610	0	647	0	936	0	2,193	2,193	
Government Grant LSTF Large (Smart Ticketing)	0	0	0	3,937	0	1,063	0	5,000	5,000	
Sub-total LSTF Large bid	0	610	0	4,584	0	1,999	0	7,193	7,193	
Government Grant LSTF Large (External Allocation)	0	330	0	0	0	0	0	330	330	
Sub-total External Allocation LSTF	0	330	0	0	0	0	0	330	330	
<b>Total Funding</b>	5,887	1,202	5,269	5,296	542	3,367	11,698	9,865	21,563	

**SOURCES OF REVENUE FUNDING**

	2012/13 Existing Funding £'000	2012/13 New Funding £'000	2013/14 Existing Funding £'000	2013/14 New Funding £'000	2014/15 Existing Funding £'000	2014/15 New Funding £'000	Total Existing Funding £'000	Total New Funding £'000	Grand Total £'000
<b>LSTF - Small</b>									
Programme Management, Monitoring & Evaluation	30	0	30	0	30	0	90	0	90
Travel Marketing & Communications	200	0	200	0	200	0	600	0	600
Travel Planning	370	0	360	0	320	0	1,050	0	1,050
Active Travel	290	0	350	0	350	0	990	0	990
Sustainable Travel	163	0	230	0	130	0	523	0	523
<b>Total LSTF Small Bid</b>	<b>1,053</b>	<b>0</b>	<b>1,170</b>	<b>0</b>	<b>1,030</b>	<b>0</b>	<b>3,253</b>	<b>0</b>	<b>3,253</b>
<b>LSTF - Large</b>									
Behaviour Change - Generic	0	333	0	417	0	415	0	1,165	1,165
Behaviour Change - Corridors	0	85	0	415	0	30	0	530	530
Physical Interventions	0	0	0	62	0	62	0	124	124
<b>Total LSTF Large Bid</b>	<b>0</b>	<b>418</b>	<b>0</b>	<b>894</b>	<b>0</b>	<b>507</b>	<b>0</b>	<b>1,819</b>	<b>1,819</b>
<b>BBAF</b>									
Better Bus Area Fund	0	10	0	0	0	0	0	10	10
<b>Total BBAF</b>	<b>0</b>	<b>10</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>10</b>	<b>10</b>
<b>Funding Available</b>	<b>1,053</b>	<b>428</b>	<b>1,170</b>	<b>894</b>	<b>1,030</b>	<b>507</b>	<b>3,253</b>	<b>1,829</b>	<b>5,082</b>

## Environment & Transport Capital Programme - Integrated Transport

Scheme No.	Scheme Description	Cost Centre	Project Description	Existing Funding 2012/13	Additional Funding 2012/13	Existing Funding 2013/14	Additional Funding 2013/14	Existing Funding 2014/15	Additional Funding 2014/15	Total of Existing Funding All Years	Total of Additional Funding All Years	Grand Total
C7171	Accessibility	C717E	Legible Cities Phase 2	87	0	0	0	0	0	87	0	87
		C717H	Legible Cities Phase 3	157	0	0	0	0	0	157	0	157
		NEW	LSTF - Legible Cities Phase	0	21	0	99	0	0	0	120	120
		C717C	Minor Schemes Programme	110	0	0	0	0	0	110	0	110
C7171	Accessibility Total			354	21	0	99	0	0	354	120	474
C7131	Cycling Improvements	C713F	Cycling - Promotion etc	60	0	0	0	0	0	60	0	60
		C713D	Cycling - Cycle Parking On Street	25	0	0	0	0	0	25	0	25
		C713K	Cycling - Quality Monitoring	41	0	0	0	0	0	41	0	41
		C713X	Cycle Missing Links	50	0	0	0	0	0	50	0	50
		NEW	LSTF - Super Cycle Highway	0	195	0	388	0	387	0	970	970
C7131	Cycling Improvements Total			176	195	0	388	0	387	176	970	1,146
C7151	Improved Safety	C7112	Road Safety Partnership	35	0	0	0	0	0	35	0	35
		G50D	Improved Safety 2012/13	45	0	0	0	0	0	45	0	45
		C715V	Improved Safety - Promotion etc	32	0	0	0	0	0	32	0	32
C7151	Improved Safety Total			112	0	0	0	0	0	112	0	112
C7141	Public Transport	C714F	Traveline (PTI 2005)	30	0	0	0	0	0	30	0	30
		C714X	Southampton Central Station (South)	208	0	0	0	0	0	208	0	208
		NEW	LSTF - Southampton Central Station	0	75	0	25	0	400	0	500	500
		C714Z	Southampton Strategic Bus Partnership	300	0	0	0	0	0	300	0	300
		C714B	Bus Priority - Corridor 1	110	0	0	0	0	0	110	0	110
		C3820	Bus Stop Imps (Developers)	175	0	0	0	0	0	175	0	175
		NEW	LSTF - Smart Ticketing	0	0	0	3,937	0	1,063	0	5,000	5,000
		NEW	BBAF Contributions	0	40	0	0	0	0	0	40	40
		NEW	LSTF - Bus Priority Corridors	0	123	0	135	0	149	0	407	407
C7141	Public Transport Total			823	238	0	4,097	0	1,612	823	5,947	6,770
C7161	Smarter Travel Choices	C721A	LSTF - Rail Station Travel Plans	20	0	100	0	100	0	220	0	220
		C721B	LSTF - Brompton Bikes	60	0	0	0	0	0	60	0	60
		C721C	LSTF - Legible Bus Network	56	0	70	0	10	0	136	0	136
		C716N	School Travel Incentives	66	0	0	0	0	0	66	0	66
		C716M	Travel Planning - Site Specific Advice	53	0	0	0	0	0	53	0	53
C7161	Smarter Travel Choices Total			255	0	170	0	110	0	535	0	535
C7181	ITS	C718F	LTP Monitoring	97	0	0	0	0	0	97	0	97
		C718G	Micro Simulation	25	0	0	0	0	0	25	0	25
		C718J	Real Time Information Upgrade	434	0	0	0	0	0	434	0	434
		C718L	RTI Upgrade Phase 2 (LSTF)	0	196	0	0	0	0	0	196	196
		C718K	RTI Upgrade Phase 3 (S106)	150	0	334	0	0	0	484	0	484
		C718M	RTI Upgrade Phase 4 (LSTF P'mth)	0	330	0	0	0	0	0	330	330
		C718H	Congestion Reduction	240	0	0	0	0	0	240	0	240
		NEW	Motor Cycle Parking	0	0	0	20	0	20	0	40	40
C7181	ITS Total			946	526	334	20	20	20	1,280	566	1,846

Appendix 2

**Environment & Transport Capital Programme - Integrated Transport**

Scheme No.	Scheme Description	Cost Centre	Project Description	Existing Funding 2012/13	Additional Funding 2012/13	Existing Funding 2013/14	Additional Funding 2013/14	Existing Funding 2014/15	Additional Funding 2014/15	Total of Existing Funding All Years	Total of Additional Funding All Years	Grand Total
C7360	Local & District Centre Improvements	C736E	Local & Dist. Centres - Bitterne	65	0	0	0	0	0	65	0	65
C7360	Local & District Centre Improvements Total			65	0	0	0	0	0	65	0	65
C8900	City Centre Improvements	C8900	City Centre Improvements	154	0	0	390	0	400	154	790	944
		C890A	Civic Centre Place	725	0	0	0	0	0	725	0	725
		C890C	Oxford Street Phase 1	333	0	0	0	0	0	333	0	333
		C890E	North of Station Public Realm	104	0	0	0	0	0	104	0	104
		C890F	GHS Rising Bollards	58	0	0	0	0	0	58	0	58
		NEW	Central Station South Design	0	80	0	0	0	0	0	80	80
C8900	City Centre Improvements Total			1,374	80	0	390	0	400	1,374	870	2,244
C8911	Platform for Prosperity	C8911	Platform for Prosperity	214	0	4,765	0	432	0	5,411	0	5,411
		C890D	Platform Road and Gyrotories Advanced Design	255	0	0	0	0	0	255	0	255
		C890H	Platform For Prosperity Queens Terrace (Design & C	25	0	0	0	0	0	25	0	25
		C890K	Platform Road & Town Quay Design	510	0	0	0	0	0	510	0	510
		C890L	Platform Road & Town Quay Construction	758	0	0	0	0	0	758	0	758
		C890M	Platform For Prosperity Central Bridge Design & Con	20	0	0	0	0	0	20	0	20
C8911	Platform for Prosperity Total			1,782	0	4,765	0	432	0	6,979	0	6,979
C8922	Centenary Quay	C8922	Centenary Quay	0	0	0	302	0	948	0	1,250	1,250
		C892A	Centenary Quay - Client Management	0	53	0	0	0	0	0	53	53
		C892B	Centenary Quay - Design & Assessment	0	79	0	0	0	0	0	79	79
		C892C	Centenary Quay - Consultation	0	10	0	0	0	0	0	10	10
C8922	Centenary Quay Total			0	142	0	302	0	948	0	1,392	1,392
Grand Total				5,887	1,202	5,269	5,296	542	3,367	11,698	9,865	21,563

# Agenda Item 15

## Appendix 3

### Capital scheme costs and expected outcomes and outputs

Scheme	Description	Cost & Phasing	Output	Outcome
C7141 Public Transport – LSTF Smart Ticketing	A regional public transport smart ticketing initiative for South Hampshire initially concentrating on buses and ferries	<b>£5m</b>  Phased 2013/14 £3.937m  2014/15 £1.063m	An interoperable smart ticket for public transport	<ul style="list-style-type: none"> <li>• Improved punctuality</li> <li>• Improved reliability</li> <li>• Increased patronage</li> <li>• Better service</li> <li>• Modal shift</li> <li>• Congestion reduction</li> <li>• Reduced carbon</li> <li>• Improved data on customers</li> <li>• Widened travel options for employers and employees</li> </ul>
C7181 ITS – LSTF RTI Phase 2 & 4	Enhanced role out of Real Time Information & associated bus priority as part of Bus Punctuality Task Force;	<b>£526k</b>  Phased 2012/13  Phase 2 £196k  Phase 4 £330k	A new RTI system	<p>As above plus</p> <ul style="list-style-type: none"> <li>• Reduced revenue costs of operation</li> <li>• Bus priority for all operators</li> <li>• Smart bus priority informed by patronage data</li> <li>• Improved journey times</li> <li>• Improved reliability</li> <li>• Operator buy in to smart ticketing</li> <li>• Expansion of commercial network</li> </ul>

<b>Scheme</b>	<b>Description</b>	<b>Cost &amp; Phasing</b>	<b>Output</b>	<b>Outcome</b>
C7141 Public Transport - LSTF Bus Priority Corridors	Bus infrastructure – Various measures supporting RTI, Legible cities and enabling bus priority	<b>£407k</b>  Phased 2012/13 £123k  2013/14 £135k  2014/15 £149k	As above	As above
C7131 Cycling Improvements - LSTF Super Cycle Highway	A super cycle highway route from the east of the city to Central Station as well as other cycle related infrastructure identified through the Southampton cycle survey	<b>£970k</b>  Phased 2012/13 £195k  2013/14 £388k  2014/15 £387k	A high quality cycle route from the east of the city over Itchen toll bridge to central station	<ul style="list-style-type: none"> <li>• Connects areas of high social exclusion with job opportunities</li> <li>• Modal shift</li> <li>• Addresses some structures maintenance issues</li> <li>• Minor carbon reduction</li> <li>• Improvement in health</li> </ul>
C7141 Public Transport - LSTF Southampton Central Station	Improved Bus Infrastructure through the Legible Bus Networks Initiative	<b>£500k</b>  Phased 2012/13 £75k  2013/14 £25k  2014/15 £400k	Improvements to the quality of our bus stop infrastructure with a consistent brand	<ul style="list-style-type: none"> <li>• Better image of the bus</li> <li>• Modal shift Improved, standardised and more legible bus information</li> </ul>
C7141 Public Transport - BBAF Contribution	Improved Bus Infrastructure through the Legible Bus Networks Initiative	<b>£40k</b>  Phased 2012/13 £40k	Improvements to the quality of our bus stop infrastructure with a consistent brand	<ul style="list-style-type: none"> <li>• Better image of the bus</li> <li>• Modal shift Improved, standardised and more legible bus information</li> </ul>

<b>Scheme</b>	<b>Description</b>	<b>Cost &amp; Phasing</b>	<b>Output</b>	<b>Outcome</b>
C7171 Accessibility - LSTF Legible Cities	Legible cities signs	<b>£120K</b>  Phased 2012/13 £21k  Phased 2013/14 £99k	Further role out of legible cities	<ul style="list-style-type: none"> <li>• Better journey information</li> <li>• Improved business opportunities</li> <li>• Modal Shift</li> <li>• Supporting tourism</li> <li>• Reduced street clutter</li> </ul>
C8900 City Centre Improvements	Initial phases of the North of Station interchange scheme	£790k  Phased 2013/14 £390k  2014/15 £400	A public realm and interchange improvement to Southampton Central Station on the North Side including travel planning and cycle hire initiative	<ul style="list-style-type: none"> <li>• Enhanced image of Southampton</li> <li>• Facilitates development inc. in the City Centre Masterplan and LDF</li> <li>• Retention of existing employers in area of improvement</li> <li>• Modal Shift</li> <li>• Carbon Reduction</li> <li>• Estate regeneration</li> </ul>
C8922 Centenary Quay	A public realm improvement in Victoria Road and surrounding area	<b>£1.392m</b>  Phased 2012/13 £142k  2013/14 £302k  2014/15 £948k	A public realm enhancement of the Woolston District centre required to mitigate impact of CQ development	<ul style="list-style-type: none"> <li>• Improved quality of urban realm</li> <li>• Improved business opportunity</li> <li>• Mitigate business leakage to new development</li> <li>• Improved access arrangements</li> </ul>
C7181 ITS - Motor Cycle Parking	Motorcycle parking	<b>£40k</b>  Phased 2013/14 £20k 2014/15 £20k	New locations for cycle parking will be delivered in the city	<ul style="list-style-type: none"> <li>• Marginal Reduced congestion</li> <li>• Reduced CO2</li> </ul>
<b>Scheme</b>	<b>Description</b>	<b>Cost &amp; Phasing</b>	<b>Output</b>	<b>Outcome</b>
C8900 City Centre	Feasibility for south of station	<b>£80k</b>	Feasibility study with costing of	Cost profiles and estimate produced

Improvements - Central Station South Design	improvements	Phased 2012/13 £80k	road realignment	
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Stuart Baker  
Transport for South Hampshire,  
First Floor,  
Elizabeth II Court West,  
The Castle,  
Winchester,  
Hampshire  
SO23 8ZB

John Dowie  
Director of Local Transport  
Department for Transport  
2/16 Great Minster House  
76 Marsham Street  
London  
SW1P 4DR  
Tel: 020 7944 6943  
Email: [lstf@df.t.gsi.gov.uk](mailto:lstf@df.t.gsi.gov.uk)  
Web Site: [www.dft.gov.uk](http://www.dft.gov.uk)

13 July 2012

Dear Mr Baker,

### **Local Sustainable Transport Fund (LSTF) Grant Award for Financial Year 2012/13**

Following Pauline Reeves' notification letter of early July, I am pleased to confirm the Department's grant funding for your successful LSTF project for financial year 2012/13. The attached document sets out the terms under which the Secretary of State for Transport is prepared to award grant under Section 31 of the Local Government Act 2003 to Transport for South Hampshire for the Local Sustainable Transport Fund.

The formal grant determination is attached. The Department's funding contribution of the Local Sustainable Transport Fund (LSTF) grant for 2012/13 to the project will be paid as revenue and capital grant as set out in Annex A and the terms of capital grant are set out in Annex B of the grant determination. Acceptance by the Authority of the award is acceptance of those terms. Please note that as mentioned in your notification letter, the LSTF fund takes effect as of 27 June; claims should therefore be made from that date.

**You should work on the basis that any unclaimed funds cannot be carried forward into subsequent financial years.** Slippage in project timescales can result in claims for DfT grant being lower than the award. Under-spending by promoters in one year could place additional budgetary pressures on the Department in future years. Every effort should therefore be made to avoid such slippage, as we cannot guarantee that a project underspend in one year will be incorporated into higher DfT grants in subsequent years.

Conversely, where variances to spending budget profiles (which result in in-year overspends) are expected to emerge, these should be notified to the Department at the earliest opportunity. The Department cannot guarantee the availability of funds to cover these overspends, but it may be able source some funding from in-year underspends elsewhere within the LSTF programme. This would of course require an offsetting reduction in later years. Arrangements on how the grant will be paid can be found in Annex B.

If any successive annual external audit arrangements are required following the disbanding of the Audit Commission, we will notify you of such arrangements in writing. Award of grant funding will be made on the basis that you will comply with any such

arrangements. The information contained in this letter and the attached forms should be brought to the attention of all relevant staff in the Authority.

Should you wish to discuss the contents of this letter, please contact the LSTF team on, 020 7944 6943; e-mail: [lstf@dft.gsi.gov.uk](mailto:lstf@dft.gsi.gov.uk)

Yours sincerely,

A handwritten signature in black ink, appearing to be 'JD' with a horizontal line underneath.

**John Dowie**

**LOCAL SUSTAINABLE TRANSPORT FUND No.3 GRANT DETERMINATION 2012:  
31/2067**

The Minister for Transport, Norman Baker, in exercise of the powers conferred on him by Section 31 of the Local Government Act 2003, hereby makes the following determination:

**Citation**

1. This determination may be cited as the Local Sustainable Transport Fund No.2 Grant Determination 2012: 31/2067.

**Purpose of the grant**

2. The purpose of the grant is to provide support to receiving authorities in England towards capital expenditure lawfully incurred by them.

**Determination**

3. The Minister for Transport, Norman Baker, determines:

(a) that the authorities listed in Annex A, column 1, are the authorities to which grant under this determination is to be paid; and

(b) that the amount of grant payable to the authorities shall be the capital and revenue amounts shown against the name of the authority in Annex A.

**Grant conditions**

4. Pursuant to section 31(4) of the Local Government Act 2003, the Minister for Transport, Norman Baker, determines that the grant will be paid subject to the conditions in Annex B.

**Treasury Consent**

5. Before making this determination the Minister obtained the consent of the Treasury.

**Norman Baker**

13 July 2012

## ANNEX A

**Authority:** Transport for South Hampshire

**Project name:** A Better Connected South Hampshire: Supporting Growth, Reducing Carbon, Improving Health

**Maximum DfT Funding:** £17.839m

<b>£K</b>	<b>2012-13</b>	<b>2013-14</b>	<b>2014-15</b>
<b>Revenue</b>	1470	2668	1947
<b>Capital</b>	3577	4161	4016

# ANNEX B

## GRANT CONDITIONS

1. In this Annex “capital grant”, in relation to an authority, means the amount of grant identified as capital grant in relation to the authority and for the purpose specified in Annex A.
2. Capital grant paid to an authority under this determination may be used only for the purposes that a capital receipt may be used for in accordance with regulations made under section 11 of the Local Government Act 2003.
3. Claims for grant payable shall be made in accordance with the arrangements set out in Annex C, or other such arrangements as may from time to time be required by the Secretary of State and notified in writing to the Chief Finance Officer.
4. The Local Sustainable Transport Fund grant is payable quarterly in arrears, based on expenditure lawfully incurred by the Authority. The Authority should note that Section 31 grant claims are therefore made on an accruals basis as set out in “The Code of Practice on Local Authority Accounting in the United Kingdom: A Statement of Recommended Practice” (SORP) issued by the Chartered Institute of Public Finance and Accountancy (CIPFA).
5. For the avoidance of doubt this means the Authority will not claim in advance of capital work having been undertaken but may claim on the basis of work done but not paid for.
6. The Chief Executive and Chief Internal Auditor of each authority which receives capital grant under this grant determination are required to sign and return to the Local Sustainable Transport Fund team at the Department for Transport a declaration, to be received no later than 31<sup>st</sup> March 2014, in the following terms:

“To the best of our knowledge and belief, and having carried out appropriate investigations and checks, in our opinion, in all significant respects, the conditions attached to the Local Sustainable Transport Fund Grant Determination **No.3** 2012: 31/2067 have been complied with”.

7. If an authority fails to comply with any of the requirements of paragraphs 2 and 3, the Minister for Transport may-
  - a. reduce, suspend or withhold grant; or
  - b. by notification in writing to the authority, require the repayment of the whole or any part of the grant.

8. Any sum notified by the Minister for Transport under paragraph 4 shall immediately become repayable to the Minister.
9. The authority's Chief Finance Officer is required to complete the slip at ANNEX D and return within 28 days as the Transport for South Hampshire's acknowledgement of the arrangements under which this grant is awarded. **PLEASE NOTE THAT NO GRANT WILL BE PAID UNTIL THE ACKNOWLEDGEMENT SLIP HAS BEEN RECEIVED.**

## **ANNEX C - INFORMATION ON MAKING CLAIMS FOR CAPITAL AND RESOURCE GRANT**

1. Payment of grant will be made quarterly in arrears against certification, by the Chief Finance Officer and the Senior Responsible Owner for the Project, that expenditure has been correctly incurred in accordance with the Grant Conditions. Claims will be made by completing the claim and reporting form sent quarterly by the Department to the Authority. The timetable for claims and payments is set out in the tables below.

<b>2012/13</b>	<b>Quarter 1 (Apr-June 2012)</b>	<b>Quarter 2 (July-Sept 2012)</b>	<b>Quarter 3 (Oct-Dec 2012)</b>	<b>Quarter 4 (Jan-Mar 2013)</b>
<b>Claim deadline</b>	20 July 2012	19 October 2012	21 January 2013	22 April 2013
<b>Payment date</b>	31 August 2012	30 November 2012	1 March 2013	31 May 2013

2. The Department may update this timetable at any point during the financial year. For Department year-end procedures, you may be asked to supply your Quarter 4 grant requirements end of March / beginning April 2013.
3. Claims received after the claim deadline for any quarter may not be paid until the subsequent payment date. The Authority will be liable for any costs incurred through late payment of claims as a result of missing claim deadlines.
4. All claims may be audited annually by the Department or external auditors. The Department will confirm any additional audit arrangements to the Authority in writing. The Authority is expected to comply with any such arrangements.

**ANNEX D**

**ACKNOWLEDGMENT SLIP**

**I ACKNOWLEDGE RECEIPT OF THE LOCAL SUSTAINABLE TRANSPORT FUND GRANT AWARD LETTER FOR A BETTER CONNECTED SOUTH HAMPSHIRE: SUPPORTING GROWTH, REDUCING CARBON, IMPROVING HEALTH AND**

**(A) I ACCEPT THE GRANT OFFER FOR AND ON BEHALF OF TRANSPORT FOR SOUTH HAMPSHIRE SUBJECT TO THE CONDITIONS SET OUT IN THIS LETTER. I CONFIRM THAT I AM LAWFULLY AUTHORISED TO DO SO**

**OR**

**(B) I CONFIRM THAT TRANSPORT FOR SOUTH HAMPSHIRE HAS ACCEPTED THE GRANT OFFER SUBJECT TO THE CONDITIONS SET OUT IN THIS LETTER**

**[DELETE AS APPROPRIATE]**

**SIGNED (CHIEF FINANCE OFFICER).....**

**PLEASE PRINT NAME.....**

**DATE.....**

Please return to The Department for Transport, c/o Barbara Magloire, LSTF Grant Claim Manager, Sustainable Travel & Equalities, 2/16 Great Minster House, 33 Horseferry Road, London SW1P 4DR.





Frank Baxter  
 Travel & Transport Policy Manager  
 Environment & Economy Directorate  
 Planning, Transport & Sustainability Division  
 Southampton City Council  
 4th Floor  
 One Guildhall Square  
 Southampton  
 SO14 7FP

Economy, Transport and Environment Department  
 Elizabeth II Court West, The Castle  
 Winchester, Hampshire SO23 8UD

Tel: 0845 603 5638 (General Enquiries)  
 0845 603 5633 (Roads and Transport)  
 0845 603 5634 (Recycling Waste & Planning)  
 Textphone 0845 603 5625  
 Fax 01962 847055  
 www.hants.gov.uk

Enquiries to

My reference lstf scc award letter

Direct Line

01962 846863

Your reference

Date

6 September 2012

Email

simon.may@hants.gov.uk

Dear Frank

### Transport for South Hampshire - LSTF Grant award to SCC

As you are aware TfSH has been awarded £17.839m LSTF grant to be allocated between HCC, SCC & PCC. Table 1 below shows the grant allocated to SCC per my colleague John Rider's earlier email.

**Table 1 - SCC Spend Profile of TfSH**  
**LSTF Bid**

		LSTF Grant Contribution			Total £'000's
		2012/13 £'000's	2013/14 £'000's	2014/05 £'000's	
Behaviour Change - Generic	Revenue	333	417	416	1,166
	Capital	0	0	0	0
Behaviour Change - Corridors	Revenue	85	415	30	530
	Capital	0	0	0	0
Physical Interventions	Revenue	0	62	62	124
	Capital	610	647	936	2,193
Smart Ticketing	Revenue	0	0	0	0

Director of Economy, Transport and Environment  
**Stuart Jarvis BSc DipTP FCIHT MRTPI**

Capital	1,719	2,218	1,063	5,000
	<b>2,747</b>	<b>3,759</b>	<b>2,507</b>	<b>9,013</b>

In line with the DfT & TfSH governance arrangements the grant will be paid to TfSH quarterly in arrears based on claim's submitted by partners. Once the grant has been received by TfSH, HCC, as finance lead will reimburse partners.

Yours truly,



Simon May  
Senior Accountant  
Hampshire County Council



Frank Baxter  
 Travel & Transport Policy Manager  
 Environment & Economy Directorate  
 Planning, Transport & Sustainability Division  
 Southampton City Council  
 4th Floor  
 One Guildhall Square  
 Southampton  
 SO14 7FP

*Economy, Transport and Environment Department*  
*Elizabeth II Court West, The Castle*  
*Winchester, Hampshire SO23 8UD*

Tel: 0845 603 5638 (General Enquiries)  
 0845 603 5633 (Roads and Transport)  
 0845 603 5634 (Recycling Waste & Planning)  
 Textphone 0845 603 5625  
 Fax 01962 847055  
 www.hants.gov.uk

Enquiries to

My reference bbaaf award letter scc

Direct Line

01962 846863

Your reference

Date

1 October 2012

Email

simon.may@hants.gov.uk

Dear Frank

### Transport for South Hampshire - Better Bus Award Fund allocation to SCC

As you are aware TfSH has been awarded £4.48m Better Bus Award Fund grant to be allocated between operators and HCC, SCC & PCC.

SCC has been allocated £50k for Legible Bus Networks in 12/13 (made up of £40k capital and £10k revenue grant).

In line with the DfT & TfSH governance arrangements the grant will be paid to TfSH. Thereafter claims for reimbursement will be made via the TfSH claim form's previously sent out.

Yours truly,

Simon May  
 Senior Accountant  
 Hampshire County Council

*Director of Economy, Transport and Environment*  
**Stuart Jarvis BSc DipTP FCIHT MRTPI**

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<b>DECISION-MAKER:</b>	CABINET COUNCIL
<b>SUBJECT:</b>	TOWNHILL PARK REGENERATION FRAMEWORK: SCHEME APPROVAL FOR PHASE 1
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012 14 NOVEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR HOUSING AND LEISURE
<b>STATEMENT OF CONFIDENTIALITY:</b>	
Not applicable.	

## **BRIEF SUMMARY:**

Southampton City Council has embarked on a major estate regeneration programme which plays an essential part in the wider commitment of delivering growth and tackling economic deprivation and social disadvantage on Southampton's Council estates

On 12th March 2012, Cabinet approved a report on the regeneration of Townhill Park. Some of those recommendations were conditional on a further report (approved by Cabinet on 19<sup>th</sup> April 2012) on the outcome of an affordability assessment, the availability of Housing Revenue Account (HRA) and General Fund (GF) budgets and the completion of the assessment of delivery options. This report was deferred by Council on 16<sup>th</sup> May 2012 to allow the new, current administration who, while in support of Estate Regeneration, wished for time to consider the financial implications of the Townhill Park proposals.

After a review of the financial detail of the Townhill Park proposals a further report was approved at Cabinet on 21<sup>st</sup> August 2012, including further resident/tenant consultation. This report reviewed and consolidated the previous Cabinet papers (of 12<sup>th</sup> March 2012 and 16<sup>th</sup> April 2012) and sought approval for the strategy and financial analysis for the delivery of the Townhill Park Regeneration Framework, including the finances necessary to enable the project to proceed. The report was deferred by Council on 12<sup>th</sup> September 2012 pending information on changes, particularly their financial implications between the Cabinet reports of 16<sup>th</sup> April 2012 and the 21st August 2012.

Following completion of further work and consultation this report now proposes:

- Not to proceed with a new link road to Cornwall Road or the opening up of Cutbush Lane to vehicular traffic.
- To move forward with Phase One development of Townhill Park on the basis that Site 35, (Moorlands Community Centre) is removed from Phase 1
- That new affordable housing should be retained and managed in Council ownership
- That 450 affordable homes will be developed on the site
- That 100% of affordable homes will be provided at Affordable Rent

The affordability assessment contained within this paper is based on the regeneration framework approved by Cabinet on 12th March 2012 (the modified Central Park option, see paragraph 22) but with an increase of 70 dwellings in the level of social

housing. It shows that there is a gross capital cost to the Housing Revenue Account (HRA) of £11.8M (with a net cost of £9.2M after capital receipts) and that the 30 year HRA revenue surplus will be reduced by approximately £23.9M. The revised proposals remain within the April 2012 total costs envelope for the HRA of circa £33M, including £1.3M to be vired from an affordable housing provision within the General Fund (GF). The GF will need to fund certain infrastructure improvements at an estimated cost of £2.6M, funding for which will need to be identified once the rules for the use of the Community Infrastructure Levy and the value of the GF capital receipts are known.

The report also sets out the implications for rent levels following the re-provision of the social housing under the regeneration proposals. A scenario where the social housing is provided by the Council, as part of the HRA, and let at Affordable Rent has been recommended as the preferred approach.

## **RECOMMENDATIONS:**

### **CABINET**

Cabinet are recommended:

- i) To approve the vision and themes of the Townhill Park Regeneration Framework based on the modified Central Park option, as set out in this paper, and to delegate authority to the Director of Environment and Economy to finalise the Townhill Park Regeneration Framework following consultation with Head of Finance and IT (CFO) and the Cabinet Member for Housing and Leisure and Leader of the Council.

Note: A number of proposals contained in the Framework documents require further study and consultation and these studies and consultation may necessitate some changes to be made to the Framework, approval as delegated above.

- ii) To approve in principle the redevelopment of Townhill Park in three phases with the following zones in each phase:

- Phase 1 comprising zones 1, 33, and 34
- Phase 2 comprising zones 9, 11 (redevelopment), 12, 19, 20, 27 and 28

• Phase 3 comprising zones 3, 14, 17, 24, 29, 30, and 25 including additional associated open space and highways improvements incorporated in the proposals and to delegate authority to the Director of Environment and Economy, following consultation with the Head of Finance and IT (CFO) and the Cabinet Member for Housing and Leisure to amend Phases, to move or amend zones within phases, to decide the extent of improvements and when to implement the additional open spaces and highways improvements incorporated in the proposals.

Note In the August 2012 Cabinet paper Zone 33 was proposed in Phase 1 and Zone 25 in Phase 3. In this paper Site 35 is removed from Phase 1.

The public consultation on Phase 1 has been carried out and is reported as part of this Cabinet paper.

- iii) To note that the wider consultation with residents has also taken place including consultation on the proposed new road link to Cornwall Road and is reported as part of this Cabinet paper.
- iv) To delegate authority to serve Initial Demolition Notices on secure tenants under the provisions of the Housing Acts 1985, as appropriate on all 3 Phases properties of the proposed redevelopment to the Director of Environment and Economy following consultation with the Cabinet Member for Housing and Leisure, the Head of Legal, HR and Democratic Services and the Head of Finance and IT (CFO).
- v) To implement the adopted Decant Policy in relation to Phase 1, and to delegate authority to the Senior Manager Property and Procurement to negotiate and acquire by agreement any legal interests or rights held in respect of the properties in Phases 1, 2 and 3, not held by the Council, using such acquisition powers as the Head of Legal HR and Democratic Services advises. In each case subject to confirmation from Capita, acting as independent valuers, that the price represents the appropriate Market Value.
- vi) To delegate authority to the Director for Environment and Economy, following consultation with the Head of Finance and IT (CFO), the Head of Legal HR and Democratic Services, and the Senior Manager Property and Procurement and Cabinet Member for Housing and Leisure to:
  - a) Produce, finalise and approve the range of documents necessary for the delivery of Phase 1 including as required; a Development/Contractor Brief, planning application, tender specifications and associated employer's requirements for Phase 1.
  - b) To decide and undertake the appropriate procurement route and the appropriate development model for the Council under the prevailing circumstances in order to enable, subject to Cabinet approval, to entry into appropriate Development Agreements/contracts to deliver Phase 1 in accordance with the Council's Contract Procedure Rules to deliver Phase 1
- vii) To report back to Cabinet the outcome of the procurement activity referred to in vi) b) above, as appropriate, and to seek further authority from Cabinet to appoint a preferred bidder(s) based upon the results of that procurement activity and to seek consent to any required land disposal within Phase 1 and/or to seek approval to appointment of a developer/contractors under an appropriate development or construction agreement.
- viii) To agree to recommend to Council that that the HRA capital programme will fund the site preparation costs set out in this report, currently estimated at £11.8M, and:
  - a) To recommend that Council approve a virement of £10.5M from the uncommitted provision for Estate Regeneration,

which exists in the HRA capital programme and business plan, and £1.3M from the uncommitted funding for affordable housing in the Housing GF capital programme to establish a specific budget of £11.8M for the regeneration of Townhill Park, the phasing for which is set out in Appendix 1.

- b) To recommend that Council approve, in accordance with Financial Procedure Rules, capital spending of £3.9M on site preparation costs, including the purchase of leasehold interests, for Phase 1 of the Townhill Park regeneration project, phased £0.5M in 2012/13, £2.0M in 2013/14 and £1.4M in 2014/15.
  - c) To recommend that Council approve, in accordance with Financial Procedure Rules, capital spending of up to a further £3.9M on the purchase of leasehold interests for properties in Phases 2 and 3 of the Townhill Park regeneration project, phased £0.5M in 2013/14, £0.8M in 2014/15, £1.4M in 2015/16 and £1.2M in 2016/17.
- ix)
- a) To approve, in accordance with Financial Procedure Rules, the addition of a Townhill Park enabling project budget to the HRA Capital Programme, funded by Direct Revenue Financing (DRF) provisions of £200,000 within the HRA Business Plan, primarily for professional fees relating to the development agreement, the procurement process and for design and planning advice.
  - b) To approve capital expenditure of up to £200,000 on enabling activities, including professional fees, phased £60,000 in 2012/13, £120,000 in 2013/14 and £20,000 in 2014/15.
- x) To note that the HRA will be required to incur further capital expenditure to acquire the 450 units of social housing at an estimated cost of £47.7M, provision for which has been included in the 30 year HRA Business Plan projections for these proposals, but with the timing dependent on the final details of the development agreement and subject to future Cabinet/Council approvals.
- xi) To note that the General Fund capital programme will be required to fund highways infrastructure, and open space improvements, at an estimated cost of £2.6M with the method of funding this being agreed once the use of the Community Infrastructure Levy and the value of the GF capital receipts are known.
- xii) To agree that the preferred approach for the provision of the new social housing is for this housing to be supplied by the Council, as part of the HRA, and that this new social housing provision will be provided for letting at Affordable Rents, subject to approval from the Department for Communities and Local Government / Homes and Communities Agency.
- xiii) To agree that the following proposals in the Townhill Park Regeneration Framework will not be implemented:



- The road connection from Townhill Park to Cornwall Road at the junction with Litchfield Road
  - The opening up of Cutbush Lane to vehicular traffic.
- xiv) To agree to recommend to Council that:
- a) £23.9M of the 30 year HRA revenue surplus will be utilised to meet the long term revenue costs of the regeneration of Townhill Park, which includes the requirement to repay the debt on the dwellings that have been disposed of from the general HRA revenue balance as there is no net capital receipt to fund this repayment.
  - b) The General Fund capital programme will fund the highways infrastructure and open space improvements at an estimated cost of £2.6M with the method of funding this being agreed once the use of the Community Infrastructure Levy and the value of the GF capital receipts become known.

## **COUNCIL**

Council are recommended:

- i) To agree that the HRA capital programme will fund the site preparation costs set out in this report, currently estimated at £11.8M, and:
  - a) To approve a virement of £10.5M from the uncommitted provision for Estate Regeneration, which exists in the HRA capital programme and business plan, and £1.3M from the uncommitted funding for affordable housing in the Housing GF capital programme to establish a specific budget of £11.8M for the regeneration of Townhill Park, the phasing for which is set out in Appendix 1.
  - b) To approve, in accordance with Financial Procedure Rules, capital spending of £3.9M on site preparation costs, including the purchase of leasehold interests, for Phase 1 of the Townhill Park regeneration project phased, £0.5M in 2012/13, £2.0M in 2013/14 and £1.4M in 2014/15.
  - c) To approve, in accordance with Financial Procedure Rules, capital spending of up to a further £3.9M on the purchase of leasehold interests for properties in phases 2 and 3 of the Townhill Park regeneration project phased, £0.5M in 2013/14, £0.8M in 2014/15, £1.4M in 2015/16 and £1.2M in 2016/17.
- ii) To approve the use of £23.9M of the 30 year HRA revenue surplus to meet the long term revenue costs of the regeneration of Townhill Park, which includes the requirement to repay the debt on the dwellings that have been disposed of from the general HRA revenue balance as there is no net capital receipt to fund this repayment.

- iii) To agree that the General Fund capital programme will fund the highways infrastructure and open space improvements at an estimated cost of £2.6M with the method of funding this being agreed once the use of the Community Infrastructure Levy and the value of the GF capital receipts become known.

#### **REASONS FOR REPORT RECOMMENDATIONS:**

1. Estate Regeneration is a major programme of renewal which is part of a wider commitment by the Council to deliver sustained economic growth and tackle deprivation on Southampton's Council estates. The Estate Regeneration programme has grown from the Phase 1 pilot at Hinkler Parade through to an Estate Regeneration Framework for Townhill Park, which is focused on developing a strategic approach to delivery across the estate.
2. Redevelopment provides the opportunity to deliver improved modern local facilities to meet the needs of residents. It will also provide a mixed tenure environment and good quality accommodation, together with significant improvements in the public and private realm on site, to ensure a cohesive and sustainable community.
3. Selecting areas of the City which are the most deprived, but have the greatest potential for housing gain will also contribute to the City wide priority of economic growth, the Core Strategy target of delivering over 16,000 new homes between 2010 and 2026 and the aim to deliver more affordable housing. Regeneration will provide the opportunity to tackle some of the socio economic challenges in the area.
4. Regeneration is supported by the community and further consultations will be held as the proposals for the area develop. As the Townhill Park Master Plan proposals are implemented over a period of at least ten years there will be many further opportunities for the community to engage with the proposals as they evolve and develop through the various stages of implementation.
5. To approve the financial implications of the regeneration framework for Townhill Park so that the regeneration proposals can proceed.

#### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

6. The updated Housing Strategy 2011-15 and Housing Revenue Account Business Plan 2011-2041 approved by Cabinet on 4<sup>th</sup> July 2011 (and Council on 13<sup>th</sup> July 2011) confirm estate regeneration and the provision of affordable housing as a key priority for the Council.
7. This report proposes the delivery of the next projects within a programme of Estate Regeneration. The option of doing nothing would not achieve the Council's objectives of creating successful communities on our estates.
8. The option of doing nothing would result in a lack of strategic direction for the future of the area and a lost opportunity to meet the Council's objectives of economic growth.

9. The Estate Regeneration programme began with a pilot and one off sites, which has given the Council experience of regenerating housing, but is piecemeal. Taking a whole estate, as in Townhill Park, has allowed opportunities to deliver enhanced impact, which are not possible with a site by site approach.
10. Furthermore there has been considerable community consultation with local tenants and residents at Townhill Park, as part of the development of the regeneration framework, which has raised community hopes and expectations.
11. The option of not approving the financial contributions to meet the cost of delivering the regeneration framework has been rejected as it would not enable the regeneration of Townhill Park to proceed.

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

**Background**

12. On 12th March 2012, Cabinet approved a report on the regeneration of Townhill Park. Some of those recommendations were conditional on a further report on the outcome of an affordability assessment, the availability of Housing Revenue Account (HRA) and General Fund (GF) budgets and the completion of the assessment of delivery options. This was the subject of the 16<sup>th</sup> April 2012 Cabinet report which was approved, but deferred at Council on 16<sup>th</sup> May 2012 for approval of certain recommendations. The current administration, newly elected in May 2012, while in support of estate regeneration, wished for time to consider the financial implications of the Townhill Park proposals.
13. The financial assessment, covering affordability and budgets, can be divided into 2 distinct parts. One is the main regeneration activity involving the demolition of existing dwellings, (subject to completed appropriate and robust prior consultation in relation to the details of properties and individuals affected) the provision of new dwellings and other improvement works. The second concerns the provision of the new social housing and whether this is provided by the Council or a Housing Association and the level of rent to be charged. The main change from the 16<sup>th</sup> April 2012 Cabinet report is that the new social housing should be retained and managed in Council ownership.

**Review of 12<sup>th</sup> March 2012 Cabinet paper and identification of any changes**

14. The following paragraphs highlight the key elements of the 12th March 2012 Cabinet report and any fundamental changes.

**Core Principles of the Estate Regeneration Programme and Townhill Park – The Case for Regeneration**

15. These aspects are covered in the 12<sup>th</sup> March 2012 Cabinet report, paragraphs 10-12 and 13-14, and these remain unchanged.

**Consultation – Estate Regeneration Programme**

16. Consultation has been undertaken by the Council with a range of bodies in the development of the Estate Regeneration programme. Nationally, this includes the Homes and Communities Agency and sub Regionally, the

Partnership for Urban South Hampshire (PUSH). Locally, there has been consultation with tenants' representatives and trade union representatives. There has also been positive cross-party engagement. For the estate regeneration programme this consultation is on-going.

### **Consultation Process – Townhill Park**

17. A programme of consultation was undertaken during the study and is described in the 12<sup>th</sup> March 2012 Cabinet report in paragraphs 17 to 21. A copy of the Community Consultations forms Appendix 1 of the Regeneration Framework, which is a document available in Members' Rooms.
18. The 21<sup>st</sup> August 2012 Cabinet report set out how further public consultations were planned to take place over the next couple of months. The outcome of which is included later in this report.

### **Townhill Park Study and Options Proposed**

19. The study process and the options considered was set out in the 12<sup>th</sup> March 2012 Cabinet report paragraphs 22-32 and these remain unchanged.

### **Townhill Park Agreed Vision and Themes**

20. Residents helped to agree a vision and seven themes for Townhill Park and these remain unchanged. The agreed vision for Townhill Park is that:  
"By 2021, residents of Townhill Park will be proud to live in a successful suburban family neighbourhood."
21. Residents also agreed seven themes which would form an intrinsic part of delivering the vision. These are:
  - A 'fantastic' community heart
  - Meggeson Avenue a safe and attractive public space with improved crossings
  - A transformed park and wonderful local greens and play spaces
  - A better walking, cycling and public transport connections locally and to the rest of the City
  - Healthy and well-designed socially-rented and private homes that address a variety of needs, with as many homes on the ground as possible
  - Successful local shops and community facilities
  - Greater social and economic opportunities

### **Regeneration Framework Preferred Master Plan Central Park modified**

22. As set out in both the 12<sup>th</sup> March 2012 and 21 August 2012 Cabinet reports, the preferred Master Plan (arrived at through a combination of residents views and Cabinet consultation) was the modified Central Park option and includes:
  - Creation of a new community heart, with a new village green in the centre of Meggeson Avenue, a new local shopping facility and a community focused café or pub
  - Traffic calming measure on Meggeson Avenue including re-alignment around the 'Village Green'

- The redevelopment of all the blocks in the area and the provision of 675 new homes. A range of open space improvements including improving Frog's Copse and Hidden Pond, the creation of a new central Village Green
- New local shops in a mixed use development in the centre in association with the Village Green, including a new café/pub, new shops, services and re-provided Moorlands Community Centre on Townhill Way. (It is proposed that Moorlands Community Centre will now remain and will not be replaced as Site 35 is not being redeveloped as part of Phase 1)
- Improved walking and cycling and transport connectivity including: improved access to amenities at Midanbury and improvements to pick up and drop off at the school and community centre and improvements to encourage walking and cycling (transport connectivity does not now include vehicular access to either Midanbury at Cornwall Rd or Cutbush Lane)
- a range of parking improvements through comprehensive design as car parking is recognised as a contentious issue
- a socio-economic framework containing a strategy for improving access to employment and links to other City - wide initiatives.

**Total New Housing Provision in Townhill Park resulting from the modified Central Park Option**

23. The following details around new housing provision were proposed and reported in the March 2012 Cabinet report (paragraph 34) as follows:

<b>Housing Detail</b>	<b>Numbers</b>
Current Numbers of Homes in the Study	817*
Number of Homes demolished	428
New homes built	675
Net Gain	247

In the 12<sup>th</sup> March 2012 report this included provision of 380 affordable homes. The 21<sup>st</sup> August 2012 Cabinet report included the provision of 450 affordable homes.

Number does not include 222-252 Meggeson Avenue which is currently being developed in Phase 2 of the Estate Regeneration programme.

**Acknowledgement of Changes to the Master Plan as Development progresses**

24. In the 12<sup>th</sup> March 2012 Cabinet report it was acknowledged that there would be changes as proposals developed: 'Consideration of any development on any of the sites is subject to further studies and consultations. Numbers are currently being revised and are subject to further change once the technical work has been completed.' (March 2012 paragraph 34).

25. Since the 12<sup>th</sup> March 2012 Cabinet report was approved and reported in the press, a number of concerns have been raised by groups in the area and residents both in Townhill Park and the surrounding area. These include:
- Moorlands Community Centre raised concern about their future and the future of the pre-school running from the building
  - Residents, around Cornwall Road and Litchfield Road, raised strong objection to the idea of a road link from Townhill Park to Cornwall Road at the junction with Litchfield Road
  - Objections to the idea of opening up Cutbush Lane to vehicular traffic
  - Objections to the idea of building on the grassland west of Hidden Pond (Site 25)
  - Objections and concerns around building on Frog's Copse and a misunderstanding that the development site suggested is the whole of Frog's Copse rather than a small area.
26. It has been acknowledged that the Regeneration Framework documents were not sufficiently clear in terms of explaining that further feasibility work and consultation would be carried out before Master Plan ideas such as those listed above in paragraph 25 become firm proposals.
27. The 12<sup>th</sup> March 2012 Cabinet report also set out the need to carry out additional studies, the results of which would further inform the detail of the proposals (March 2012 paragraph 42). These studies covering a Transport Assessment, Ecology, Sustainable Urban Drainage and Energy were approved and work is now being carried out on them during 2012. The result of these studies will also inform the detail when initial Master Plan proposals are brought forward for development.

### **Changes to Phase 1**

28. The proposed phasing was considered in paragraphs 35 and 36 of the 12<sup>th</sup> March 2012 Cabinet report. In the 21<sup>st</sup> August Cabinet report it was proposed that there was a change to Phase 1 zones to comprise: Zones 1, 34, 35 and 33. Site 25 originally in Phase 1, subject to the completion of certain studies, was re-allocated to Phase 3, while Site 33, which was in Phase 3, was proposed for inclusion in Phase 1.
29. This alteration was designed to produce an attractive, financially viable development package for the construction industry and make a significant impact on the regeneration of Townhill Park.
30. Following further consideration it is now proposed to withdraw Site 35, which contains Moorlands Community Centre, from Phase 1. This is due to the Community Centre security of tenure and difficulty in re-providing pre-school places. It is still considered that the remaining Phase 1 sites will be an attractive development package. As detailed plans for Phase 1 develop, the Council will aim to encourage more units (delivered through imaginative design) that will compensate for the loss of units on Site 35. If these cannot all be absorbed in Phase 1 the intention is to endeavour to provide the remainder in Phases 2 and 3, therefore maintaining the overall numbers.

## **Results of Public Consultations**

31. In view of the proposed changes to Phase 1 and the issues raised by local residents, the 21<sup>st</sup> August 2012 Cabinet report set out plans for further public consultations to be carried out over the next couple of months. These have now been completed and included: detailed consultations with residents of Phase 1, required under Section 105 of the 1985 Housing Act; an information update to all residents both in and around Townhill Park, and a public consultation about the idea of the proposed new road connection from Townhill Park to Cornwall Road at the junction with Litchfield Road.

### **Phase 1 Public Consultation (Section 105, 1985 Housing Act)**

32. Specifically around the redevelopment of Phase 1, public consultations commenced with a letter to each secure tenant and leaseholder setting out the details of the consultation process and inviting written comment. Letters were followed by a visit to all secure tenants by the Tenant Liaison Officers (TLO's) and who were able to speak to the majority of tenants. Residents were also notified in their letter of four drop-in events (and in particular the Phase 1 meetings held on the 11<sup>th</sup> and 15<sup>th</sup> September 2012) where they could speak to officers on an individual basis and discuss any concerns or aspirations they might have. The Phase 1 consultation period lasted for four weeks with a further two weeks to consider any representations. This consultation process, built on the extensive general consultation already undertaken, while the Master Plan work was being developed. A report has been produced, on the results of the recent consultations. (Appendix 2). In addition to the letter, a meeting has also been offered to those leaseholders who live in their properties in Phase 1.

### **Phase One - Consultation Results**

33. The majority of tenants interviewed in Phase 1 are in favour of the proposed redevelopment of their homes. 74% of the 115 Council tenants accept the redevelopment of their homes and would agree to move.
34. The TLO meetings with tenants raised a number of points which have been considered:
- High number of tenants that would like to decant to Townhill Park/Bitterne. Therefore the Council will need to monitor during decant whether a problem arises with insufficient property coming forward on 'Homebid'. The main reasons for wishing to stay in the area were the good schools, pre-schools, family nearby and access to work.
  - Interest in the option to move back to Townhill Park, but
  - realistic that they may change their minds in the future. Residents appreciated the possibility of moving back to Townhill, but realised that after a number of years living elsewhere they might not wish to move
  - Affordable Rent. The increase in rent to Affordable Rent levels was not considered an issue with tenants who have been part of the consultations as there is an expectation amongst them that Council rents will increase anyway.

- Lack of interest in the wider Estate Regeneration improvements. Tenants were not particularly interested in the wider aspects of the regeneration of Townhill Park. This may be related to the fact that they will be relocating.

No written representations were received from tenants.

35. No written representations were received from any of the 15 leaseholders. A meeting has been offered to the 5 leaseholders who currently live in their homes affected by Phase 1.
36. It is therefore proposed to move ahead with Phase 1. Specific details regarding proposals for decanting, purchasing leaseholds, demolitions and required finances are included in this report

#### **4 Information Update Meetings**

37. The four Information Update Meetings were held for all residents including consultation on the proposed road link from Townhill Park to Cornwall Road at the junction of Litchfield Road. In addition to the two Phase 1 meetings held on the 11<sup>th</sup> and 15<sup>th</sup> September 2012, two information update meetings were held, on the 18<sup>th</sup> and 22<sup>nd</sup> September 2012. Residents, both within Townhill Park and those living in Southampton adjacent to Townhill Park were invited. The purpose of these drop in meetings was to update people on the Master Plan proposals and the work previously carried out. In particular, specific consultation was carried out concerning the proposed road link from Townhill Park to Cornwall Road at the junction with Litchfield Road.

#### **Results of the Four Consultation Meetings**

38. Thirty six residents attended the Phase 1 consultations. It is thought that the low numbers are reflected in the good response that the TLO's had with visiting and talking to Phase 1 residents in their homes. The two wider consultation meetings were well attended by a total of 300 residents. The full results of the 4 consultation meetings are contained in a report to be found in Appendix 2.

#### **Results of the Four Consultation Meetings – Link Road**

39. There was overwhelming opposition to the idea of a road connection/ Link Road from Townhill Park to Cornwall Road. There has also been significant objection to the idea of opening up Cutbush Lane to vehicular traffic. The draft results of the Transport Assessment indicate that on technical grounds there is no transport argument for either the Cornwall Road connection or the opening of Cutbush Lane to traffic. Therefore, in view of this and the overwhelming response against the proposed road link from Townhill Park to Cornwall Road, and the objections to the opening up of Cutbush Lane, it is recommended that both ideas do not receive further consideration and are not implemented. It is therefore proposed not to move ahead with these plans as part of the project.

#### **Frogs Copse and land west of Hidden Pond**

40. Concern was expressed by some residents to the proposed redevelopment of certain areas of open space e.g. open space to the west of Hidden Pond (Zone 25) and the small area of Frog's Copse south of Northfield Road and



Old Farm Drive (Zone 19). There is no intention to develop a large area of Frog's Copse. These proposals are awaiting the outcome of further ecological studies and are subject to much further review before any future decision is made. .

### **Moorlands Community Centre**

41. It is proposed to remove Site 35, which contains Moorlands Community Centre from Phase 1 as they have security of tenure and difficulty in re-providing pre-school places. The Community Association Committee has been informed.

### **Financial Assessment**

42. The financial assessment, covering affordability and budgets, can be divided into 2 distinct parts. One is the main regeneration activity involving the demolition of existing dwellings (subject to the further appropriate prior consultation), the provision of new dwellings and other improvement works. The second concerns the provision of the new social housing and whether this is provided by the Council or a Housing Association and what rent levels are to be charged. The main change from the 16<sup>th</sup> April 2012 Cabinet report (as outlined in the 21<sup>st</sup> August 2012 Cabinet report) is that the new social housing should be retained and managed in Council ownership.
43. The overall financial assessment of the redevelopment has been prepared by the consultants (CBRE). The following paragraphs highlight the key conclusions. It needs to be emphasised that the redevelopment costings are high level and based on current regional cost indices and will need to be updated on a regular basis and particularly when development briefs are prepared for specific sites and phases.
44. The approved Regeneration Framework (March 2012) involves the demolition of 380 HRA rented dwellings and also the acquisition and subsequent demolition of a further 48 homes sold under the Right-To-Buy (RTB). There is also the acquisition and subsequent demolition of five shop premises, and a public house where the HRA is the freeholder. The gross cost over the 10 year regeneration period of all these items is currently estimated at £11.8M. A more detailed analysis is provided in Appendix 1, showing the initial assessment of when the spending will take place.
45. As part of the provision of 675 new homes, the current revised proposals includes the provision of 450 new dwellings for letting at Affordable Rents (80% of market rent), so that there is an increase in the level of affordable housing by 70 dwellings. Investigations were carried out in regards to the viability of reducing the social housing element to deliver rents at 70 per cent of market rate in the remaining properties without increasing the cost of the scheme. It was calculated that cutting the number of social homes to 380, i.e. the figure originally propose, would only deliver rents at 77.5% market rent and subsequently this proposal was not taken forward.
46. The affordability assessment assumes a capital receipt to the HRA of £2.6M from the sale of the redevelopment land, leaving a net cost of approximately £9.2M once the costs of preparing the sites for sale have been taken into account. The GF capital programme has an uncommitted sum of £1.7M available to support affordable housing. This funding can only be used to

help fund the costs of new affordable housing provision and it is recommended that £1.3M is used as a contribution towards this cost. The HRA business plan and capital programme has an uncommitted provision of £20M to support Estate Regeneration activity. It is recommended that the remaining £7.9M required for the regeneration is approved from this source, leaving a balance of £12.1M to support future schemes.

47. The capital cost to the HRA has increased in comparison to the April 2012 figure due to the increased proportion of affordable housing.

#### **General Fund Implications and Community Infrastructure Levy (CIL).**

48. Estate wide regeneration also has capital implications for the General Fund (GF). These cover highway works, and improvements to open spaces. This expenditure is estimated at £2.6M. There is currently no provision in the GF capital programme to meet these costs. However, one of the sites to be sold (part of Frog's Copse) is held under GF powers so the capital receipt from the sale of this site would accrue to the GF. This receipt is estimated by the consultants to raise £0.28M and it is assumed that this will be applied towards the GF funding of £2.6M reducing the net cost to £2.32M.
49. The redevelopment costings have also allowed for payment of the new Community Infrastructure Levy (CIL). This had been assessed using the proposed fee structure that was out for consultation at the time the original financial modelling took place. A provision of £1.7M was assumed based on the proposed level of private sector housing. This meant that the Council would potentially receive income from CIL of £1.7M from this redevelopment. Recent revision to the CIL levy has now been published which, if adopted, will result in a lower CIL figure for Townhill Park of £1.4M. The impact of this will be assessed if confirmed by the Examination in Public. This represents non ring fenced additional resources for the GF which could be used to fund the type of infrastructure included in the Townhill Park redevelopment plans. At this stage it is not possible to formally ring fence this CIL income for funding the expenditure at Townhill Park because the CIL arrangements are still under discussion. However, the GF will need to fund net infrastructure improvements estimated at £2.32M and, if it were possible to utilise the CIL income, based on the current proposal, the net cost for the GF capital programme would be reduced to £0.92M, as shown in Appendix 1.
50. In addition to the CIL payments, a broad assessment has been made of the potential Section 106 developer contributions, which indicates that a site specific transport contribution in the region of £0.4M could be sought. This expenditure has been allowed for in the modelling work.
51. The new infrastructure is not expected to have any material impact on GF revenue budgets.

#### **Housing Revenue Account Implications**

52. For the Housing Revenue Account (HRA) however, the net impact of the regeneration has been assessed over the life of the 30 year HRA business plan. This shows that the projected 30 year surplus would be reduced by £23.9M, including the interest costs associated with the project.

53. The capital and revenue costs for the HRA associated with the regeneration of Townhill Park are affordable within the context of the 30 year business plan. It is recognised that past the 30 year lifespan of the HRA Business Plan, the new Council owned properties will generate income to the Council and potentially be less costly to maintain. This approach will also provide sufficient funds to enable further estate regeneration projects across the City, whilst recognising that the Townhill Park model will not be a 'one-size fits all' approach and different models will be needed for each estate, depending on its circumstances, and delivering the greatest benefits alongside value for money.
54. The revised proposals remain within the April 2012 total costs envelope for the HRA of circa £33M, including £1.3M to be vired from an affordable housing provision within the General Fund (GF). However, the financial analysis has been based on a number of assumptions regarding costs and income that will clearly need to be updated on a regular basis, particularly when detailed development proposals are prepared for each phase and site. Further reports will be made to Cabinet / Council as appropriate, if this analysis shows that net costs to the HRA or GF have increased.

### **Options for the re-provision of social housing**

#### Impact of Rent Levels due to Government Changes

55. The issue of what rent levels to charge is a significant one. In April 2002, the Government introduced rent reforms for tenants of all social landlords, which included local authorities and housing associations. Each property has a "target rent" calculated. Most housing association rents have now reached target rent but in the HRA, 2012/13 rent levels are still 5.5% below target. The current Government target is that by 2015 this shortfall will be made good, meaning that rent increases will need to exceed inflation certainly until that point. By the time the first new units in Townhill Park are completed, it is anticipated that HRA rents on the properties to be replaced will have reached their full target rent level.
56. In October 2010, the Government announced the introduction of a new social housing tenure called Affordable Rent as part of the Comprehensive Spending Review. Affordable Rent is not subject to the national rent regime but is subject to other rent controls that require a rent of no more than 80 per cent of the local market rent. Affordable Rent applies to new build (and some relets) of existing Housing Association owned social rented housing. These homes continue to be let through the Council's Homebid scheme. As part of the proposals for Townhill Park, properties developed for Affordable Rents would have higher rents than target rents. The table below, which uses 2011/12 data, compares the current average rents paid by tenants in Townhill Park for different property types with the comparable rents a Housing Association would charge for a similar new dwelling and also with the new Affordable Rents:

57.

	Average Actual Rents 2011/12	Target rent for new HA dwelling 2011/12 (^)	Affordable Rent 2011/12	% increase of Affordable Rent over target rent
	£ per week	£ per week	£ per week	%
1 Bed Flat	60.72	73.11	101.54	38.9%
2 Bed Flat	67.83	84.25	120.00	42.4%
2 Bed House	75.48	89.69	144.00	60.6%
3 Bed House	80.44	101.92	166.15	63.0%
^ - Target rents for HRA dwellings would be 2.96% lower for flats and 5% higher for houses.				

58. Affordable Rent is part of the new funding regime to provide new social housing development. Housing Associations (now known as Registered Providers) have from 2011, bid for resources to develop social housing based on the fact that these developments would be at Affordable Rent. The introduction of Affordable Rent tenure is a resourceful way of achieving more with less, but the new rent levels are higher. In general terms this means new clients having to pay significantly more for their accommodation than existing clients.

Rent Assumptions Used in the Affordability Assessment and Impact on HRA

59. In April 2012, Cabinet favoured the proposal to re-provide through a Housing Association, whereas the current proposal is to re-provide through the HRA with new social housing remaining in Council/HRA ownership.

60. The April 2012 Cabinet report proposed a two tier system for new social rented property. 50% of the total new stock was to be social housing with 50% of that being at Affordable Rent and 50% at subsidised target rent.

61. The current proposal is to provide as much social housing as the Council can afford to purchase and that the rent for the properties should be at the same affordable rate. Although this will mean that there will be no new equivalent of target rent, the new properties should have added advantages of being better quality, of a modern standard and include sustainable energy measures, so that they are cheaper to run for both tenants and the Council. In addition, the result of consultation suggests that tenants were unconcerned by Affordable Rent levels and that there was an expectation that Council rents would be going up to be equivalent to other social landlords and the market. By retaining ownership, the Council has a modern asset as a return for its outlay.

62. The revised affordability assessment has been prepared on the basis that all of the social housing is provided by the Council, as part of the HRA.

63. The analysis assumes that the extra borrowing the HRA would need to undertake to fund the new build programme has been repaid by the end of the 30 year business plan at which point the new properties will be debt free. After this the properties will generate an income. There is therefore a higher long term annual surplus for the HRA under any new build option, rather than giving the properties to a registered provider, but it takes longer than 30 years for there to be an increase in the cumulative surplus.
64. It is therefore proposed that all the new provision is provided by the Council, as part of the HRA, and let at Affordable Rent. This will need to be the subject of a specific approval from the Department for Communities and Local Government/Homes and Communities Agency.

### **Other Financial Assumptions/Issues in the Financial Assessment**

65. The financial assessment has assumed that there will be no grant from the Homes and Communities Agency towards the social housing provision. This is a prudent assumption as the new provision will take place after the current HCA grant regime has finished and there is no information available about what might replace it after 2015.
66. Similarly, no income has been assumed from the New Homes Bonus as beyond 2014/15 this will come from formula grant. Whilst the Government have indicated this funding is intended to be a permanent feature of the local government finance system, given the current review of local government financing, there is no certainty as to the mechanism and methodology by which this will be calculated and distributed.
67. It needs to be emphasised that the redevelopment costings are based on current regional cost indices and will need to be updated on a regular basis and particularly when development briefs are prepared for specific sites and phases. These updates will also include the impact of Section 106 costs, final CIL arrangements and the availability of grant as these issues become clearer.
68. It has also now been possible to undertake a detailed “zone by zone” assessment of the master plan. This has shown that there are a few zones where the redevelopment costs are comparatively high compared to the number of new homes provided. As the detailed development briefs are produced it would be sensible to review the detailed plans for these zones to see if the financial position can be improved without compromising the regeneration of the area.

### **Assessment of Delivery Options**

69. The Regeneration Framework looked at a range of delivery options, principally by:
- Development agreement, usually with a private sector partner and a Registered Social Landlord (RSL)
  - Joint Venture with one or more private sector partners
  - Direct Development: the Council acting as a developer and undertaking all the work itself.
70. In summary, the option of the Council acting as a developer would expose the Council to considerable risks in an area that is not the Council’s area of

expertise. The Development Agreement is the route the Council has adopted in previous schemes and was proposed in the April 2012 report for Phase 1. The option of a Joint Venture needs further consideration, particularly in light of the potential regeneration of further parts of the City, the master planning for which was agreed by Cabinet in February 2012.

71. The proposed change to Townhill Park where the HRA will now provide the new social housing, offers the opportunity for the Council to review the most effective means of procurement and delivery. Therefore the recommendations in this report delegate responsibility for this in order that the best method can be research and sourced.

### **Planning Strategy**

72. The consultant's report recommended that the Council consider obtaining; either outline planning consent for the whole project (Phases 1, 2 and 3) or adoption of the Regeneration Framework as a Supplementary Planning Document (SPD). However, as the project has progressed, it is now considered that it is best to proceed by submitting a full planning application for Phase 1 of the project. Other technical reports will be required, including the submission of a screening opinion to assess whether the impact of all of the phases will require an Environmental Impact Assessment.

### **RESOURCE IMPLICATIONS:**

#### **Capital/Revenue:**

73. The overall capital and revenue implications of the proposals have largely been set out above. However, one of the principles agreed by Council for developing the HRA business plan is that the debt outstanding on a dwelling should be repaid from the proceeds of the sale when it is sold. This is not possible at Townhill Park as there is no net capital receipt. The debt on these dwellings will need to be repaid from the projected 30 year revenue surplus, which is one of the reasons why the 30 year surplus is lower than reported in the budget. This is a matter which needs the approval of Council.
74. In order to progress with Phase 1 it is proposed that Council agree to the capital expenditure involved in getting the sites in Phase 1 ready for development. These costs include demolition, tenant compensation, leaseholder compensation and initial project management. It is therefore recommended that capital expenditure of £3.9M is approved, in accordance with Financial Procedure Rules. The phasing of the expenditure is £0.5M in 2012/13, £2.0M in 2013/14 and £1.4M in 2014/15.
75. It is also recommended that capital spending of up to a further £3.9M is approved, in accordance with Financial Procedure Rules, on the purchase of leasehold interests for properties in phases 2 and 3. The phasing of this expenditure is difficult to predict but initial allocations of £0.5M in 2013/14, £0.8M in 2014/15, £1.4M in 2015/16 and £1.2M in 2016/17, are proposed. This budget includes a provision of circa £100,000 for legal fees and other acquisition costs.
76. Professional fees relating to the development agreement, the procurement process and for design and planning advice are provisionally estimated at £200,000. It is recommended that a Townhill Park enabling project budget is

added to the HRA Capital Programme, funded by Direct Revenue Financing (DRF) provisions of £200,000 that were included in the HR Business Plan projections for these proposals. Approval to spend up to this sum on professional fees is recommended, in accordance with Financial Procedure Rules. The anticipated phasing of this expenditure is £60,000 in 2012/13, £120,000 in 2013/14 and £20,000 in 2014/15.

77. The HRA will be required to incur further capital expenditure to acquire the 450 units of social housing that will be constructed. Provision for this expenditure and the associated interest costs has been included in the 30 year HRA Business Plan projections for these proposals on the basis that it will be incurred following construction. However, the timing is dependent on the final details of the development agreement and will, therefore, be the subject of future Cabinet/Council approvals. The average acquisition cost, at 2012 prices, based on the estimated build cost for the various property types, is approximately £80,000 per unit; excluding professional fees (or £87,200 per unit, including professional fees). The total build cost for 450 properties, at 2012 prices, is therefore estimated at £39.3M. However, the HRA business plan builds in inflation at RPI+1%. The total cost built into the model, including this inflation, is £47.7M. It is anticipated that £37.7M of this figure will be funded by new borrowing, with the remainder being met from surplus HRA funds. Provision has also been made for responsive and programme repairs, starting from when the properties are finished, and for capital expenditure, starting five years after they are finished.
78. The provision for acquiring social housing in Phase 1 has retained the cost of the units to be provided on Site 35 even though Site 35 has been withdrawn from Phase 1. This is because as plans to develop Phase 1 progress, it is aimed to deliver some of the units that would have been provided within the remaining Phase 1 area. If these cannot all be absorbed in Phase 1, the intention is to maximise opportunities to provide the remainder in Phases 2 and 3, therefore maintaining the overall total number of homes provided.

#### **Property/Other:**

79. Within the area the Council owns are sites of the former Local Housing Office and Moorlands Community Centre. Site 35 is not now in Phase 1 and therefore the proposal to re-provide the space is no longer required.
80. Lettings of shops on Council estates are categorised as “social property” which recognises that the prime purpose for holding this type of property and the way in which it is managed, is to support the service and community. The case for regeneration sets out the opportunities to provide modern retail units to serve the future requirements of the community.
81. The commercial tenants will be compensated in accordance with statutory valuation procedures which will be specific to each tenant. The Estates Regeneration Team will produce and distribute information leaflets for residential tenants and property owners which set out their statutory compensation arrangements.
82. Consent to dispose of the sites, once a developer is secured, will require Cabinet approval. The Council’s Strategic Services Partner, Capita, is acting as the Council’s property advisor inputting into these projects.

### **Property Acquisition**

83. This report seeks authority to acquire, where terms can be agreed, parcels of land which it would be desirable to incorporate within the potential regeneration sites now where Cabinet has given approval for consultation with residents to ensure these opportunities are not missed. These properties may be let out on a short term basis providing the Council with a fairly modest rental income pending site redevelopment. Care would be taken not to enter into any letting agreements that would result in the tenants obtaining security of tenure.

### **Other – Procurement**

84. The Council's Contract Procedures Rules govern the Council's procurement of goods, services and works. These rules reflect European and UK Law. Options for procurement which are compliant with the Council's Contract Procedure Rules will be further investigated.

### **LEGAL IMPLICATIONS:**

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

85. The Council has powers under the Housing Acts, Landlord and Tenant Acts and the Town and Country Planning Act 1990 to undertake the estate regeneration proposals. A power of general competence is also available under Section 1 of the Localism Act 2011, the exercise of which is subject to any pre-commencement prohibitions or restrictions that may exist.
86. The Council also has powers under the Housing Acts 1985 and 1996, the Land Compensation Act 1973 (as amended) and the Planning and Compulsory Purchase Act 2004, to agree and to undertake the decanting of Council tenants to progress the scheme.
87. If approval is given in principle to the redevelopment of Townhill Park, it is prudent to serve Initial Demolition Notices in the 3 Phases on existing secure tenants in the affected areas. This will have the effect of releasing the Council from its obligations under the Housing Act 1985 to complete sales in respect of any existing or new Right to Buy (RTB) applications. The Initial Demolition Notice therefore suspends all existing claims and any new ones made will also be suspended.
88. In order to extinguish the RTB completely, in the 3 Phases a Final Demolition Notice (FDN) has to be served on any remaining secure tenants within seven years of the service of the Initial Demolition Notice, at which time the Council must either have purchased all land not in its ownership or have concrete arrangements in place to purchase property which is not in its ownership, and the demolition must be within 24 months of the service of the FDN.
89. Section 17 of the Housing Act 1985, permits the acquisition of land for housing purposes by agreement, or with the authorisation of the Secretary of State, compulsorily. With the consent of, and subject to any conditions imposed by the Secretary of State; a local housing authority may compulsorily acquire land for housing purposes notwithstanding the land may not be required for those purposes within 10 years from that date. There are also powers of acquisition in section 227 of the Town and Country Planning act 1990 to acquire land by agreement where the land is required for planning purposes.



### **Other Legal Implications:**

90. It will be necessary to undertake appropriate impact assessments in relation to the proposals within this report and particularly the proposed move to Affordable Rents before a final decision is made.

### **POLICY FRAMEWORK IMPLICATIONS:**

91. The updated Housing Strategy 2011-15 and Housing Revenue Account Business Plan 2011-2041 approved by Cabinet on 4<sup>th</sup> July 2011 (and Council on 13<sup>th</sup> July 2011) confirm estate regeneration as a key priority for the Council. The proposals in this report will contribute towards the achievement of these objectives.

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**KEY DECISION?** Yes

<b>WARDS/COMMUNITIES AFFECTED:</b>	Harefield and Bitterne Park
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### **SUPPORTING DOCUMENTATION**

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

#### **Appendices:**

1.	Townhill Park capital expenditure and income – all phases
2.	Townhill Park Regeneration Report of Consultations held in September 2012

#### **Documents In Members' Rooms:**

1.	Townhill Park Regeneration Framework
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#### **Integrated Impact Assessment**

Do the implications/subject of the report require an Integrated Impact Assessment (IIA) to be carried out.	Yes
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#### **Other Background Documents**

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

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

1.	None	
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### APPENDIX 1

#### Townhill Park capital expenditure and income - all phases

Year	Total HRA Capital Expenditure		HRA Receipts		Net HRA capital outlay		GF Capital Expenditure		GF Receipts (including CIL)		Net GF capital outlay	
	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000	£000
2012 13	500	500	0	500	0	500	260	260	0	0	0	0
2013 14	2,500	2,500	-500	2,000	-500	2,000	260	260	0	0	0	260
2014 15	2,200	2,200	-300	1,900	-300	1,900	260	260	-500	-500	-240	260
2015 16	1,400	1,400	-200	1,200	-200	1,200	260	260	0	0	0	260
2016 17	2,000	2,000	-200	1,800	-200	1,800	260	260	-580	-580	-320	260
2017 18	1,100	1,100	-700	400	-700	400	260	260	0	0	0	260
2018 19	100	100	0	100	0	100	260	260	-600	-600	-340	260
2019 20	700	700	-200	500	-200	500	260	260	0	0	0	260
2020 21	1,300	1,300	-500	800	-500	800	260	260	0	0	0	260
2021 22	0	0	0	0	0	0	260	260	0	0	0	260
<b>Total</b>	<b>11,800</b>	<b>11,800</b>	<b>-2,600</b>	<b>9,200</b>	<b>-2,600</b>	<b>9,200</b>	<b>2,600</b>	<b>2,600</b>	<b>-1,680</b>	<b>-1,680</b>	<b>920</b>	<b>920</b>

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# Agenda Item 16

Appendix 2



## **Townhill Park Regeneration Report of Consultations held in September 2012 Southampton City Council**

## **Townhill Park Regeneration Report of Consultations held in September 2012**

### **1 Background and Previous Public Consultations**

Work on the Townhill Regeneration Framework took place between July and January 2011-12. A series of public meetings were held during the study's development and local residents within the study area commented on and helped to shape the proposals.

The results of those consultations are contained in the report 'Community Involvement Statement' which has accompanied the Townhill Park reports to Cabinet and is available to the public.

### **2 Background to the September 2012 Public Consultations**

The September 2012 consultations were carried out, by Southampton City Council, as part of the further development and evolution of the regeneration project. The meetings were arranged with local residents to cover a range of specific areas for consultation.

### **3 Process and Method of the Consultations**

In August letters were sent to all residents, both in the study area and adjacent updating them on the Master Plan approval process of the Council. This included reference to public consultation meetings to which residents would be invited.

A leaflet followed delivered to each address both in the study area and to SCC residents who live adjacent to Townhill Park inviting them to the drop in meetings on 18<sup>th</sup> and 22<sup>nd</sup> September 2012 at Townhill Community Centre on Meggeson Avenue.

Separate invitations were sent to residents whose addresses are in Phase 1 setting out the proposals in accordance with the requirements of Section 105 of the 1985 Housing Act, seeking their comments and in addition inviting them to meetings on 11<sup>th</sup> and 15<sup>th</sup> September 2012 at the Townhill Community Centre.

The meetings were organised and staffed by Council officers and included a display of the Master Plan and various aspects of the regeneration proposals.

Visitors were encouraged to sign in and to fill in a questionnaire. The questionnaire contained 4 statements about project (see Appendix 1 Tables 1-3) and a section to leave additional comments.

In addition visitors were given the opportunity to leave comments on a board covering 'General Comments' and a board concerning the 'Proposed Link Road from Townhill Park to Cornwall Road at the junction of Litchfield Road.

#### **4. Analysis of the Results of the Consultation**

The information resulting from the meetings has been analysed by Council officers and the results are contained in this report.

Information has been analysed according to each meeting. Comments were received in a variety of ways:

- in the comments section of the questionnaire,
- on the 'Proposed Link Road Board' by 'Post it' note and
- on the 'General Board' by 'Post It' note

In order to analyse the vast array of comments they have been categorised by type and fall into 13 categories. (See Appendix 2 Key to Type of Comments).

Comments recorded do not relate to the number of people but the number of comments collected under each category. Also since people could make comments in a variety of places a person may have made the same comments in more than one place. The number of comments under any heading gives an indication of their importance to people at the time of attending these meetings.

Categories 1-7 are based on the Townhill Park themes agreed by residents working with the consultants on the Master Plan and categories 8-13 are based around the additional main themes emerging from the comments

#### **5. Phase 1 Statutory Consultation (Section 105 Housing Act 1985)**

Prior to scheme approval for the redevelopment of Phase 1 the Council as landlord must carry out statutory consultations with individual residents affected by Phase 1 proposals for redevelopment. Consultation depends on the points raised being *considered* before a decision made.

The consultation with Phase 1 residents has principally taken 3 forms:

- A letter to all Phase 1 SCC tenants and all leaseholders
- Visits by Tenant Liaison Officers to SCC Tenants homes
- Invitation to all Phase 1 residents to attend 2 drop in sessions on the 11<sup>th</sup> and 15<sup>th</sup> of September 2012
- Invitation to visit leaseholders who live in homes include in Phase 1

The Phase 1 statutory consultations with tenants included a letter to all tenants setting out the intention to redevelop their homes. In addition, and in order that tenants are fully aware of the proposal, visits were carried out by the Tenant Liaison Officers (TLO's).

## 6. Results of the TLO Visits

All 136 properties in Phase 1 were visited by the TLO's and leafleted with information. This included details of the 4 public consultations meetings to which Phase 1 tenants were welcome to attend and also a telephone number to ring to discuss any queries/information.

The TLO's were able to speak in person to 90 tenants out of the 115 total of Council tenants. Discussion with tenants includes the following topics:

- What redevelopment means including ensuring that tenants realise this includes demolition and that they will have to move
- How the process works; including examples of other Estate Regeneration projects and what has happened with tenants
- Likely timescales
- Financial information including home loss and disturbance allowances
- Options for moving including disturbance allowance or tailor-made removal service
- Priority points allocation and how to use Homebid
- Any questions

The following figures give details of the TLO consultation.

<b>Tenure Characteristics</b>	<b>Number</b>
Number of properties with Council tenants where information has been posted/handed to tenants by the TLO's	115
Number of Council Voids	6
Number of Leaseholders	15
<b>Total</b>	<b>136</b>

<b>Phase 1 TLO Consultation</b>	
Total Number of Council tenants seen and talked to about the redevelopment by the TLO's	88
Additional number of tenants who attended the Phase 1 public consultation	2
<b>Total</b>	<b>90</b>

<b>Results of the face to face meetings</b>	
Total number of tenants that have been visited by the TLO's or attended the Phase 1 consultation only	90
Number of tenants who do not agree with the proposal and do not want to move	3



Number of tenants that are unsure about the proposal and moving	2
Number of tenants who have stated that they are in agreement with the redevelopment and would be agreeable to move	85
Number of tenants who have received information but chosen not to make contact with the TLO's	25

74% of the 115 Council tenants accept the redevelopment of their homes and would agree to move.

25 Council tenants have not discussed the proposals with the TLO's. When comparing these consultations with the same stage carried out at Weston, these consultations have been fuller. Once the Weston redevelopment was agreed and further TLO meetings were held with all tenants around the details of the decanting only a small number were found who did not want to move. This gives an indication that it is unlikely that many of the 25 who have not contacted the TLO's will have objections.

No written representations have been received from SCC tenants.

## **7 High number of tenants that would like to Decant to Townhill Park/Bitterne**

A high number of tenants visited (27 out of 90) wanted to decant within Townhill Park or Bitterne. The desire to remain in the area is higher than in previous Estate Regeneration TLO consultations. The main reasons given were the good schools, pre-schools, family nearby and access to work.

The high number wishing to remain in the area during redevelopment may pose problems in finding suitable decant accommodation which is dependent on what becomes available through 'Homebid'. The affect on Phases 2 and 3 may need early consideration.

## **8 Interest in the Option to Move back to Townhill Park**

The chance to move back to Townhill was well received by tenants. Tenants understood that this may take 3 or 4 years before the offer of a return can be made. On the whole they did not expect to move back but were happy that consideration is being given to this aspect.

## **9 Affordable Rent**

The TLO's explained the principle of Affordable Rent and that this would apply to new build properties in Townhill Park. The TLO's found that people have an expectation that Council rents will be going up to be equivalent to other social landlords and the market.

**10 Interest in the wider Estate Regeneration improvements**

Tenants visited were not particularly interested in engaging or commenting on the wider aspects of the Townhill Park improvements. The TLO's were not sure if this was because these tenants saw themselves as leaving the area for a number of years and therefore it was not relevant to them.

**11 Phase 1 Leaseholders**

There are 15 leaseholders in Phase 1. Leaseholders have received a letter informing them of the proposals and those who live in Townhill Park will be offered a visit which are currently being organised. There has been no response received from leaseholders to the letter sent to them.

A meeting has been offered to the 5 leaseholders who live in their homes currently affected by the Phase 1 proposals. It is not practical to visit all leaseholders as the remainder do not live in the address they own.

**12 Phase 1 Public Consultation Meetings 11<sup>th</sup> and 15<sup>th</sup> September**

Residents in Phase 1 were invited to attend 2 drop in meetings to view the Master Plan proposals and to discuss aspects of Phase 1 with Council officers including whether they were in favour of redevelopment of their home. In addition their views were sought about the idea of the link road between Townhill Park and Cornwall Road at the junction of Litchfield Road.

**13 Results of the Phase 1 Public Consultation Meetings (11 and 15<sup>th</sup> September)**

Analysis of the Questionnaire 4 Statements (Phase 1 Meetings)

A total of 36 residents attended the meetings. The low number is possibly a reflection of the success of the visits from the TLO officers to residents' homes and that residents felt that they had sufficient information already.

30 questionnaires were completed and Appendix 1 Table 1 shows that there was majority support for all 4 areas questioned: the vision and physical proposals being a benefit to the area and support for the road proposal and proposals for the use and replacement of open space. There were few negative responses, the greatest number being 8 not in favour of the road connection and 2 not in favour of the open space statement.

Analysis of the Comments on the Questionnaire's (Phase 1 Meetings)

Although 30 questionnaires were completed many of these did not contain additional comments. A fuller analysis of the all comments received at the 4 meetings is contained in a later section of the report.

## 14 Results of the Public Consultation Meetings on 18<sup>th</sup> and 22<sup>nd</sup> September 2012

171 residents were recorded as attending the consultation of 18<sup>th</sup> September 2012 and 128 residents were recorded as attending the consultations of 22<sup>nd</sup> September 2012.

### Analysis of the Questionnaires 4 Statements

171 questionnaires were received from the consultation on 18<sup>th</sup> September 2012 and 128 questionnaires from the meeting on 22<sup>nd</sup> September 2012.

The result of the answers to the 4 statements is shown in Appendix 1 Tables 2 and 3. The results are very different from the Phase 1 meetings. As expected there is little support for the proposed road link with 99 and 109 (198 total) residents disagreeing with the proposal opposed to 8 and 23 (31 total) in support.

Figures for the other statements are as follows:

- the vision benefiting the area 59 and 77 (136 total) agree with 50 and 19 (69 total) disagreeing.
- The physical proposals benefiting Townhill Park 60 and 61 (121 total) agree with 45 and 36 (81 total) disagreeing
- The proposals for the use and replacement of open space being an improvement 47 and 50 (97 total) agree and 61 and 49 (110) disagree.

Although the vision and the physical improvements received more support than disagreement the results show a marginal lack of support for the statement that the proposals will improve open space.

This is believed to be largely due to the opposition to development on Frog's Copse and also to some extent on the grassland west of Hidden Pond. The proposal for development on these sites is still subject to further technical study before any decision can be made whether to take these forward.

### Analysis of the Comments on the Questionnaire's

Many comments were received on the questionnaires from the meetings on the 18<sup>th</sup> and 22<sup>nd</sup> September 2012. An analysis of the comments received is contained in a later section of the report. Again the majority of comments received were against the 'Proposed Link Road' – 56 and 64 (120 total).

### Analysis of Comments on the 'Proposed Link Road Board' 18<sup>th</sup> and 22<sup>nd</sup> September 2012

The table below shows the results of the 112 comments posted on the 'Proposed Link Road Board at the 2 meetings.

Type of Comment	Sat 18 <sup>th</sup> Sept 2012	Sat 22 <sup>nd</sup> Sept 2012	Total
Against the link road	51	57	108
In favour of the link road	1		1
Against opening Cutbush Lane	2		2
More parking at Junior School	1		1
Total Number			112

### Analysis of Comments on the 'General Board' 18<sup>th</sup> and 22<sup>nd</sup> September

In order to achieve consistency all comments have been categorised under the types of comments categorisation.

A full commentary on these is included later in the report. However, the majority of comments received were around the 'Proposed Link Road and 'Opening up vehicular access to Cutbush Lane'.

14 and 17 (31 total) comments were received against the 'Proposed Road Link' and 16 and 8, (24 total) comments against opening up Cutbush Lane to vehicular traffic with only 1 in favour. The results again show that the vast majority of comments are against either road proposal.

## **15 Local Residents View as Reflected in the Comments Received at all 4 Meetings**

This section of the report gathers together all comments made by residents at the 4 consultation meetings. The analysis of the ticks on the questionnaire statements is a separate document

The analysis carried out is by type of comment and not by the number of people who left a comment. The number and diversity of comments was extensive and so they have been categorised by subject type in order to facilitate analysis.

Comments have been sorted into the following type categories:

- 1-7 are based on the Townhill Park themes agreed by residents working with the consultants on the Master Plan
- 8-13 are based around the additional main categories emerging from the comments. Some of these would fall into 1-7 above but as 1-7 are general where there are a number of specific types of comments they have been given a separate category under 8-13 e.g. Frog's Copse, Proposed road link at Cornwall Road and Cutbush Lane.

Where comments received on an issue were few in number the issue is noted, but only further investigation with residents would establish whether the view is more widely held.

## **16 A fantastic community heart accessible for all (1)**

It was difficult to select comments which could clearly fall into this category. Comments tended to be made in connection with shopping or proposals for Meggeson Avenue. The few comments received about the shops did not clearly show whether there was greater support for new shops and a new community heart located in the proposed new location or keeping the shops where they are currently. Also the few comments made about the new 'village green', which would be a focal point of the new community heart were made in the context of the traffic calming measures on Megesson Avenue.

## **17 Successful local shops and community facilities (2)**

14 comments were received around this theme. A couple of people suggested that there was no need for the new 'village green' which relates to the community heart theme and one person suggested that it could be located opposite the existing shops. A couple of comments related to the poor state of the Ark pub and that it would be a good thing for it to be redeveloped and a new shopping centre provided.

A few comments concerning the existing shops suggested that they were expensive and opening hours restrictive. A comment asked how we would ensure that new shops would be successful.

Only a couple of comments were received concerning the community centres. One did not use Moorlands Community Centre and the other felt that Townhill Community Centre was inadequate if Moorlands was not available.

One comment expressed concern that there were no activities for young people in the area.

## **18 Healthy and well-designed socially rented and private homes that address a variety of needs with as many homes 'on the ground' as possible (3)**

19 comments were received around the topic of housing. Several were in support of providing new affordable housing. These could be linked to several general comments that were made in support of the regeneration of the area.

A small number of comments asked for proposals for Rowlands Walk to be carried out earlier in the programme.

Several comments expressed concern about the proposed small redevelopment site at the end of Roundhill Close either as a loss of garages or providing increased local traffic.

A couple of comments request family accommodation to be located on the ground floor with easy access to open space.

There is concern from a number of residents on the Midanbury boundary with Townhill Park about the detail and height of new blocks.

## **19 A transformed park and wonderful local greens and play spaces (4)**

20 comments were received around this theme. There is majority support for improving green space and providing more facilities for children and young people. However, residents do not want play areas outside their homes and do not want them located near roads. There were also comments in support of local wildlife and concerns that the proposals would adversely affect them.

Linked to open spaces are the sections on Frog's Copse and Hidden Pond.

## **20 Greater social and economic opportunities (5)**

Residents did not really make comment around this theme. There were however, some concerns expressed around lack of facilities for young people and anti social behaviour around play area and shops.

## **21 Meggeson Avenue a safe and attractive public space with improved crossings (6)**

10 comments were received concerning traffic calming and making Meggeson Avenue an attractive public space. There was support for traffic calming, but the impression from the comments is that a minimum treatment would satisfy. It is likely with the limited information provided by the Master Plan that residents do not have sufficient information to picture what traffic calming and improvement measures would look like.

Again the idea of diverting Meggeson Avenue round the new 'village green' may require further work to test how people really feel about this idea and that of the new community heart.

## **22 Better walking, cycling and public transport connections locally and to the rest of the city (7)**

12 comments were received around this topic. There was encouragement for the importance of improving walking and for traffic calming in other roads in addition to Meggeson Avenue. There was acknowledgement of the

importance of the walking routes in the area and the connections they make not only in Townhill Park but to areas round about e.g. Moorlands School, Midanbury and Haskins.

The few comments received concerning the buses were around how the service was sufficient but not reliable.

**23 Proposed Link Road form Townhill Park to Cornwall Road and Litchfield Road (8)**

<b>Number of Comments received on the Proposed Link Road from Townhill Park to Cornwall Road</b>		
Comments For	0	
<b>Comments Against</b>	<b>269</b>	

The majority of residents attending the meetings are against the proposed road link. In addition to comments made the Council received a petition on 17<sup>th</sup> August 2012 signed by around 200 people and has also had numerous letters of objection.

The comments against the proposed road are many and various and can be summed up in the following e-mail received from a resident:

*'We understand that the regeneration of the Townhill Park Estate is an important large scale project for the council and we largely support what you are trying to achieve. However, we hope by now that you understand more clearly just how opposed to the link road the residents of Midanbury are. To summarise the points made by our petition, emails, letters, phone calls and attendances at the two consultations:-*

*1/ the proposed new road is not needed to make the scheme viable, either socially, financially or for any improvement in traffic flow.*

*2/ The new road is there only as a planning nicety especially given the fact that within 200 metres of the proposed new road is Wakefield Road, which currently does, and can continue to, carry traffic between Townhill Park and Midanbury perfectly adequately.*

*3/ In addition to being a huge waste of public money, the new road will not improve anything for Townhill Park residents nor anything for Midanbury residents but only worsen the situation of anyone living anywhere near to the new road.*

*4/ Three people are to forcibly lose their homes, against their wishes, to make way for a new road which is just an architect's "nice to have". Would you like to lose your home in this way?*

*5/ Increased volume of traffic – will become a "rat run".*

6/ Increased danger to pedestrians, children, pets etc. This area is used a lot by school children.

7/ Increased danger at several road junctions, especially at the top of Litchfield Road. This is already a really dangerous road junction, and it does not make sense to put more traffic into this junction. Bear in mind that Tesco intend to develop the Castle pub and this is a further cause for concern about this junction.

8/ Increased danger when the steep hill becomes icy. Litchfield Road is on the north side of the hill, and when it is icy or snows this road becomes unusable.

9/ More traffic noise.

10/ More exhaust fumes.

11/ Reduced property prices

12/ Litchfield Road is not strong enough to support heavy traffic. There will be problems with broken drains, and subsidence.'

## 24 Cutbush Lane opening up to traffic (9)

<b>Number of Comments received on Cutbush Lane opening up to vehicular traffic</b>		
Comments For	3	
<b>Comments Against</b>	<b>56</b>	

Those against the opening up of Cutbush Lane were very clear that it had been closed to prevent it being used as a rat run. Residents commented that when open it had been the scene of several accidents and residents cars being damaged by careless driving.

There was support for keeping it as a pedestrian route linking to the walkway network in the area, which provides safe and pleasant routes for school children, walkers, cyclists and horse riders.

## 25 Frog's Copse (Site 19) (10)

<b>Site 19 Development on Frog's Copse</b>		
Comments For	0	
Comments Against	29	

29 comments were received against the idea of developing on Frog's Copse. The majority of those objecting to the proposal live in the area north and west of Frog's Copse. The main objections include those on the grounds of:

- Loss of wildlife and ecologically valuable habitat
- Loss of views and peace



- Increased traffic on unsuitable roads

The Master Plan acknowledged that consideration of the idea of developing on a small section of Frog's Copse would be dependant on the outcome of further ecological work and consultation. The ecological work is currently underway and no decision will be made regarding Frog's Copse until this information is available and can be considered.

## **26 Hidden Pond (Site 25) (11)**

15 comments were received about the development idea west of Hidden Pond on Site 25. 13 comments were against the idea and 2 were pointing out that it may not be possible for ecological and drainage reasons.

Those comments against were around either its loss as an open space/ecological area, spoiling the views of adjacent housing and causing unwanted increased traffic.

## **27 Improve parking (12)**

18 comments were received concerning car parking. Most comments were raising the concern that there is already insufficient parking and that it is felt that the redevelopment will make matters worse. A comment was received that there is no disabled parking.

The problems of parking around the school hub was raised.

## **28 Other (13)**

48 comments fell into the general area as they were difficult to place in any particular theme. They included the following:

- Woodmill requires traffic improvement
- There is not sufficient information about the detail of the regeneration and the timescales and it is taking too long
- There were several comments in support of the regeneration and others saying that it benefited Townhill Park but not the surrounding areas or private householders and several comments expressed concerns that property would be devalued.

## **29 Analysis of where residents live who attended the consultations**

From the data provided it was possible to carry out an analysis of where in the local area residents who attended the consultations live. Within Townhill Park it was possible to make a good assumption whether they were private or Council tenants. This analysis is likely to contain a small degree of error, but

does show where the majority of people attending the consultations live. See Appendix 3 for the table showing the analysis of where people live.

It is estimated that 194 residents who attended the 2 wider consultation meetings were from outside the Townhill area and of these 137 were from the Midanbury area. This is not unexpected given the strength of feeling against the proposed road link.

It is estimated that 141 residents attended the consultation meetings from within the study area. The vast majority of the 36 residents attending the Phase 1 meetings were SCC tenants (31 out of 36).

In the other 2 wider meetings it is estimated that 21 of the 29 and 16 out of 39 attending from within the Townhill study area were SCC tenants.

Although there has been a wide spread attendance at the 4 meetings it appears that, apart from Phase 1, there is still an under-representation of SCC tenants. However, there was support from SCC tenants for the wider aspects of the Master Plan during the previous consultations carried out and contained in the Community Involvement Statement in Appendix 1 of the Townhill Park Regeneration Framework document.

## **Conclusions**

### **30 Phase 1 Statutory Consultation**

All tenants in Phase 1 have received the statutory information regarding the redevelopment of their homes. In addition to this the majority have received a visit or attended the consultation meetings and received information from Council officers. Leaseholders have all received the required statutory information and in addition those living in Phase 1 have been offered a visit.

The majority of SCC tenants have agreed to the Phase 1 redevelopment and there have been no comments received from the leaseholders.

### **31 Wider Public Consultations 18<sup>th</sup> and 22<sup>nd</sup> September**

The wider consultations were attended by a wide range of local residents. The major focus was the issue of the proposed link road to Cornwall Road. Other areas of interest were Frog's Copse, Hidden Pond and opening up of Cutbush Lane to vehicular traffic. The majority of comments received were against the proposed link road to Cornwall Road and against the opening up of Cutbush Lane to vehicular traffic.

Although there is some concern over Frog's Copse and Hidden Pond any further decision on these areas is awaiting the outcome of the additional studies including ecology which are still being undertaken.

There is support for improving green spaces and play, traffic calming and improving cycling and walking.

A measure of general support was received for the regeneration of the area and the provision of new affordable homes. However, there is concern that redevelopment will not meet parking provision needs.

There was not strong opinion on the shopping proposals nor the idea of the 'village green' and these areas will require further consideration as the phases in which they are proposed are considered in more detail.

APPENDIX 1

Townhill Park Public Consultation  
 11 + 15 September 2012  
 (Proposed Phase 1 residents)

	Strongly agree	Agree	Tend to agree	Total Agree	Tend to disagree	Disagree	Strongly disagree	Total Disagree	No response	Don't Know	Total Other
The vision for the future will benefit the Townhill Park community and surrounding areas	16	10	1	27	0	0	0	0	3	0	3
The proposed physical masterplan proposals would benefit Townhill Park	14	12	2	28	0	0	0	0	2	0	2
The proposal for the new street connection to Cornwall Road will improve road links to the wider area	4	11	7	22	3	0	5	8	0	0	0
The proposals for the use and replacement of open space will improve the physical environment	9	13	4	26	2	0	0	2	2	0	2

Table 1

**Townhill Park Consultation  
18 September 2012**

	Strongly agree	Agree	Tend to agree	Total Agree	Tend to disagree	Disagree	Strongly disagree	Total Disagree	No response	Don't Know	Total Other
The vision for the future will benefit the Townhill Park community and surrounding areas	19	18	22	59	8	7	35	50	14	1	15
The proposed physical masterplan proposals would benefit Townhill Park	20	17	23	60	10	7	28	45	16	3	19
The proposal for the new street connection to Cornwall Road will improve road links to the wider area	13	8	2	23	8	6	85	99	1	1	2
The proposals for the use and replacement of open space will improve the physical environment	17	16	14	47	8	15	38	61	14	2	16

Table 2

	Strongly agree	Agree	Tend to agree	Total Agree	Tend to disagree	Disagree	Strongly disagree	Total Disagree	No response	Don't Know	Total Other
He vision for the future will benefit the Townhill Park community and surrounding areas	22	22	33	77	8	5	6	19	21	0	21
The proposed physical masterplan proposals would benefit Townhill Park	14	23	24	61	9	6	21	36	20	0	20
The proposal for the new street connection to Cornwall Road will improve road links to the wider area	4	2	2	8	10	10	89	109	0	0	0
The proposals for the use and replacement of open space will improve the physical environment	15	12	23	50	20	5	24	49	18	0	18

## Appendix 2 Townhill Park Public Consultations

### Key to Types of Comments Received

1-7 are based on the Townhill Park themes agreed by residents working with the consultants on the Master Plan

8-13 are based around the additional main themes emerging from the comments

1	A fantastic community heart accessible for all
2	Successful local shops and community facilities
3	Healthy and well-designed socially rented and private homes that address a variety of needs with as many homes 'on the ground' as possible
4	A transformed park and wonderful local greens and play spaces
5	Greater social and economic opportunities
6	Meggeson Avenue a safe and attractive public space with improved crossings
7	Better walking, cycling and public transport connections locally and to the rest of the city
8	Link Road from Townhill park to Cornwall Road and Litchfield Road
9	Cutbush Lane opening up to traffic
10	Frog's Copse (Site 19)
11	Hidden Pond (Site 25)
12	Improve parking
13	Other

### Appendix 3

#### Analysis of Areas where Residents live who attended the Townhill Park Public Consultation

	Phase 1 residents	18 <sup>th</sup> Sept Residents	22 <sup>nd</sup> Sept Residents	Totals
In the Study Area	35	50	56	141
Cornwall Rd Area	0	82	55	137
Cutbush Lane Area	1	23	6	30
Frog's Copse Area	0	11	11	22
Other	0	5	0	5

Total number of residents attending all the public meetings from the study area	141
Total number of residents attending all the public meetings from outside the study area	194
Total	335

#### Analysis of Residents within the Study area by tenure

	Phase 1 meetings		18 <sup>th</sup> Sept meeting		22 <sup>nd</sup> Sept meeting	
SCC tenants	31		21		16	
Private tenants	1		0		0	
Leaseholders	2	4 Total	10	29 Total	10	39 Total
Insufficient information Most likely private owner/tenant	2		19		29	
Totals	36		50		55	





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<b>DECISION-MAKER:</b>	CABINET COUNCIL
<b>SUBJECT:</b>	LIBRARY PROVISION IN WOOLSTON
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012 14 NOVEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR HOUSING AND LEISURE
<b>STATEMENT OF CONFIDENTIALITY</b>	
<p>There are confidential appendices 1 and 2 attached to this report. Confidentiality is based on Category 3 of paragraph 10.4 of the Council's Access to Information Procedure Rules. It is not in the public interest to disclose this because doing so would prejudice the Authority's ability to achieve best consideration for the disposal of land and the awarding of a contract to carry out building works.</p>	

## **BRIEF SUMMARY**

The Report seeks approval to add funding to the Housing and Leisure Capital Programme for the replacement of Woolston Library.

## **RECOMMENDATIONS:**

### **CABINET**

Subject to Council approval of recommendation (ii).

- (i) To approve, in accordance with Financial Procedure Rules, capital expenditure of £35,000 in 2012/2013, £107,000 in 2013/2014 from the Housing and Leisure Capital Programme for the design work of the community facilities including the replacement library in Centenary Quay.
- (ii) To delegate authority to the Director of Environment and Economy to sign the lease for the property subject to consultation with the Director of Resources and Cabinet Member for Housing and Leisure

### **COUNCIL**

- (iii) To add, in accordance with Financial Procedure Rules, a sum of £957,000 to the Housing and Leisure Capital Programme for the fitting out of the community facilities including the replacement library in Centenary Quay funded from Council resources.
- (iv) To note that the proposal is to fund the fit out from capital receipts as set out in appendix 2.
- (v) To note that a significant element of the capital receipts funding is from the potential sale of site 1 as identified in confidential appendix 2, and that no decision has yet been made to sell site 1
- (vi) To agree to fund the shortfall in capital funding required for the fit out from general Council resources should the sale of site 1 not proceed. The shortfall would be as set out in appendix 2.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. The replacement library is expected to be handed over by the developer in October 2013. The project is needed to ensure that the Council is able to take out a lease on the property and fit it out with a view to opening it in 2014. Approval is required to add the project to the Capital programme and to authorise spend on the design work.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. The Council could continue to work from the existing library and not move to Centenary Quay. Another alternative site in Inkerman Road was identified in the Local Plan, but would have been expensive to build and was not taken forward as Centenary Quay is more financially viable and provides a more prominent location. The existing library is in poor condition, has a significant repairs backlog and does not provide disabled access for people in wheelchairs. The intention would be to sell the existing library site, Inkerman Road site and another Council-owned site which is estimated to be enough to cover the capital cost of the new library.
3. The Council could consider alternative uses for the library space. This would require Crest Nicholson's co-operation for a new planning application for change of use and an amendment to the Section 106 Agreement. If the Council wished to use the building it would still face the cost of fitting out.

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

4. Woolston Library is housed in an inadequate building in poor condition and poorly located. The Council identified and reserved a vacant plot of land in Inkerman Road for a new library but this was not built. The redevelopment of the Vosper site in Woolston - now called Centenary Quay- offered the opportunity of a replacement library to be secured via a Section 106 Agreement. In public consultation by SEEDA who owned the land, a replacement library emerged as the improvement local people most wanted to see on the site.
5. Planning permission for Centenary Quay granted in 2009 included a 760 m<sup>2</sup> library. The space will include a fully accessible disabled toilet. The Section 106 Agreement requires Crest Nicholson to complete the library space to a shell and core finish and following its completion, to offer it to the Council on a long lease (not less than 125 years); such lease to be at nil rent and on full repairing and insuring terms. If the Council takes the lease it will therefore have to fit out the premises at its own costs. If the Council does not complete the lease within nine months of the offer, the obligation falls away and Crest Nicholson are at liberty to apply for a change of use of the library space.
6. Subsequent to the Agreement, it was decided to use approximately a third of the 760 m<sup>2</sup> to accommodate staff from the Peartree Local Housing Office. Staff will also be relocated from Weston Housing Office in order to facilitate the Estates Regeneration Programme. The financial viability of the facility is dependent on the freeing up of the Peartree Housing site and adjacent parking.

7. During the design phase, further work will be carried out to ensure the project engages with and supports the community hub model. The co location of services is developing in the initial model, with library and housing services, but there remains scope to extend this further.
8. Expenditure is needed to ensure that the Council is able to comply with the Section 106 Agreement and open the library in 2014. It will ensure that, working with Capita Symonds, the building is designed, a contractor appointed to carry out the fit out and that the work is managed on-site. The project will also ensure that all of the receipts from the sale of disposals are secured.

**Key Outcomes**

9. The Project will deliver the following key outcomes:-
  - Properties successfully offered for sale by SCC;
  - Contractor secured through nationwide competitive tendering process to carry out fit out;
  - Fitting out of shell and core facility;
  - Decant from existing SCC properties to new facility;
  - New facility opens within 9 months of being handed over to SCC, with the aim of providing library services in the current building up until that point

**Key Risks**

10. **Capital receipts will not be available until after the completion of the project.** This will apply to two proposed disposals as detailed in Appendix 2 where an analysis of the risks is highlighted.  
**Capital receipts insufficient to cover cost of project.** Valuation advice on the receipts has been provided by Capita Symonds and reflects the prevailing market conditions. They offer the best indication we can achieve of the value of each property although the actual receipts may be more or less than the valuation.  
**Fitting out costs greater than anticipated.** The Council is currently reviewing procurement guidelines. However, on the assumption that, in any event, competitive tendering would be at the heart of the process there is a reasonable expectation that it is possible to achieve the fitting out at a lower cost.

**Resources**

11. The project will largely be delivered by Capita Symonds for the fixed fee detailed in Appendix 1. Additional staffing capacity, which will be met from within existing resources, will be required as follows:

Project Manager	Half day a week for 75% of project 1 day a week for 25% of project
Project Board	2 hours every two months x4
Project Team	Half day a week for 25% of project x6

### **Performance Standards**

12. The Project will comply with the following: SCC Project Management Guidelines; SCC Financial Procedure Rules; SCC Contract Procedure Rules, SCC Procurement Rules. The design procurement and building work will comply with the Royal Institute of British Architects Plan of Work (Stages C-L) and the Construction, Design and Management Regulations. Overall the project will be delivered and measured against an agreed Project Initiation Document.

### **Timescale and Milestones**

- 13.

Sale of Sites	October 2012 – February 2014
Completion of Design Scheme	August 2013
Issue of tender documents	September 2013
Award of Contracts	October 2013
Signing of lease	November 2013
Building work commences	November 2013
Building work finishes	February 2014
Relocation of SCC services	March 2014
Facility opens	April 2014

### **Consultation**

14. Comments from those involved in the formal consultation have been built in to the body of the Report. The following specific issues were also raised:-
- The advisability of undertaking a major capital project in the current financial climate and disposing of property when the value of receipts is sure to be low;
  - The possibility of using the building for another purpose;
  - The value of the facility in terms of the regeneration of the area.
15. In response, the provision of a new library has been a long standing commitment for the Council. It will replace an inadequate building and the site disposals identified in the appendices are expected to cover the capital costs. The proposal has to come forward at this time as the developer will offer the unfinished building to the Council in October of next year. Using the building for another purpose would still require the Council to find the costs of fitting out. The co-location of staff from the Weston and Peartree Offices in the new facility will greatly facilitate the co-ordination of regeneration across the district.
16. Questions were also raised about the place of the proposal with any strategic plan for the service. The Council has an ongoing approach to ensure:-
- Whenever possible, libraries co-locate with other Council services or other providers.
  - Exploitation of existing and potential developer involvement to deliver capital investment in library buildings.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

17. The cost of the entire project is £957,000. This is an estimate based on the information and assumptions available. A full break down of the estimate is in Appendix 1.
18. It is recommended that the costs are met from Council Resources, namely from the identified capital receipts which will be realised from the disposal of a number of sites in Woolston. A list of these sites and the expected receipts is in Appendix 2. The risks as to achieving these receipts and timing are highlighted.
19. The key risk on the funding of this scheme is that for the most significant capital receipt, which is for Site 1 in confidential appendix 2, the disposal has not yet been agreed. Full Council are therefore asked to agree in Recommendation (vi) that should the sale of site 1 not proceed, that Full Council will need to find additional general resources to fund the shortfall, the scale of which is set out in Appendix 2.
20. The premises running costs of the new facility are estimated to be £38,700 which, as the building is much larger than the other Council buildings to be replaced, is £16,500 more than the current costs for the existing library and local housing offices and will be met from the Housing and Leisure portfolio.
21. Vacating the old library will mean that £120,000 of backlog maintenance will no longer be required and the cost will be avoided.
22. Loss of income from the disposal of one site is dealt with in Appendix 2.
23. A further report will be brought back to Cabinet seeking authority to spend the capital sum required, once design work is completed. An update will be provided on the overall financing of the scheme in relation to the sale of site 1.

### **Property/Other**

24. Relocating services to Centenary Quay will release a number of properties for disposal, including the library reserved site in Inkerman Road and the existing Woolston Library. As outlined in Appendix 2, formal approval is yet to be given in relation to one of the main sites to ensure the cost of the fit out is covered from the receipts from these disposals. Securing the receipts will follow after the expenditure on fit out has occurred. Planning permission has been obtained for the development of the Inkerman Road site on the basis that a library would be provided in Centenary Quay. This is currently being marketed for sale.

## **LEGAL IMPLICATIONS**

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

25. The Council is obliged by the Public Libraries and Museums Act 1964 to provide a comprehensive and efficient library service for all persons who wish to make use of such a service. In addition, the Council can elect to provide additional or improved library services pursuant to section 1 of the Localism Act 2012, in the absence of any legislative restrictions affecting this general power of competence.

**Other Legal Implications:**

- 26. Any reduction or removal of a library service must not be undertaken without a full public consultation and assessment of local needs, and any such decision must also take account of the Council's obligations under relevant equalities legislation and in accordance with the Council's strategic plan for the provision of library services across the City.

**POLICY FRAMEWORK IMPLICATIONS**

- 27. Not applicable

<b>AUTHOR:</b>	Name:	David Baldwin	Tel:	023 8083 2219
	E-mail:	david.baldwin@southampton.gov.uk		

**KEY DECISION?** Yes

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

**Appendices**

1.	Breakdown of capital expenditure -CONFIDENTIAL
2.	Capital receipts from the disposal of properties - CONFIDENTIAL
3.	Equalities Impact Assessment

**Documents In Members' Rooms**

1.	None
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**Integrated Impact Assessment**

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

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

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	Draft Project Initiation Document available from David Baldwin	
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Document is Confidential

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Document is Confidential

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## Appendix 3: Equality Impact Assessment

Appendix 3

<p><b>Name or Brief Description of Proposal</b></p>	<p><b>Replacement of Woolston Library</b></p>
<p><b>Brief Service Profile</b></p>	<p>Woolston Library serves the area of Woolston, Sholing and Peartree, In 2011/12 the service attracted the following levels of use:</p> <p>Visits 69,964          Loans of books and other materials 108,845          Enquiries answered 10,769          Events and activities 171</p> <p>The building is inadequate as a library, both for public facilities and the health and safety of staff. It is made up of two inter connected buildings which are linked by a single ground floor passageway. This creates hazards for staff in their daily work and limits access to public users. Floor space of the main adult library is 107.55sq meters. Total public area is 168.5 sq meters. This is totally inadequate for a district library.</p>
<p><b>Summary of Impact and Issues</b></p>	<p>The current library facilities are below expected standards for a district library.</p> <ul style="list-style-type: none"> <li>• Stock levels should increase between 45 and 55% to provide adequate resources for local users.</li> <li>• There are minimal facilities for browsing and studying.</li> <li>• There is no space for community activities, groups, meetings, poster display which provides a focus for the community.</li> <li>• The Children’s Library on the first floor of the library is accessible only via two flights of stairs with no access for disabled, buggies or pushchairs. The floor space in all areas of the library is inadequate for wheelchair and buggies to manoeuvre.</li> <li>• Outside the building is in heavy need of repair, render and windows require replacement and the ramp into the building does not meet DDA</li> </ul>

	<p>requirements.</p> <p>A Section 106 Agreement signed in 2009 requires the developers of the Centenary Quay site provide Library and Community facilities of 760 M<sup>2</sup>. The building will be finished to a shell and core standard which means that the Council will be required to fit it out.</p> <p>Consultation by SEEDA established that a replacement library was the most popular improvement local people wanted to see in the Centenary Quay development A replacement library</p>
<p><b>Potential Positive Impacts</b></p>	<p>A new library will be able to offer a vibrant, stimulating community resource in the heart of a development which will have a key role in the regeneration of Woolston. A clear wish of the local community to see a replacement library will be realised.</p> <p>Key improvements will be:</p> <ul style="list-style-type: none"> <li>• An increased range of books, etc. for use</li> <li>• Full disabled access, including toilet facilities</li> <li>• Meeting rooms and library spaces to encourage community displays, activities</li> <li>• A significant increase in visits and use of library resources.</li> </ul>
<p><b>Responsible Service Manager</b></p>	David Baldwin (Libraries)
<p><b>Date</b></p>	10 <sup>th</sup> .October, 2012

<p><b>Approved by Senior Manager</b></p>	Mike Harris (Libraries)
<p><b>Signature</b></p>	
<p><b>Date</b></p>	23/10/2012

**Potential Negative Impacts**

Impact Assessment	Details of Impact	Possible Solutions
<b>Age</b>	The distance a very young or old person who currently uses the library will have to travel will increase.	<p>The attractiveness of the new facility will be heavily promoted to current users and their parents.</p> <p>Older people unable to travel the extra distance with ease will be actively identified and offered a delivery service in their homes.</p>
<b>Disability</b>	None	
<b>Gender Reassignment</b>	None	
<b>Marriage and Civil Partnership</b>	None	
<b>Pregnancy and Maternity</b>	None	
<b>Race</b>	None	
<b>Religion or Belief</b>	None	
<b>Sex</b>	None	
<b>Sexual Orientation</b>	None	
<b>Community Safety</b>	If the existing library remains empty for any length of time it might become a target for anti-	The early sale of the site is key to funding of the project

	social behaviour	
<b>Poverty</b>	None	
<b>Other Significant Impacts</b>		



<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	TENDER FOR A CONTRACT FOR CITY CENTRE MARKETS, EVENTS AND OTHER ACTIVITIES
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012
<b>REPORT OF:</b>	LEADER OF THE COUNCIL

**STATEMENT OF CONFIDENTIALITY:**

None

**BRIEF SUMMARY:**

City Centre Management has previously been provided by Streets Ahead Southampton under a Service Level Agreement. This came to an end on 3<sup>rd</sup> August 2012 when the company took the decision to no longer operate and this work has been taken back in-house by the Economic Development team. They are now working to progress management in terms of working with traders and other organisations to make the City Centre a more vibrant place and working to make better use of and increase income from city centre space. It is proposed to go out to tender for a contract for events for City Centre outdoor spaces. This would involve a long term three year contract, with a provider(s) who deliver markets, events, promotions and other activities within the whole of the City Centre. The contract would be structured so that the provider(s) were not given exclusive rights to the provision of events. This would enable other organisations to utilise the areas for other activities. The Council would retain control of the co-ordination and programming of events.

**RECOMMENDATIONS:**

- (i) To delegate authority to the Director for Environment and Economy, following consultation with the Head of Finance and IT (CFO), Head of Legal, HR and Democratic Services, and Senior Manager Property and Procurement; to produce, finalise and approve the range of documents necessary for the tender of a contract for City Centre markets, events and other activities using the most appropriate procurement route.

**REASONS FOR REPORT RECOMMENDATIONS:**

1. Outdoor space in the City Centre has the potential to provide more events and other activity to the entertain residents, visitors and workers of Southampton and help to increase in footfall in the City Centre.
2. Increased activity will also generate an increased income for the City Council.

**ALTERNATIVE OPTIONS CONSIDERED AND REJECTED:**

3. The option of the Council doing nothing could lead to a stagnation of the City Centre activity and footfall.
4. The Council could tender more than one long term (3-5 year) contract awarded on the basis of geographic areas (i.e. one for Guildhall Square, one for the Precinct, etc). This has been rejected as this could lead to administrative confusion, lack of oversight, co-ordination and flexibility.

5. The Council could tender more than one long term (3-5 year) contract awarded on the basis of function (i.e. one for markets, one for promotions, etc). This has been rejected as the markets promotions and events are not independent but more interdependent and symbiotic by nature.
6. The Council could instigate shorter term arrangements that are ad hoc with SCC actively promoting opportunities. This has been rejected as using space within the City Centre has the potential to contribute to the vision set out in the City Centre Masterplan to create a city that is a great place to do business, visit and live. To achieve this longer term co-ordination and flexibility is required which short term arrangements do not meet.
7. The Council could bring the management of all markets, events and promotions in-house (and not tender space in the City Centre for these activities). This would include appointing staff to take to manage this process. This has been rejected as the Council has no expertise in this area.

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

8. City Centre Management includes:
  - Working with local traders and other organisations to promote and improve the area, attract businesses and provide a safe shopping and leisure environment.
  - Ensuring that city centre space is used for maximum effect, for the enjoyment of residents and visitors but also as an important asset provides maximum income to the council.
9. City Centre Management has previously been provided by Streets Ahead Southampton under a Service Level Agreement. This came to an end on 3<sup>rd</sup> August 2012 when the company took the decision to no longer operate. A transitional agreement was put in place to ensure that City Centre management passed smoothly to the Council's Economic Development team whose role now covers:
  - Co-ordinating and overseeing promotions, some events and the various markets
  - Liaising with the City Centre retailers
  - Developing new ways of increasing footfall
  - Ensuring that the concerns regarding SCC activity within the area are processed and pursued
  - Increasing and coming to a better understanding regarding the retail intelligence available
  - Encouraging ideas and innovatory thinking for the development of current and future public realm
  - With retailers developing local employment opportunities
  - Promoting current Central Government thinking with regard to City Centre retail

10. New management arrangements for the City Centre include the setting up of a public/private City Centre Steering Group which will be led by the Economic Development team. The aim of this group is to increase the footfall to the City Centre and encourage the use of the area for leisure and retail.
11. Alongside this action, it is proposed that use of key city centre space is tendered via a contract. Within the City Centre there are three areas:- Guildhall Square, the Precinct (outside Westquay) and the Bargate. Currently, these areas do not fulfil their potential both in terms of delivering income for the council and for providing a range of varied events, promotions, markets and entertainment. Examples of activities include (this is not an exhaustive list):
  - Arts and collectables
  - Fashion and clothing
  - Markets (e.g. general, specialist, Christmas, food)
  - Sports
  - Health
  - Transport
  - Charity
  - Media, Product and Finance Promotion
  - Entertainments
  - Open Air Food Court
  - Fairground
  - Public Sector (e.g. SCC, HM Forces, Emergency Services)
  - Outdoor theatre
  - Live music
  - Temporary ice rink
  - Temporary art exhibitions

Such events have the potential to support the objective to make the City Centre more vibrant, increase footfall and maximise income for the Council.
12. It is proposed to go out to tender for a contract to cover City Centre events for all three areas to offer a three year contract with a provider/providers who deliver markets, events, promotions and other activities. (One of the proposed areas is currently under contract and discussion must take place with both legal services and procurement, should this site be included in this proposed contract.) A three year contract will enable the Council to review how space is used and developed particularly in relation to Guildhall Square as Southampton's new arts complex fronting Guildhall Square, is due for completion in 2015. This area has enormous potential to be used for activities which will promote and support the City's new Cultural Quarter.
13. The contract would be structured so that the provider(s) were not given exclusive rights to the provision of events. This would enable other organisations to utilise the areas for other activities.

14. The Council would retain the key role to co-ordinate events including prioritising events to ensure that they were consistent with Council objectives and in particular, that they compliment and support the ambitions set out in the City Centre Masterplan. Forward planning and programming would be used to achieve this with the Events Team and Economic Development teams working together. There are robust event application procedures already in place to aid this coordination.
15. In addition, the Events Safety Advisory Group will ensure safe and well managed events are appropriately licensed and supported. The contract will require these processes to be followed.
16. Consultation has taken place with frontagers e.g. the affected shops and businesses, as part of the planning process.

#### **RESOURCE IMPLICATIONS:**

##### **Capital/Revenue:**

17. It is the aim of this action to put to tender a wide range of events, promotions and markets for the City Centre. This would generate an income to the Council which is anticipated to be an increase on the current income from these events, promotions and markets. It is anticipated that this income would be based on a guaranteed annual return to the Council. Allowing for the tendering process, this expected increase in income will be reflected in the 2014/15 income target.

An increased income target will be submitted as part of the February 2013 report to Council regarding 2013/14 budget proposals. All costs relating to the events will be met by the successful bidder.

##### **Property/Other:**

18. None.

#### **LEGAL IMPLICATIONS:**

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

19. Powers to undertake this are contained in Section 1 Localism Act 2011.

##### **Other Legal Implications:**

20. In due course, an application to extend the existing Licensing Act premises licence for 56 days per annum premises licence to 365 days per annum, may be made.
21. Planning Approval and Highways VIIa has been applied for two areas (Appendix 1 Planning Applications)

#### **POLICY FRAMEWORK IMPLICATIONS:**

22. The policy implications are contained with Planning Southampton to 2026, Southampton City Council Local Development Framework, Core Strategy, (pages 24-26, 4.4 - 4.4.10).

<b>AUTHOR:</b>	Name:	<b>Robin McDonald</b>	Tel:	023 8083 2874
	E-mail:	<a href="mailto:robin.mcdonald@southampton.gov.uk">robin.mcdonald@southampton.gov.uk</a>		

**KEY DECISION?** No

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

**Appendices:**

1.	Planning Application Maps
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**Documents In Members' Rooms:**

1.	None.
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**Integrated Impact Assessment**

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

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

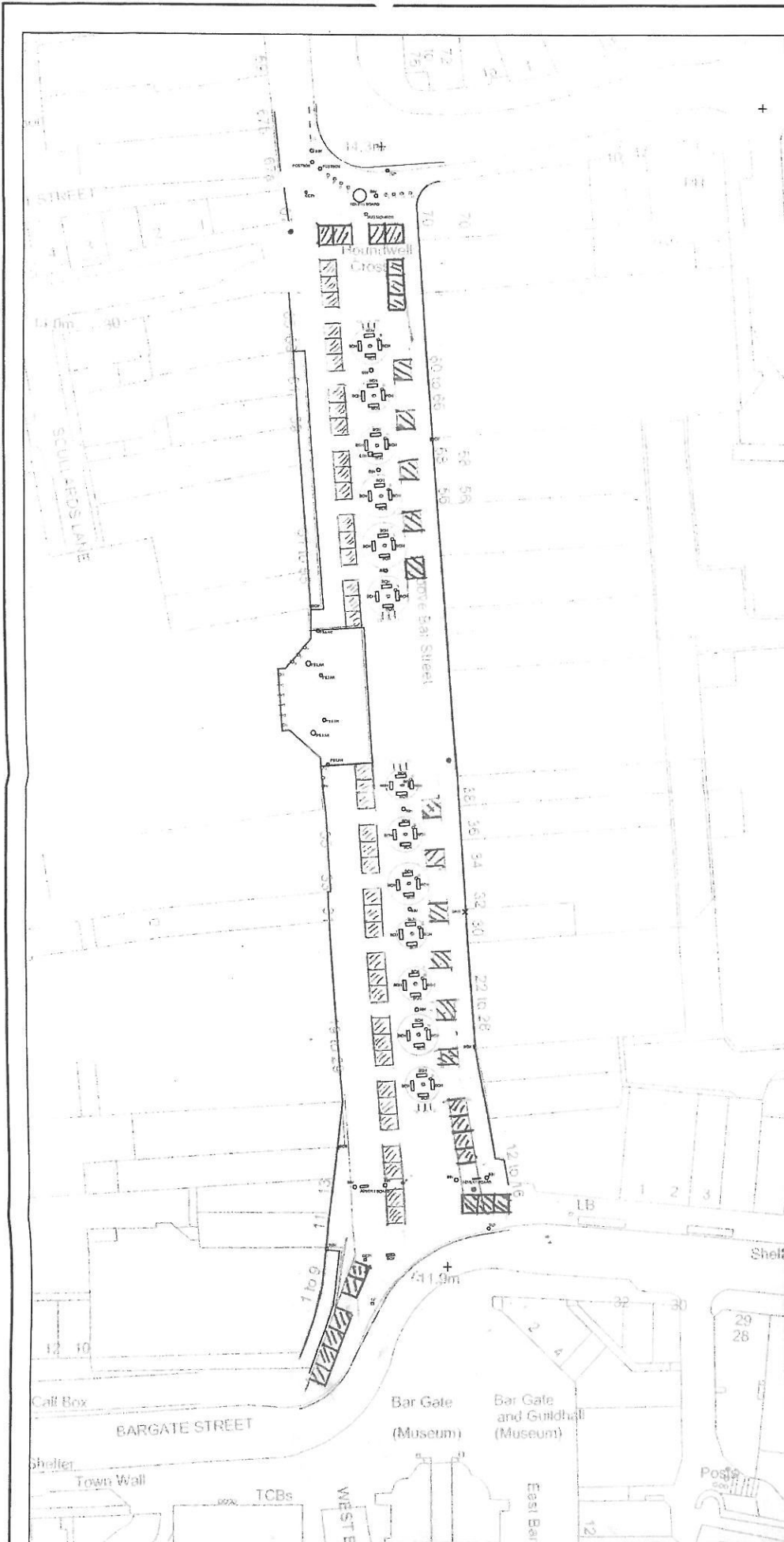
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None	
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# Agenda Item 19

## Appendix 1



### Key:


- B BOLLARD
- BCH BENCH
- BIN LITTER BIN
- CCTV CCTV CAMERA
- CS CYCLE STAND
- LP LAMP POST
- MKR MARKER
- P POST
- TLP TRAFFIC LIGHT POLE

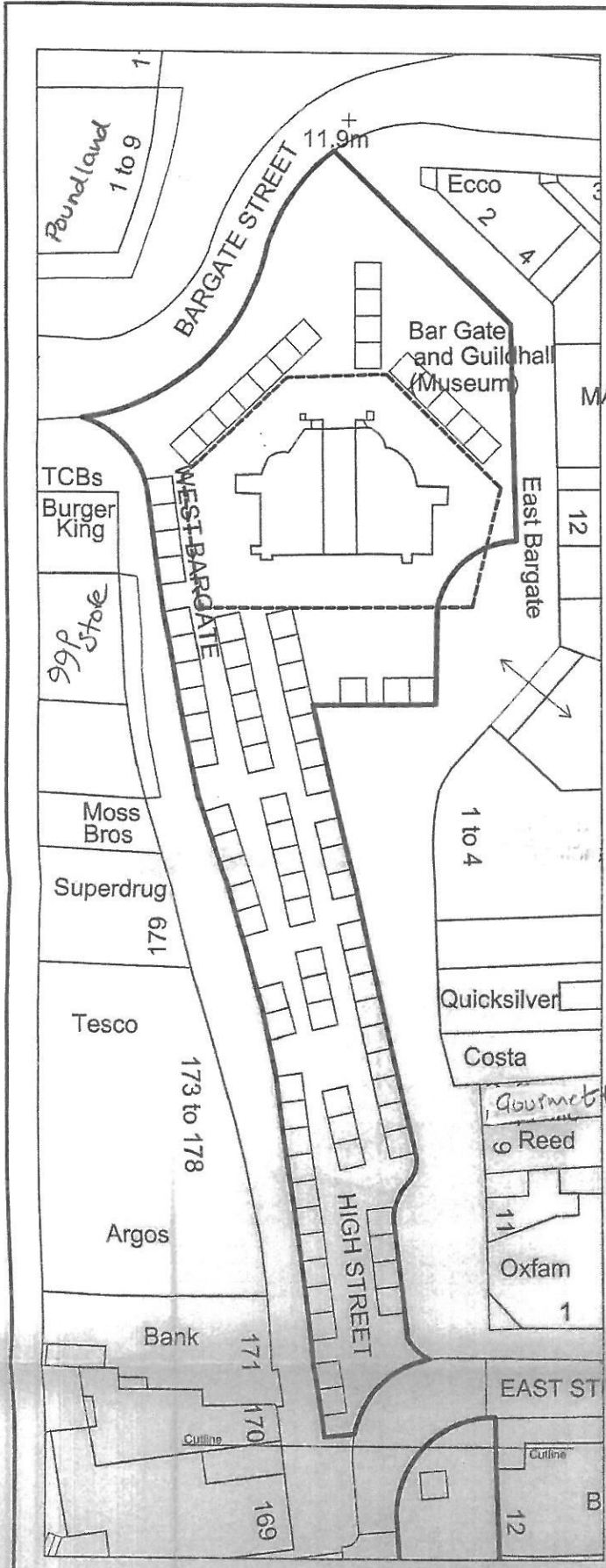


- BUILDING
- KERB
- ..... CANOPY
- o TREE TRUNK
- TREE SPREAD

NOTE: POSITION OF TRUE NORTH IS INDICATED AS ACCURATE AS POSSIBLE USING OS DATA.




*This is indicative of stall layout (71)  
3metres will be between stalls and footagers*

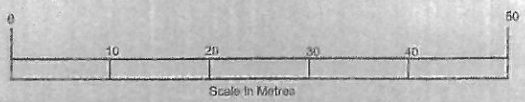
REVISION	DATE	BY	DETAILS
DRAWING STATUS			
 SOUTHAMPTON CITY COUNCIL			
SOURCE TITLE <b>3m x 3m MARKET STALLS &amp; STREET FURNITURE LAYOUT</b>			
DRAWING TITLE <b>THE PRECINCT</b>			
CREATED BY MR	LAST EDITED BY MR	CHECKED	APPROVED
DRAWING NUMBER	REVISION	DATE	
			SCALE 1:500




*This is indicative  
only of the stalls/events  
layout*

**KEY**

-  3m x 3m maximum stall coverage
-  6m distance of separation area (LB and market stalls)
-  Market boundary



<small>REPRODUCED FROM THE ORDNANCE SURVEY MAPS WITH THE PERMISSION OF THE CONTROLLER OF HER MAJESTY'S STATISTICAL OFFICE. UNAUTHENTICATED REPRODUCTION MAY BE A CRIME UNDER THE COPYRIGHT ACT 1988.</small>					<small>LAST PUBLISHED BY</small> <small>APPROVED</small>	<small>REVISION</small>
<small>REV.</small> <small>AMENDMENT</small>	<small>DATE</small>	<small>DRAWN</small>	<small>CHKD</small>	<small>APPD</small>	<small>SCALE</small> <b>1:500</b>	<small>DRAWN BY</small> <b>EDS/S255</b>
					<small>DRAWING TITLE</small> <b>BARGATE MARKET STALL LAYOUT</b>	
<small>DRAWING STATUS</small>					<small>© Southampton City Council</small>	



<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	COURT LEET PRESENTMENTS 2012
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012
<b>REPORT OF:</b>	HEAD OF LEGAL, HR AND DEMOCRATIC SERVICES
<b>STATEMENT OF CONFIDENTIALITY</b>	
Not applicable	

## **BRIEF SUMMARY**

The purpose of this report is to bring to the Executive's attention the Presentments accepted by Court Leet, the action taken to date and to identify Lead Officers and Members for future actions.

## **RECOMMENDATIONS:**

- (i) That the initial officer responses to the Presentments approved by the Court Leet Jury as set out in Appendix 1 to the report be noted; and
- (ii) That individual Cabinet Members ensure that responses are made to Presenters regarding presentments within their portfolios as appropriate and as soon as practically possible.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. The Executive has agreed that Court Leet Presentments will be reported to the Executive for consideration and ultimately determination.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. The decision was previously made by the Executive to proceed in this manner; therefore, this is the only approach considered appropriate.

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

3. Appendix 1 lays out in brief the Presentments received by Court Leet on 4<sup>th</sup> October 2011 with details of Lead Officers and Cabinet Members responsible, together with an initial response to each of the Presentments.
4. The Presentments, once received, have been shared with Lead Officers and Lead Members; responses (and any action required) will be subject to the Council's normal decision-making processes and therefore, consultation at this time.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

5. None.

### **Property/Other**

6. None.

## LEGAL IMPLICATIONS

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

7. Court Leet is maintained as a valid Court Leet, but only for purpose of taking Presentments on matters of local concern under the Administration of Justice Act 1977. Any proposals to implement any Presentments will be considered in due course by the appropriate decision-maker, and at that point legal issues will be taken into account.

### Other Legal Implications:

8. None.

## POLICY FRAMEWORK IMPLICATIONS

9. None at this stage, but as stated above, any proposals that are considered for implementation will be considered in the context of, inter alia, Policy Framework implications.

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**KEY DECISION?** Yes/No    No

<b>WARDS/COMMUNITIES AFFECTED:</b>	Potentially all.
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## SUPPORTING DOCUMENTATION

### Appendices

1.	Summary of Presentments and details of Lead Officers and Members Responsibility and Initial Response of Presentments.
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### Documents In Members' Rooms

1.	None.
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### Integrated Impact Assessment

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

**Integrated Impact Assessment and Other Background documents available for inspection at:** Not applicable.

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.	Not applicable.	
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## COURT LEET PRESENTMENTS 2012

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
<b>Bitterne Park Junior School</b>				
1	a) Riverside Park	Alison Alexander	Councillor Bogle	<p>We are year 6 school councillors and we are here to ask for the ownership and community access to the field behind our school. At the moment we have access to it during the school day, but so do the public which causes problems with dog mess, stranger danger and graffiti.</p> <p>Another issue is that we have to cross a public pathway to get into the field. We would love to be able to have a field that we can use for PE, sports, playtime and at lunch break without worry.</p> <p>We would appreciate it if we could have full ownership of the field and feel Riverside Park is so big that the public would not miss a small section of it. Thank you for listening and for your help in this matter.</p>
<b>INITIAL OFFICER RESPONSE:</b>				
<p>The Council has previously indicated its willingness to work with Bitterne Park Infant and Junior Schools to examine ways in which a portion of Riverside Park might be made available for school use, via the Town Planning process. The Cabinet Member for Children's Services and Learning, Cllr Sarah Bogle would welcome the opportunity to discuss these options directly with pupils, staff and parents from both schools to see how best this can be taken forward.</p>				
	b) Parking outside School	Alison Alexander	Councillor Bogle	<p>One way to improve the parking situation outside of our school would be to have 'zig zags' outside the school which would give our PCSO Sue Evans more power to move cars on. Also we could have a zebra or pelican crossing to help us cross the road safely.</p>
<b>INITIAL OFFICER RESPONSE:</b>				
<p>The Council would be willing to examine this proposal, alongside other options to reduce congestion around school sites, on a site-by-site basis. The Cabinet Member for Children's Services and Learning, Cllr Sarah Bogle would welcome the opportunity to discuss these options directly with pupils, staff and parents from schools to see how best this can be taken forward.</p>				

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
<b>Claire Faughey, Vice Chair, Friends of Southampton's Museums, Archives and Galleries (FoSMAG)</b>				
2	Location of the Tourist Office	Mike Harris	Councillor Payne	<p>In our view the current location of the Tourist Office on the lower ground floor of the Central Library is a very poor choice. The office is far from public view and not obvious even to those who come to the Library looking for it. In Winchester and Salisbury, for example, the tourist offices are prominent and prominently signed, on a main thoroughfare and can easily fulfil their function as sources of local information. Such locations enable staff to promote their city and ensure that visitors are welcomed. The obscure location of Southampton's office is not likely to make a good impression on visitors and may mean that they do not find the information they need.</p> <p>Other possible locations that occur to us are the empty premises of the former Foundations Café on the ground floor of the Library or the Wool House, which is close to the cruise and ferry terminals.</p> <p>Better signage would also help, particularly by the coach and railway stations. At present, visitors arriving by coach or train are often at a loss as to which way to turn for the city centre and local information. The FoSMAG Committee hope that this matter can be put before the relevant Cabinet for consideration.</p>
<b>INITIAL OFFICER RESPONSE:</b>				
<p>Changing customer behaviour does mean that an ever increasing number of enquiries have been made via the web and email, and we are seeking to focus our efforts at providing the best digital service possible. This will seek to ensure visitors have the best information prior to arrival in the City. Information about other attractions in the city and the surrounding area are available in Tudor House Museum and SeaCity Museum and we will seek to enhance this. The provision of the Tourist Information Centre service does unfortunately not generate significant revenues and so placing the service in a shared location is an important factor when considering its future position.</p>				

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
<b>Dilys Gartside, Cyclewise</b>				
3	Implementation of Total 20mph speed limit on our roads	Frances Martin	Councillor Thorpe	In December 2009 the Department for Transport issued revised guidance recommending 20mph limits for all roads which are primarily residential in nature and into town and city streets where pedestrian and cyclist movements are high, such as around schools, shops, markets playgrounds and other areas which are not part of any major through route. <i>(Abridged version, please see full presentment attached as a separate document).</i>
<b>INITIAL OFFICER RESPONSE:</b>				
<p>The City Council has introduced a significant number of 20pmph schemes already, particularly around schools. Our experience is that they work best when targeted at locations with a quantifiable speed or casualty problem. They should also be delivered alongside physical traffic calming measures and not just signing. This is also evidenced by the Portsmouth scheme which was the first authority in the country to introduce a blanket wide approach to speed reduction but with few supporting measures other than signs. The results of this have shown that speeds went down only marginally and that casualties have actually increased since the scheme was implemented.</p> <p>In accordance with our stated Local Transport Plan policies we are examining the practicality of introducing targeted area speed reduction measures with appropriate calming measures in residential estates and district centres. With limited resources to undertake this work we are currently developing a list of locations where there is evidence of a need for speed reduction as evidenced by casualty statistics. In addition, we will be considering where we can gain added value by implementing them in association with other council investments such as the estates regeneration or neighbourhood improvement schemes.</p> <p>It is worth noting that most of SCC casualties are on main roads. We are therefore focusing our planned cycle network investment in these locations.</p>				
<b>Graham Linecar, Secretary, Southampton Commons &amp; Parks Protection Society</b>				
4	Guildhall Square	Frances Martin	Councillor Thorpe	Unfortunately the level paved space attracts users of skateboards and stunt bikes, often in large numbers. My presentment asks the City Council to restore that balance between users of Guildhall Square. Can negotiation with skateboarders' organising groups not encourage a more responsible use of Guildhall Square? There's a purpose-built skate-park in Hoglands Park not far away. <i>(Abridged version, please see full presentment attached as a separate document).</i>

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
<b>INITIAL OFFICER RESPONSE:</b>				
<p>The significance of protecting the high quality materials used in the construction of Guildhall Square is well recognised by the City Council. It is also acknowledged that over recent months there have been large numbers of skateboarders using this shared space and over time this is appearing to cause degradation of stone benches and wear and tear to other exposed surfaces of the Square. The Council has formed an action group with representatives from all relevant departments and following it's last meeting on 30 August 2012, is in the process of:</p> <ul style="list-style-type: none"> <li>• Exploring further measures to make the exit of vehicles from the Guildhall safer.</li> <li>• Continuing to explore designs (and possible additions) that could discourage skateboarders from using the benches.</li> <li>• Engaging with Street Pastors and Youth Options to ask them to spend some time in the Square talking to the young people and understanding the drivers behind the skateboarders' use of the area and alternative sites that may exist.</li> <li>• Requesting the local PCSO's to spend some time patrolling the area, subject to availability.</li> <li>• Consideration of barriers in front of the Guildhall where trailers and Lorries park to unload.</li> </ul> <p>It is also noted that there are other issues including litter and anti-social behaviour, that whilst not listed above, are also being addressed.</p> <p>West Marlands Road has been designed as a shared space street, including no carriageway designation through Guildhall Square itself. This results in low vehicle speeds, which is beneficial to road safety. Above Bar Street carries higher vehicle volumes than West Marlands Road and is an important bus route. Speed surveys were undertaken at the pedestrian crossing point in Guildhall Square in July 2012. These showed that the 85 percentile speed (the speed below which 85% of traffic is travelling) was 24 mph northbound and 21 mph southbound. Consideration will be given to introducing a 20 mph limit in this street. Both Above Bar Street and West Marlands Road have had a good road safety record, since the scheme was implemented.</p>				
<b>Mrs Veronica Tippetts</b>				
5	Community matters	Suki Sitaram	Councillor Rayment	2012 is a special year with Olympic games, Queen's Diamond Jubilee, Diamond Jubilee of Southampton City College and of Southampton University. 2012 is the tenth year of International Peace Day celebrated around the world by millions. The Founder of the Global True Peace Movement went to school in Portswood. His name is Jeremy Gilley. He should be honoured by the City. Following custom, Margaret Matthews this September welcomed our Sheriff at Queen's Peace Fountain this October

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
				<p>or Civic Centre she will welcome our Mayor at annual UN flag raising ceremony. Margaret is the daughter of Sir James Matthews. For decades she has continued to offer the outstanding service of her father (see Mayor's Parlour, Solent and Southampton Universities). She should be honoured by the City.</p> <p>Following Matthews' tradition in the spring of 2013 we could use our cultural quarter for a first Health Matters 'gathering' for local citizens with a peace matters 'gathering' in the Autumn. Parks and gardens, Police, Fire, Red Cross, Ambulance representatives in Guildhall Square; education/training representatives in Guildhall supported by Central Library, Art Gallery offering 45 minute session by local poets, musicians, community activities, local groups offering information stalls in Solent University and Sir James Matthews building.</p>
<b>INITIAL OFFICER RESPONSE:</b>				
<p>Honouring two citizens - Jeremy Gilley and Margaret Matthews – for their service to the City. It is for the Group Leaders to consider awarding Freedom of the City to these residents to mark their contribution.</p> <p>Using the Cultural Quarter for two events – in the light of the continuing significant budget pressures on the Council and partner sector agencies, it is difficult to commit to such events. However, the administration's intention is to use the Guildhall Square area for a variety of events, so the concept of using this as public open space is already under discussion.</p>				
<b>Patsy Harcus</b>				
6	a) Government's rules on Secure Tenants			This presentment was rejected by the Jury.
	b) Dropped kerb	Frances Martin	Councillor Thorpe	Why are all the pavements and dropped kerbs up kept in the town centre, while the ones in outlying areas continue to degrade and be left to deteriorate?

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
<b>INITIAL OFFICER RESPONSE:</b>				
<p>It is not the case that there are different repair standards for footways in different parts of the city. The current contractual arrangement with our Highways Service Provider, Balfour Beatty is such that a defect on any footway or kerb line greater than 40mm deep is classified as requiring urgent attention and should be permanently repaired within 24hours. The less serious defects (presenting a hazard between 20mm and 40mm deep) will be added to a programme of works to be completed within 6 months, but the vast majority are being dealt with within a month. What may be observed is the apparent reporting of defects in a more timely manner within City Centre environments and this can be explained through these footways being inspected more frequently (Once per month as opposed to once every 6 months for more outlying areas of the City). The rationale behind this is that the classification of footways is centred on their pedestrian use and therefore the more heavily trafficked inner city or shop-front routes for example, are likely to deteriorate more quickly and hence the inspections to intervene with repairs occur more often.</p>				
<b>Claire Sivour</b>				
7	Itchen Bridge	Frances Martin	Councillor Thorpe	Why is there still charges for the Itchen Bridge since it was promised that when its construction was complete and paid for it would be free? Now that it is becoming automated, surely the intention is that it will now never be free.
<b>INITIAL OFFICER RESPONSE:</b>				
<p>The tolls are used to manage traffic flows across the bridge as well as contributing to the ongoing maintenance of the structure. The expectation is that the toll will continue to be collected for the foreseeable future. If tolls are taken away, there would be traffic chaos around the bridge area with larger trucks using the bridge constantly (currently they pay a high price to dissuade them from using this route). Every household in the City would have to pay an additional 3.7% council tax to make up for the lost income and drivers from outside of the City would pay nothing to use the bridge at all.</p>				
<p>Local residents are able to obtain a discounted toll fee on production of proof of residence and this seems to be an equitable arrangement for the benefit the bridge undoubtedly brings to the Woolston area in particular. It also seems reasonable that people from outside of the City who use the bridge should contribute to the cost of its upkeep.</p>				
<b>Ricky Yardley</b>				
8	Public Quay and Landing Stage	Suki Sitaram	Councillor Williams	The City of Southampton is a major boating centre both for manufacturing and yachting activity. It hosts Europe's largest boat show, yet the City does not provide any public access to deep water. So it is not possible for any of our citizen's step on board a boat from the land.



No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
				<p>Southampton is well provided with slipways for launching small craft on trolleys, but lacks a public Quay, unlike Weymouth, Poole, Cowes or Hamble. Most of the water frontage is owned by Associated British Ports including Town Quay. Other access points are at private marinas with gated link spans onto pontoons, not available for public use. I lobbied SEEDA when the Woolston development was being drawn up but this did not produce an all tidal. Access.</p> <p>Would the Council consider providing a facility where the public can get on and off boats, be it a quay or a pontoon. People especially those not too athletic or disabled would appreciate a pick up and drop off point useable at low water. Those who use it would pay a berthing fee and if the commercial fishermen also used it for landing their catch that would be another revenue stream. An opportunity could arise when redeveloping the Chapel Wharf site. Public quays can be a focal point for those who enjoy being on water or just watching the comings and goings of boats.</p>
<b>INITIAL OFFICER RESPONSE</b>				
<p>Long standing objectives for the development of the Royal Pier Waterfront include the need for improved public access to the waterfront and to include boat related activities which fits with the suggestion for a public quay and landing stage.</p> <p>The City Council's selected developer for the Royal Pier Waterfront , Morgan Sindall Investments Ltd , have been approached and generally agree that this would fit in with their approach to the site and are prepared to consider this in developing their scheme.</p>				
<b>Arthur Jeffrey</b>				
9	Student Accommodation and the impact on the Central Parks	Mike Harris	Councillor Payne	<p>I present the Southampton City Council to save the Central Parks from the impact of much greater use by the dramatic increase in student accommodation in the immediate area. At present Solent University students residing in Fitzhugh and the Polygon HMOs already frequent Watts Park in large numbers. Some 1104 University of Southampton students will add to the "grazing effect" when the Mayflower Plaza development is built next year. The City's Green Team has been subject to staff cuts, as with all City Council departments and the pressure on them is growing. Two more substantial developments for students are in the pipeline. At Orion's Point</p>

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
				<p>(the old British Gas offices) there will be 930 students and at Charlotte Place cum St. Marys Road another 675 students. Both these new developments are adjacent to East Park.</p> <p>Section 106 money and the new CIL levy should be ring-fenced and allocated to the City's Green Team so that the Park's gardeners can cope with the inevitable surge in the activity in our parks, allowing all of us to continue enjoying them.</p>
<b>INITIAL OFFICER RESPONSE:</b>				
<p>Central Parks are a tremendous asset to the City and it is estimated that over 1.6million people visitor the parks a year (based on pedestrian counts). The additional usage will have an impact on the parks and wherever possible parks staff work closely with Planning and Section 106 Officers to ensure that developer contributions are received to provide continual improvements that will sustain increased usage. It should be noted that Section 106 and Community Infrastructure Levy payments are limited to Capital only and can not be used for on going maintenance and currently there are no ring fenced commuted sums identified for the ongoing maintenance of these key green spaces.</p>				
<b>Jean Velecky, Southampton Commons and Parks Protection Society</b>				
10	A view of the ornamental lake on Southampton Common	Mike Harris	Councillor Payne	<p>After all the large trees on the north side of the Ornamental Lake were felled, there was a huge increase in undergrowth, mainly brambles, bracken and birch and willow scrub. The result was that the lake was no longer visible from this side, so walkers and wheelchair users on Pointout Path, which runs parallel with the north side of the lake, could no longer see it. We suggested at Court Leet 4 years ago in 2008 that a swathe about 10 metres wide should be cut through the scrub from Pointout Path down to the lake shore, to open up a vista of the lake. This suggestion was welcomed by the officers responsible and action was promised. Nothing happened, so we made a similar presentment in 2010. Still no action, in fact the situation has become worse. We would like an assurance that this scrub clearance will be brought about during this winter's work on the Common.</p>

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
<b>INITIAL OFFICER RESPONSE:</b>				
Staff based on the Common have been working with Mrs Velecky and the various Open Spaces Societies to develop effective maintenance and management plans in order to encourage the habitat in this area around the Ornamental Lake. The team have been developing a low level hedge along 'point out path' which will give views over it to the lake whilst protecting the habitat. Once this is sufficiently established the scrub beyond will be cleared providing more expansive views across to the lake. This work is scheduled for this winter, 2012 into 2013 and will be prioritised against other projects that need to be undertaken.				
<b>Mr C. Trowbridge</b>				
11	a) Service Charge inbalance.			This presentment was rejected by the Jury.
	b) Memorial Plaque to the Firemen at Shirley Towers	Nick Cross	Councillor Payne	It is apparent to me that there is no plaque of remembrance to the two Firemen who lost their lives in Shirley Towers, I implore Southampton City Council to put two plaques on Shirley Towers one at the main entrance and the second one to be put on the end of the building opposite the Church Street entrance and this area to be grassed over.
<b>INITIAL OFFICER RESPONSE:</b>				
The Council has been working with the Residents Association at Shirley Towers to consider an appropriate memorial and with them it has been agreed that a tree will be planted as part of the future Decent Neighbourhoods work as a mark of respect and thanks from the residents to the Fire Service.				
	c) Duration Time allowed for Court Leet			This presentment was rejected by the Jury.
	d) Parking on the St. James Close estate Shirely, Southampton	Frances Martin	Councillor Thorpe	Over the past two years we the residents and tenants of St. James Close have suffered on a daily basis insufficient parking on the estate to park our cars due to St. James Park Road, Vinery Road, and St. Winifreds Road being made a parking permit area this increases the amount of car parking on the visiting relatives and friends at the Southampton General Hospital ridiculously parking on the corners of the estate. In the event of a fire on the estate the Firebrigade and other services would find it difficult to enter the

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
				estate as well as refuge and recycling lorries who are aware of this problem a Mr L Little from the Cleansing Dept of Southampton City Council, so I ask that the roads I have talked about in my presentment today that the parking permit scheme be dissolved right away in the interest of safety.
<b>INITIAL OFFICER RESPONSE:</b>				
This is a location currently being looked at for development of an area wide transport improvement. This will seek to identify and quantify a range of local transport issues: undertake a holistic improvement, incorporate improvements to infrastructure with travel planning with local schools, businesses, and the hospital. The work will involve intensive community engagement and take a year or so to bring to a design stage. It is intended to complement other investments being made in the neighbourhood by SCC.				
	e) Thruxton Court Peatree Avenue Communal Door System	Nick Cross	Councillor Payne	Southampton City Council being the owner of Thruxton Court has failed to keep its tenants and residents safe as there is no security door systems in place at the entrances to the blocks of low rise flats, due to the nature of crime and theft and as we all know crime and theft can move from one area to another very quickly, I ask that this situation is corrected irrespective of what tenants and residents think before anything happens here.
	f) Tudor House/ Shirley Recreation Ground Lottery Funded	Mike Harris	Councillor Payne	Both Tudor House/Shirley Recreation Ground are lottery funded schemes in which to go into Tudor House you have to pay, but Shirley Recreation Ground we are not charged. I ask that the charge be dropped for Tudor House also I ask for lighting to be put up in Shirley Recreation Ground so youngsters have a place to go during the evenings.
<b>INITIAL OFFICER RESPONSE:</b>				
Entrance to Tudor House Museum does incur a charge, in line with many other venues. This approach was agreed with the Heritage Lottery Fund and seeks to limit the cost of operating the museum to the Council and subsequently the Council Tax payer. There are no plans to rescind the charge. At £4.75 for an adult and £12 for a family, we consider it to be excellent value for money. Lighting in St James Park: St James' Park has recently benefitted from a 1.5 million pounds improvement project largely financed by the Heritage Lottery fund. The priorities for improvement were identified through wide consultation with the Park's friends and users, local residents, and relevant agencies e.g. local Police. At the time, lighting of the park beyond the new café facility was discussed but not seen as a priority for investment, and there were in fact concerns from local residents and the Police that lighting the Park could generate problems with noise and anti-social behaviour that would impact on residents of neighbouring properties. There are no plans to introduce further lighting in the park at this time.				

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
	g) Marriage Certificate			This presentment was rejected by the Jury.
<b>Graham Chapman</b>				
12	a) Sainsbury's Car Park, West End Road	Frances Martin	Councillor Thorpe	<p>In Bitterne on West End Road, there is a situation which I would contend has the potential for very serious injury, or worse, to any pedestrians who may be unaware of approaching vehicles and even those who are aware. Sainsbury's has its own roof top car park, but its main access/entrance is a narrow archway which requires vehicles to drive directly across the pathway of a constant stream of pedestrians. In doing this they must leave the highway and crossover very clear double yellow lines, which in my view renders them immediately illegal, or at the very least culpable if they should hit anyone. I believe it must be that pedestrians have the right of way, yet I frequently see cars turning into the entrance at reckless speed, seeming to expect people to stop for them, assuming they see and hear them. This is highly dangerous. There are no warning signs at all. So I am asking for very clear signs to be placed both sides of the entrance warning pedestrians to be aware and look out for vehicles and at the same time stating they have the right of way. Also there should be large signs cautioning drivers to drive slowly, with the obligatory instruction to sound their horns, while stating that pedestrians have the lawful right of way so they must halt and give way to pedestrians. However I have a secondary suggestion would it not be safer and far more satisfactory to close down this entrance and oblige Sainsbury customers to use only the other one at the rear which is larger, safer and already exists as an entrance and exit. It's hardly a slight inconvenience and would be safer all round and would save the cost of erecting signs at the front entrance although Sainsburys might be persuaded to pay this cost or a percentage as it serves them?</p>

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
<b>INITIAL OFFICER RESPONSE:</b>				
<p>The Council's Highways Services Partnership (HSP) is aware of this entranceway into the Sainsbury's car park and the need for vehicles to cross an often busy pedestrian footway. There is a designated and authorised dropped crossing for this purpose and it is clarified that it is not an illegal action for vehicles to cross the adjoining double yellow lines as they are installed as a preventative measure against vehicles parking on the adjacent carriageway for a length of time that would lead to obstruction to the Sainsbury's access.</p> <p>The Highway code does indeed require vehicles to give way to pedestrians in such circumstances as this, but it is also accepted that it is the HSP's responsibility to ensure the Highway layout does not hinder visibility or exacerbate any hazard that may arise through the movement of vehicles turning in.</p> <p>The HSP will investigate the potential for signing or lining to make this accessway more prominent taking account of observations received. It is noted, however, that there is no legally enforceable highway signage that would oblige horns to be sounded in advance of crossing the footway. The HSP will also make an approach to Sainsbury's to enquire into their long-term view for use of this accessway / ramp into their car park. It is reiterated, however, that Sainsbury's are legally entitled to continue to use this route into their property.</p>				
	b) Guildhall Square	Frances Martin and/or Mike Harris	Councillor Thorpe and/or Councillor Payne	<p>I intended to discover, using the Freedom of Information Act, what the total cost was to create the new Guildhall Square as part of the Cultural Quarter – including the demolition and rebuild etc. May I ask – does anyone know roughly what it has cost?</p> <p>I think we all had so much hope for it. There's been previous little use of it for open air events, but it should also be a peaceful pleasant area – an oasis and retreat for weary shoppers. I do not think we spent so much money only to have hoards of skateboarders take it over. They are a persistent all day long noise. Also, they are a potential damage to the expensive new surface, but especially the Guildhall steps. They leap, jump and slam their boards all over the steps. They also skate on and off the stone seats (not that anyone wants to sit on them). I ask that they be banned from using it as their own private skate area. They already have their own designated skating feature in the park by Debenhams. I would also ask for the removal of those ridiculous stone bench seats and replacement with comfortable wooden ones with a back rest. Whoever conceived the stone ones couldn't have sat on one. The whole area is laid</p>

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
				out and used as a pedestrian area – there are no mandatory road markings and I think it should stay that way. It should not be a thoroughfare, so I ask for a ban on all vehicles traversing through especially taxis. Excepting only for required Council vehicles and the large motor home types ones with Guildhall shows and they should be strict low speed limit and more larger trees would be nice.
<b>INITIAL OFFICER RESPONSE:</b>				
The cost of works to deliver the GHS project is circa £5m which included the entire Guildhall Square, West Marlands Road and Above Bar Street (between Civic Centre Road and Commercial Street). For a response to the remainder of this question see the reply to Q4 above.				
	c) Prolific weed growth			This presentment was rejected by the Jury.
	d) Bring back Trams to Southampton			This presentment was rejected by the Jury.
	e) Bus concessions			This presentment was rejected by the Jury.
	f) Motorbikes using designated bus lanes	Frances Martin	Councillor Thorpe	At least two, maybe three years ago, my presentment was accepted regarding allowing motorbikes to use bus lanes. My case was for the safety of bikers and getting them partially out of the mainstream. This would reduce congestion and contribute to the reduction in accidents. Bikes would be intelligent and no threat to cyclists buses or taxis. There has been zero progress on this matter, why? Can you please do something to get in motion. There is now new development on bikes. We are losing our few bike ramps. When London Road was redesigned, I asked the workmen if the existing ramp would be retained. They said yes, but it was lost. Now more recently, the bus stop outside Asda was revamped. There was a 6

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
				bike ramp nearby. That has also been taken away. We have nowhere to park. There are a number of areas in the vicinity where the ramp could be restored, including the opposite side where the loss of one disabled bay wouldn't hurt they have several. Can you please examine this problem. More and more bikers are joining the ranks, which is great news.
<b>INITIAL OFFICER REPOSE:</b>				
<p>Since 1995, several authorities have made permanent a number of experimental Traffic Regulation Orders allowing motorcyclists to use bus lanes. Various monitoring and research projects have been carried out to determine the effects of these schemes on both motorcyclists and other road users. The research does not lead to clear conclusions, but suggests both potential benefits and disbenefits. In some cases motorcyclists and cyclists have been shown to become more vulnerable as a result of implementing such schemes.</p> <p>Officers of SCC recently met with a local motor cycle interest group and discussed several issues around motorcycling. Motorcycle parking and anti slip manhole covers were seen as a priority by the group rather than bus lanes. This is due to the relatively small number of bus lanes in the City and the relative short length of these bus lanes. As such we do not currently intend to promote a scheme allowing motorcycle access to bus lanes although we would be happy to review this situation as and when more compelling evidence of the benefits becomes available.</p>				
	g) Public toilets	Frances Martin	Councillor Thorpe	<p>Again about two years ago, my presentment was accepted on the abysmal provision of public loos, around the City. What did the Council do? They closed the one and only major loo behind the Bargate. I have written asking the Council to enlighten me and confirm how many and where they are. Not even the courtesy of an acknowledgement. It is appalling to expect the thousands of shoppers and visitors in town, to rely on the goodwill of shops or businesses to allow us to use their facilities and just how are we to know which premises are amenable. It is disgraceful, we have to spend a penny where are we to go? While the Titanic Museum was being built, all the hoardings around it proclaimed the benefits of thousands more visitors coming to Southampton. Then they take away public loos.</p> <p>Do you know how many there are and where they are? Where are the notices around town, telling the thousands of visitors where they can go? You have a civic duty to provide sufficient numbers of accessible public loos. You can start by bring the Bargate loo back into service instead of it sitting there idle and useless and we need more, several more, not less.</p>



No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
				Many people, especially the elderly are trapped in their homes, unable to visit town for fear of being caught short. Will you please help them become free to travel. More loos please.
<b>INITIAL OFFICER RESPONSE:</b>				
<p>A proposal to close the Bargate Public Toilets formed part of the 2011/12 budget programme that was approved by full Council on 15<sup>th</sup> February 2011. Following this approval, the Bargate Toilets were closed to the public in April that year.</p> <p>Over previous years, the Bargate Toilets had become increasingly expensive to keep open due to the increasing costs of repairs and maintenance. These costs were principally due to the age and poor design of the structure, and a high level of abuse and vandalism in this unsupervised location.</p> <p>For a number of months following closure a plan of the City Centre was displayed on the doors of the closed facility indicating to previous users the location of the significant number of toilets provided by either the City Council or the retail sector within the city centre that remained available to the public.</p> <p>It was also practice to include this information with any replies to correspondence on the subject of toilet provision within the City Centre. It is regrettable that this information does not appear to have been made available to Mr Chapman on his initial enquiry. The street cleansing team will ensure that this information is now provided to Mr Chapman, and will also look to make this information available through its web-page on Southampton Online.</p>				
<b>Mr and Mrs Chalk</b>				
13	Bandstand, Palmerston Park	Mike Harris	Councillor Payne	<p>Sheriff and members of the Jury I wish to make a presentment about the Bandstand which is located in the lower end of Palmerston Park.</p> <p>I with my husband campaigned for the provision of this Bandstand. After some six years and much toing and frowing between Southampton City Council and the Secretary of State at Westminster, the Bandstand was finally provided in the summer of the year 2000, within the central parks Heritage Lottery Scheme. The late Council officer Mike Spickett was the driving force behind the scheme.</p> <p>We campaigned for the Bandstand because we felt that it would become a popular amenity for citizens of Southampton, like brass bands, school music groups, drama groups, military bands, the list is endless. Also being an attraction for visitors to the City. There was at this time, a wish to make Southampton City a more tourist friendly city. A very worthy aim at the time and with the cruise industry that exists today an aim that should have a high</p>

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
				<p>priority. Previous to this Southampton did have a bandstand in the parks, but was removed about 1930s due to the war effort.</p> <p>Currently there has been some success, but we consider that the time has come for an in depth review of the situation. We are of the opinion that the location and structure of the Bandstand should be radically revamped. With regard to the location, we think it could be re-sited more closely to the main thoroughfare. This would make it more accessible to Southampton citizens and tourists, especially since the City has a more open feel to it with the removable of premises in the area of the Guildhall.</p> <p>Also we believe the structure of the Bandstand could be considered possibly by raising it on staggered steps and to include storage space for seating and equipment – cases etc.</p> <p>We are after all a major City on the south coast and deserve to have buildings and structures that recognise our status and are pleasing to the eye.</p> <p>Finally in our initial campaign we did express the view that we hoped the amenity would be such that it would attract a wide range of users and organisations and this is the view that we still firmly believe in.</p> <p>We think the time is right for a review, we think it could be done at a reasonable cost and if we provide an attractive Bandstand in the right location it will be an asset to the City. Jury members I commend this presentment to you.</p>
<b>INITIAL OFFICER RESPONSE:</b>				
<p>Following public consultation through the Heritage Lottery Funding process a 50 year plan for Central Parks was drawn up and this included the positioning of the band stand in its current location. On average the Council puts on between 8 and 10 bands between May and September, with the bandstand being used most Sundays during end of July and August. However, there are very few requests from bands to use the bandstand and SCC has had to commission bands to play in the bandstand. There are currently no plans to re-locate the bandstand and there is currently no funding available to revamp or re-locate the bandstand.</p>				
<b>Louise Owen on behalf of Southampton Woodcraft Folk and Alan Gibson on behalf of the Urban Forager Project</b>				
14	The Community Orchard in	Mike Harris	Councillor	The Southampton Woodcraft Folk have been awarded a £500 grant to help promote care and awareness of the natural resources in our local

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
	Mansbridge		Payne	<p>environment and encourage links within the community and local like-minded groups.</p> <p>We support the campaign for a Community Orchard and seek to encourage the young people in our group and in the wider community to nurture care for the fruit trees in our city and learn to understand how best to responsibly use and maintain this resource.</p> <p>A well organised and environmentally sensitive Apple Pressing Day would be the perfect opportunity to bring out diverse groups and their common aims together in a small scale, inclusive afternoon or orchard activities and games which we hope the Court Leet will agree is bound to be a beneficial event to support and allow.</p> <p><i>(Please see full presentment attached as a separate document).</i></p>
<b>INITIAL OFFICER RESPONSE:</b>				
<p>The Council (through the Parks and Open Spaces team) have been working with local residents to support a community orchard and would be happy to support an apple pressing event. If the 'Southampton Woodcraft Folk' would like to contact Nick Yeats at SCC then we can discuss the detail of such an event.</p>				
<b>Lindsi Bluemel Secretary, Southampton Cycling Campaign</b>				
15	Barriers on cycle paths	Frances Martin	Councillor Thorpe	<p>In Southampton we are fortunate in having a number of cycle paths making use of the parks, the shoreline and ancient routes through green areas. These routes are extremely busy and dangerous roads.</p> <p>Unfortunately some of these paths are made difficult or dangerous for cyclists to use by the erection of barriers, an example being Cutbush Lane. Here there are at least half a dozen barriers requiring cyclists to dismount and manoeuvre around causing considerable delay, If cyclists are carrying children in a trailer they would not be able to use Cutbush lane. Equally, a disabled cyclist riding a modified bicycle or two cyclists on a tandem would not be able to negotiate the barriers and therefore not use the route.</p> <p>An extra concern is whether the barriers on the bridleway section are usable by horse riders, we think not. Perhaps this should also be looked at.</p> <p><i>(Abridged version, please see full presentment attached as a separate document).</i></p>

No.	SUBJECT	LEAD OFFICER	LEAD MEMBER	PRESENTMENT
<b>INITIAL OFFICER RESPONSE:</b>				
<p>Southampton City Council is currently working on the regeneration of Townhill Park and this will look into transport and accessibility. Cutbush Lane is a long route that is in several sections with various classifications, e.g. bridle way and footpath. These classifications therefore currently restrict the use for some users including cyclists and horse riders. We have already asked our Highway Partner Balfour Beatty to undertake a full survey of the route - this will not only establish physical spaces, but also indentify the current status as to permitted use including any Traffic Regulation Orders and indentify land ownership. Some of the route is within Southampton and some links are within Eastleigh. Along the route some sections are managed by Highways whilst other sections are managed by Open Spaces.</p> <p>The reason that barriers have been installed over the years was to prevent anti social behaviour issues such illegal use of motor cycles. Upon completing the surveys the scheme will be designed to ensure that legitimate users will have uninterrupted access. Once a preliminary design is produced then this will be available for consultation to residents and users.</p>				

### **3. Implementation of Total 20mph speed limit on our roads**

#### **Dec 2009 Dept for Transport**

issued revised guidance recommending 20mph limits for all roads which are primarily residential in nature and into town and city streets where pedestrian and cyclist movements are high, such as around schools, shops, markets, playgrounds and other areas which are not part of any major through route.

#### **WHY 20 mph?**

In Britain more than half of road deaths and serious injuries occur on roads with 30mph limits

Britain has the highest percentage of pedestrian road fatalities in Europe (24%)

Britain has one of the lowest levels of children walking or cycling to school in Europe

Standard speed limits on Britain's urban roads are 60% higher than Europe (30mph cf 18.6mph)

So perhaps the question should be ***Why 30mph?***

**THE TIMES 'Cities Fit for Cycling' CAMPAIGN** was launched in Feb 2012 with an 8 point manifesto including 20mph should become the default speed limit in residential areas where there are no cycle lanes. This Campaign triggered a Parliamentary Debate in Westminster Hall later that month

Already over 8 million residents live in towns which are adopting or have adopted this policy. Most importantly, through democratic debate, those communities have decided that "20's Plenty Where People Live" and it is those same communities who have then changed their behaviour to drive slower in residential streets and where people walk and cycle.

**To date** the state of "**total 20**" implementations in local authorities is as follows :-

**Portsmouth** implemented "Total 20" on all its residential roads. (May 2008)

**Oxford** implemented "Total 20" on all its residential roads. (Sep 2009)

**Islington** implemented "Total 20" on all its residential roads. (March 2010)

**Newcastle** converting all its "advisory" speed limits on residential roads to mandatory 20mph limits

**Bristol City Council** implementing 20 mph speed limits on 2/3 of the city.

**Warrington** implemented 20mph limits on 190 roads and rolling this out across the whole town

**Southwark** "infilling" all of its residential roads at 20 mph to create "total 20" for the borough

**Wirral** announced a 3 year program to set 20mph limits for all residential roads.

**Edinburgh** announced a large 20mph limited area in the Southern part of the city.

**Lancashire** pledged all residential roads in the county to have a 20mph limit by 2013.

**Brighton & Hove** committed to 20mph for all residential streets

**Sheffield** rolling out area-wide 20mph limits as part a city-wide review of signage.

**Liverpool** committed to 20mph limits on 70% of its residential streets.  
**York** planning the roll-out of 20mph limits across the whole town.

### **STATISTICS for 2010**

24 Soton cyclists KSI. Cyclists killed across the country rose by 7% over previous year

Chance of pedestrian surviving at 40 mph: 15%

Chance of pedestrian surviving at 30 mph: 55%

Chance of pedestrian surviving at 20 mph: 95%

### **WILL IT WORK ?**

In Mar 2012 **Watford Council** called for “a 20 mph limit on all residential roads excluding major routes” noting that, where this limit has been introduced elsewhere, it has:

- significantly reduced speeds in just the first year of operation;
- encouraged walking and cycling, especially for the elderly and younger children;
- benefited communities, with residents a quarter more likely to stop and talk on footpaths;
- increased the journey time of a 15 minute journey by just 1 minute;
- reduced vehicle emissions by 12% due to less acceleration and deceleration;

and been supported by 72% of drivers surveyed as part of the British Social Attitudes Survey

The latest statistics are from **Burnley** which has seen a massive reduction in casualties. Over all three pilot areas, the overall figures fell from 46 casualties a year, with 6 KSI, to 25, with 2 KSI, but no child KSI.

Bristol found of its 20mph limits, using a mean of a 23% increase in walking and a 20.5% increase in cycling that, for each £ spent, the return on investment for walking is £24.72 and for cycling is £7.47. The DfT states that any schemes that gives a return on investment of more than £2 for every pound spent gives high value.

**SOUTHAMPTON COUNCILLORS AND OFFICERS are hereby petitioned to implement a 20mph limit** on all primarily residential roads and into town and city streets where pedestrian and cyclist movements are high

### **WANT TO KNOW MORE ?**

- 20's Plenty for Us (National Campaign) [www.20splentyforus.org.uk](http://www.20splentyforus.org.uk)
  - **University of the West of England - 20mph Research Findings**
  - <http://www1.uwe.ac.uk/bl/bbs/research/bsmc/researchprojects/20splenty.aspx>
  - **British Medical Journal** <http://www.bmj.com/content/345/bmj.e5580/rr/601213>
  - **Department for Transport** - <http://www.dft.gov.uk/topics/road-safety/speed-management>
- <http://www.dft.gov.uk/consultations/dft-2012-32/>

#### **4. Guildhall Square**

The new Guildhall Square is a well proportioned, elegant civic space. It is good to see it full of people for occasional performance events.

An important element giving it unity is the high quality paving sweeping from the Guildhall portico and steps through to where building of the new arts complex will soon start. Unfortunately, this level paved space attracts users of skateboards and stunt bikes, often in large numbers. There are times when they seem to take over the Square. This is neither intended purpose nor fair to other users.

The repeated clatters and bangs as skateboarders whizz past, suddenly jumping and turning, can seem intimidating to pedestrians and deter those who might otherwise want to relax on seats in the Square. It is apparent that the expensive seats in the Square have been damaged by skateboarders jumping onto them.

In all open spaces, users should have regard and respect one for another. My presentment asks the City Council to restore that balance between users of Guildhall Square. Can negotiation with skateboarders' organising groups not encourage a more responsible use of Guildhall Square? There's a purpose built skate park in Hoglands Park not far away.

The most effective counter would be more people in the Square. Unfortunately, unlike similar paved civic spaces in other towns, Guildhall Square is not a bustling space full of people throughout the day and evening. Revitalising retailing in the surrounding area would attract people and encourage them to stay in the Square. The new arts complex will bring in more people for more of the day, but sufficient to hinder and deter the skateboarders?

That raises a second issue. The unity of design of the paving means that it 'reads as a single pedestrian space. Pedestrians can be surprised by the unexpected approach of vehicles in West Marlands Road and, even more so, by buses and taxis going up and down Above Bar Street, sometimes at an inappropriate speed. Opening of the arts complex will exacerbate this conflict because people going to the new galleries and performance space will be crossing the path of the buses. Would the City Council please consider ways and means to slow the speed of buses and taxis crossing the pedestrian space of Guildhall Square.

#### **14. Community Orchard in Mansbridge**

Last year, with the help of the Court Leet, it was established that picking fruit and nuts with families was legal on Southampton Common and also the other Southampton parks, provided no unnecessary damage (such as digging up trees) was caused.

While exploring the Southampton parks we discovered a large number of apple trees in the Council owned park known as Octavia Road Open Space in Mansbridge. These mature trees lie in the parkland that borders the river Itchen on the opposite bank to the pitch and putt course, it is also bounded by the Monk's Path and runs through to the Monks Brook Greenway/Woodmill and some University owned land.

At the time we proposed to the Council that the fruit trees in this area should be officially designated as a Community Orchard. We have been given permission via Councillor Peter Baillie and Jonathon Dyer-Slade (Streetscene and Community Safety Senior Manager) to 'progress the idea' of a Community Orchard in Mansbridge. Although this area is already a public open frequented by footballing children and dog walkers; we are keen to work closely with the Southampton Parks and Open Spaces unit, in order to satisfy any ecological and environmental concerns.

What we need is full permission to establish the fruit trees in this area as an official Community Orchard. By doing this we would be more able to recruit volunteers to do work (such as pruning and ivy/bramble removal from the trees). At some point in the future we could also possibly apply for funding, in order to promote better tree health and improved fruit yield. We could also plan other fruit trees, such as plums or cherries, that produce fruit at different times of the year.

People are already keen to help us: we already have a busy mailing list and Facebook page.

<http://www.facebook.com/#!/groups/180486315362683/> Alan Gibson also runs a campaign page via his Urbane Forager blog <http://theurbaneforager.blogspot.co.uk/p/campaign.html>

We believe that establishing the Mansbridge Community Orchard we will be able to create a beautiful area that can be used for picnics, playing and walking. When the bloom arrives with spring, blossom walks can be organised. Orchards are the textbook place for outdoor celebration. Where children can play safely and adults can relax, immersed in nature.

When autumn arrives there will be a crop of apples and when everyone joins in with the harvest, the overall benefit to the community can be tremendous. An orchard for the community does not only supply free food, but encourages talking, meeting, walking and communicating. It can reunite the old and the young; it can enhance respect for other people and the land. Mutual respect, brought through public involvement is also an effective way of reducing crime and bigotry which can permeate in times of depression.

## **15. Barriers on Cycle Paths**

In Southampton we are fortunate in having a number of cycle paths making use of the parks, the shoreline and ancient routes through green areas. These route are extremely useful for cyclists enabling them to take an attractive route avoiding sometimes extremely busy and dangerous roads.



Unfortunately some of these paths are made difficult or dangerous for cyclists to use by the erection of barriers, an example being Cutbush Lane. Here there are at least half a dozen barriers requiring cyclists to dismount and manoeuvre around causing considerable delay. If cyclists are carrying children in a trailer they would not be able to use Cutbush Lane. Equally, a disabled cyclist riding a modified bicycle or two cyclists on a tandem would not be able to negotiate the barriers and therefore not use the route.

Southampton Cycling Campaign has purchased a copy of the Dft publication Cycle Infrastructure Design and this has pictures and descriptions of cycle-friendly barriers which Councils are encouraged to erect where they are necessary – after considering whether, indeed, barriers are necessary at all.

Not only do barriers inconvenience cyclists and deter some from using a route, they make pleasant path is difficult for disabled people to use and sometimes they cannot use a path at all and this applies to wheelchairs as well as disability vehicles.

Earlier this year a complaint was made to West End Parish Council by a disabled person's carer as a barrier prevented her from using the section of Cutbush Lane from Meggeson Avenue to the A27 by Haskins – surely a route many would wish to be able to use. Notes from the Parish Council meeting in April state that the barrier is not compliant with the Disability Discrimination Act and must be altered. Here are many barriers on the section of Cutbush Lane from Meggeson Avenue to West End Road which would be equally difficult or impossible for disabled people to use.

As an aside, my maps show the section of Cutbush Lane clearly within Southampton, but maybe the boundary actually runs along Cutbush Lane.

I have done some research on this issue as it is of concern to so many cyclists and I have found that some local authorities have a policy of no barriers unless proved necessary (a perceived or potential need is not enough) and where absolutely essential they should be of a cycle friendly design. We would like Southampton City Council to adopt this policy when considering the erection of barriers on cycle paths and to remove some of those on Cutbush Lane.

An extra concern is whether the barriers on the bridleway section are usable by horseriders - we think not. Perhaps this should also be looked at.

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<b>DECISION-MAKER:</b>	CABINET
<b>SUBJECT:</b>	APPROVAL OF THE LOCAL DEVELOPMENT SCHEME 2012
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012
<b>REPORT OF:</b>	CABINET MEMBER FOR RESOURCES
<b>STATEMENT OF CONFIDENTIALITY</b>	
Not applicable.	

## **BRIEF SUMMARY**

The Council, as a Local Planning Authority, is required to produce a work programme setting out what planning documents will be produced and when. This programme is called the Local Development Scheme. The current version (3<sup>rd</sup> revision) was approved by the Secretary of State in February 2009. It is now necessary to update the Local Development Scheme to take account of the changes in Government requirements.

## **RECOMMENDATIONS:**

- (i) To approve the Local Development Scheme 2012 (Appendix 1) for the publication on the Council's website to have effect from 22<sup>nd</sup> November 2012.
- (ii) To delegate authority to the Senior Manager, Planning, Transport and Sustainability following consultation with the Cabinet Member for Resources, to amend Part 2 of the Local Development Scheme 2012 as required in order to reflect changes in the programme

## **REASONS FOR REPORT RECOMMENDATIONS**

1. The Planning and Compulsory Purchase Act 2004 states that local planning authorities must prepare a Local Development Scheme and keep it up to date. This report brings forward for approval an updated Local Development Scheme to come into effect as soon as possible after the Cabinet decision.
2. Cabinet is asked to approve both parts of the Local Development Scheme. Delegation to the relevant Senior Manager is sought to enable the programme, and content of the individual plans (Part 2) to be updated quickly, as and when necessary.

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

3. The Planning and Compulsory Purchase Act 2004 (as amended by The Localism Act 2011) requires local planning authorities to prepare a Local Development Scheme. This document identifies the current and proposed statutory planning documents that the Council is intending to produce over the next 3 years until December 2015, and includes a programme of when each will be produced. This will be kept up to date and revised as appropriate, if there is a change to the programming of the documents which could affect the milestones set out in the LDS.

4. Having recent and relevant planning policies that set out a positive vision for sustainable economic development within a high quality environment is crucial to give confidence to businesses and residents to invest in the City. In addition, at the Examination into the soundness of new development plan documents (planning policies) such as the City Centre Action Plan; the plan could be found unsound if it is not prepared in accordance with the timetable set out in the most recent Local Development Scheme. The last version of the Local Development Scheme was prepared in 2009 and does not reflect the significant change in planning processes.
5. The Localism Act 2011 and the National Planning Policy Framework 2012 have made a number of significant changes to the planning system. This, alongside the passage of time, means that the current Local Development Scheme produced in 2009 is out-of-date. Thus the current Scheme requires a major overhaul to take out unnecessary information whilst updating the national context and setting out the current programme of proposed planning documents.
6. Currently the development plan for the City comprises of:
  - The South East Plan 2009 (soon to be abolished); plus
  - Adopted Southampton Core Strategy 2010 (city-wide) which sets out the strategic policies; plus
  - Saved policies from the Local Plan Review 2006 (city-wide) which set out site allocations and development management policies. All the policies except MSA8 were saved but some have subsequently been replaced or changed by the Core Strategy; plus
  - Saved policies from the Minerals and Waste Local Plan 1998 (to be replaced by the Minerals and Waste Plan, adoption in 2013).

Together the Core Strategy, Local Plan Review saved policies and Minerals and Waste Local Plan saved policies comprise the current Local Plan for the City.

7. The Local Development Scheme will explain how the emerging and proposed statutory plans (being prepared in the light of the National Planning Policy Framework) comprise:
  - City Centre Action Plan (being prepared by SCC)
  - Core Strategy Partial Review (city-wide, being prepared by SCC)
  - Minerals and Waste Plan (city-wide and beyond, being prepared jointly by the Hampshire Minerals authorities which include SCC)
  - City Local Plan for the whole City (to be prepared by SCC following the adoption of the above documents). It is intended that this plan will replace the Core Strategy, Local Plan Review, and the City Centre Action Plan.

Once the City Local Plan is adopted (estimated to be in 2017) the statutory development plan for the City will comprise the City Local Plan and Minerals and Waste Plan plus any Neighbourhood Plans (see below).

8. In addition to the plans being prepared by SCC, local communities can prepare Neighbourhood Plans provided they meet the statutory requirements and local criteria. As they are not prepared by the Council they are not included within this programme. However, where a Neighbourhood Forum and Neighbourhood Area have been designated by the Council (a pre-cursor to starting a Neighbourhood Plan) this will be identified.

### **Keeping the programme up to date**

9. To enable the Council to quickly and frequently update the Local Development Scheme programme for new planning documents it is suggested that a two part document is produced. The first part will contain the context and a list of plans that will be prepared. This will not need to be updated very frequently. Part two will contain a timetable chart for the production of the documents and a profile of each plan.
10. It is proposed that initially both parts of the Local Development Scheme will be adopted by Cabinet. It is further proposed that Cabinet be asked to delegate powers to the Senior Manager, Planning Transport and Sustainability to update Part 2 (the programme for plan preparation) on the website without the need to gain further endorsement from Cabinet.

### **Consultation**

12. A report explaining the changes to the Local Development Scheme has been discussed by senior officers sitting as the Planning Southampton 2026 Panel. Legal services, property services and finance have been consulted.
13. Since the Local Development Scheme is the Council's work programme for preparing the Council's statutory planning policy documents, it has not been the subject of public consultation. Once in force, it will be available for the public to access via the website.

### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

14. Not to revise the Local Development Scheme. The Council is required to produce and keep up-to-date a Local Development Scheme and prepare the documents identified within it according to the milestones set out. Having relevant and recent planning policies helps to attract investment to the City.

### **RESOURCE IMPLICATIONS**

#### **Capital/Revenue**

15. There are no capital implications. Costs will be kept to a minimum as the Local Development Scheme will be published on the Council's website, no hard copies will be produced.

#### **Property/Other**

16. There are no property implications.

### **LEGAL IMPLICATIONS**

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

17. Planning and Compulsory Purchase Act 2004.

**Other Legal Implications:**

- 18. The revised Local Development Scheme is intended to respond to national changes to the plan making system, following publication of the Town and Country Planning (Local Planning) (England) Regulations 2012, the new National Planning Policy Framework and the provisions of the Localism Act 2011.

**POLICY FRAMEWORK IMPLICATIONS**

- 19. The Local Development Scheme sets out the timetable to produce the planning policy documents that make up the Development Plan which is part of the Council's Policy Framework.

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**SUPPORTING DOCUMENTATION**

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

**Appendices**

1.	Local Development Scheme 2012
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**Documents In Members' Rooms**

1.	None
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**Integrated Impact Assessment**

Do the implications/subject/recommendations in the report require an Integrated Impact Assessment to be carried out.	Yes/No
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**Other Background Documents**

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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2.	None	
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**Integrated Impact Assessment and Other Background documents available for inspection at:**

<b>WARDS/COMMUNITIES AFFECTED:</b>	All
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## **Planning Southampton to 2026**

### **Southampton's Local Development Scheme 2012**

#### **PART 1 CONTEXT**

##### **Chapter 1 Introduction**

Southampton City Council is a unitary authority. It lies on the south coast of England and is the principal city in central southern England. The city is the regional centre for South Hampshire providing employment, shopping, housing, leisure, entertainment, cultural activities, higher and further education and hospitals. It is also an important international transport hub with a port and airport (just outside the city boundary) and has a population of 236, 900 (2011).

Having recent and relevant planning policies that set out a positive vision for sustainable economic development within a high quality environment is crucial to give confidence to businesses and residents to invest in the city.

Southampton City Council is the Local Planning Authority for Southampton and as such it has the responsibility to prepare statutory plans and determine planning applications in accordance with them. The Local Planning Authority has to set out its programme for preparing its plans (Planning & Compulsory Purchase Act 2004, updated by the Localism Act 2011). This Local Development Scheme 2012

- Identifies the current and proposed statutory plans for the city and;
- Sets out Southampton City Council's programme for their preparation over the next three years (until December 2015).

This 2012 update replaces the Third Revision adopted by the City Council in 2009. The progress in preparing the identified plans will be reported in the Council's annual monitoring reports, which are published on the Council's Planning web pages each January and relate to the performance in the previous financial year.

The Local Development Scheme 2012 is a two part document. This part (Part 1) provides the context and a list of the current and proposed plans. Part 2 contains a more detailed explanation of the plans and a timetable for their production which will be updated on the website when required.

Parts 1 and 2 of the Local Development Scheme 2012 were adopted by Southampton City Council on November 13<sup>th</sup> 2012.

## Planning context

The planning system regulates the use and development of land to enable the right development to be built in the right place and at the right time, to meet national needs and those of local communities. It also has a very important role in protecting areas of special environmental or historic importance, tackling climate change and moving towards a low carbon society.

The Council, as Local Planning Authority works with local communities, businesses, neighbouring authorities and other organisations to produce statutory plans. These plans set out the criteria against which applications for planning permission are assessed. The Council is revising the Local Development Scheme to set out the new proposed statutory plans as a result of changes in the planning system.

The **Localism Act 2011** has fundamentally changed the types and format of planning documents that need to be produced. It has made provision for

- Abolishing regional planning strategies (yet to be enacted)
- Replacing the previous local planning documents (a Core Strategy + one or more plans setting out detailed site allocations and development management policies) with just one document – a local plan.
- Introducing a new type of plan (which will be part of the statutory development plan alongside the local plan) which is instigated by local communities – Neighbourhood Development Plans (also known as Neighbourhood Plans)
- Introducing a “duty to co-operate” for local planning authorities and other organisations to work together in preparing their plans to resolve planning issues that cross administrative boundaries.

The Act also encourages people to have greater involvement in the future plans for their neighbourhood.

The **National Planning Policy Framework (2012)** provides further guidance on the format and content of the statutory local plans and local planning guidance. It replaces previous national guidance - known as Planning Policy Statements and Planning Policy Guidance.

The Planning and Compulsory Purchase Act 2004, requires development plans to be in accordance with the local authority’s **Sustainable Community Strategy**. The Council is a key partner in Southampton Connect which has produced the Southampton Connect Plan 2012 – 2015. This sets out the current strategic vision, aspirations and priority projects for the city over the next few years. New development plans will take account of the approach of the plan as far as is relevant.



### **Joint working and duty to co-operate**

The council will continue to work constructively with neighbouring authorities and other organisations to co-operate on cross – boundary planning issues, discharging its statutory duty to co-operate through:

- Continued membership of the Partnership for Urban South Hampshire. 10 local authorities have been working together since 2003 to agree a common approach to cross-boundary issues associated with the delivery of the significant growth. The Partnership wrote the South Hampshire Strategy which became part of the South East Plan and identified housing and employment floorspace targets across the sub-region which in turn have influenced individual council's strategic plans (core strategies). This sub-regional plan is currently being updated. The Partnership also comments on the emerging development plan documents of its members to achieve consistency in plan making.
- Close working with statutory undertakers and other specified consultees in the preparation of local plans, delivery of sub-regional infrastructure, addressing environmental issues and significant planning applications.
- Detailed ongoing discussions with adjoining authorities (including Eastleigh Borough Council, Test Valley District Council & New Forest District Council) on planning issues.
- Joint production of a Minerals and Waste Plan with Hampshire County Council, Portsmouth City Council, South Downs National Park and New Forest National Park Authorities.
- Close working with the sub-regional transport partnership – Transport for South Hampshire- particularly in preparing and delivering the sub-regional transport model; sub-regional smart ticketing and the legible cities project.

In accordance with the National Planning Policy Framework (para 187) the council will continue to work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area. It will also continue to encourage local people and community groups to make their views known on emerging plans and planning applications (see the Statement of Community Involvement on the council's website).

## Chapter 2 Statutory planning documents

The development plan for Southampton currently comprises:

- The **South East Plan** 2009 (soon to be abolished); plus
- Adopted **Southampton Core Strategy** 2010 which sets out the strategic policies; plus
- Saved policies from the **Local Plan Review** 2006 which set out site allocations and development management policies. All the policies except MSA8 were saved but some have subsequently been replaced or changed by the Core Strategy; plus
- Saved policies from the **Minerals and Waste Local Plan** 1998 (to be replaced by the Minerals and Waste Plan, adoption in 2013).

**Together the Core Strategy, Local Plan Review saved policies and Minerals & Waste Local Plan saved policies comprise the current Local Plan for the city.**

The emerging and proposed statutory plans (being prepared in the light of the National Planning Policy Framework) comprise:

- **Core Strategy Partial Review** (city wide, being prepared by Southampton City Council )
- **City Centre Action Plan** (being prepared by Southampton City Council)
- **Minerals and Waste Plan** (city wide and beyond, being prepared jointly by the Hampshire Minerals authorities which include Southampton City Council)
- **City Local Plan** for the whole city (to be prepared by Southampton City Council following the adoption of the above documents). It is intended that this plan will replace the Core Strategy, Local Plan Review, and the City Centre Action Plan.

**Once the City Local Plan is adopted (estimated to be in 2017) the statutory development plan for the city will comprise the City Local Plan and Minerals &**

In addition to the plans being prepared by Southampton City Council, local communities can prepare **Neighbourhood Plans** provided they meet the statutory requirements and local criteria. As they are not prepared by the Council they are not included within this programme. However, where a Neighbourhood Forum and Neighbourhood Area have been designated by the Council (a pre-cursor to starting a Neighbourhood Plan) this will be identified in Part 2.

Map 1 The administrative boundary of the city and the extent of the city centre



## Chapter 3 Supporting and related documents

In addition to the plans that make up the statutory development plan the Council also produces other documents which either provide additional guidance to people applying for planning permission (supplementary planning documents, community infrastructure levy charging schedule, and adopted policies map) or provide information to applicants and others on community involvement or monitoring the effectiveness of policies.

- **Supplementary planning documents** add further detail to the policies in the Local Plan. They can be used to provide additional guidance for development on specific sites, or on particular issues, such as design. They can be taken into account when applications are considered.
- **The community infrastructure charging schedule** will help to pay for the additional infrastructure required to support new development. Developers will be liable to pay contributions according to the amount of new floorspace they want to build. The level of the charge is set out in a community infrastructure levy charging schedule which is prepared by the Council, taking into account the amount of new infrastructure required and the amount and overall viability of new development in the city. The charging schedule is subject to independent scrutiny through a public examination.
- **The adopted policies map** illustrates all the policies and proposals contained in the City's development plan documents.
- **The statement of community involvement** is a document that sets out how the Council will involve the public in making plans and taking decisions on planning applications.
- **The annual monitoring report** assesses the effectiveness of the policies set out in the Council's statutory plans. The report is published every year and is available in January. It relates to data from the previous financial year.

### Further information and contact details

Contact: Jagdeep Birk  
Telephone: 023 8083 3919 /2972  
Email: [Jagdeep.birk@southampton.gov.uk](mailto:Jagdeep.birk@southampton.gov.uk)  
Or [City.plan@southampton.gov.uk](mailto:City.plan@southampton.gov.uk)

<http://www.southampton.gov.uk/s-environment/policy/>

Further information for the Minerals and Waste Plan can be found using the following link.

<http://www3.hants.gov.uk/search?cx=009988739743092233991%3A4hx6rzc-jgg&cof=FORID%3A11&q=local+development+scheme>



## Plan profiles – Proposed statutory plans

<b>Core Strategy Partial Review</b>	
<b>Role and Content</b>	The single topic review updates the adopted Core Strategy by reducing the targets for office development across the city, to reflect the impact of the economic recession on the level of new development.
<b>Geographic coverage</b>	City wide
<b>Status</b>	DPD
<b>Chain of conformity</b>	Must be in conformity with the South East Plan (soon to be abolished) and Government legislation and guidance.
<b>Timetable</b>	
Commencement	October 2011
Initial public consultation on issues and Sustainability Appraisal for CCAP (Reg 25)	30 <sup>th</sup> Jan 2012 – 23 <sup>rd</sup> March 2012
Completion of proposed submission plan & final Sustainability Appraisal	March 2013
Public consultation of the plan & Sustainability Appraisal (proposed submission version. Reg 27)	June / July 2013
Submission of plan & evidence for Examination	Sep/ Oct 2013
Joint or consecutive Examination with City Centre Action Plan	Jan / Feb 2014
Receipt of Inspector's report	Apr / May 2014
Adoption and Publication	Summer 2014

## City Centre Action Plan

<b>Role and Content</b>	The City Centre Action Plan is the planning framework for the city centre which aims to promote its continued viability and vitality. It demonstrates how the ambitious targets and strategic policies set out in the Core Strategy can be realised in the city centre. It allocates sites for specific uses including new housing, retail, and mixed use developments. It will be used to guide decisions on planning applications.	
<b>Geographic coverage</b>	City centre	
<b>Status</b>	DPD	
<b>Chain of conformity</b>	Must be in conformity with the Core Strategy and Government legislation and guidance	
<b>Timetable</b>		
Commencement	September 2006	
Initial public consultation on issues and Sustainability Appraisal for CCAP (Reg 25)	April 2007	
Joint public consultation on Preferred approach	30 <sup>th</sup> Jan 2012 – 23rd March 2012	
Completion of proposed submission plan & final Sustainability Appraisal	March 2013	
Public consultation of the plan & Sustainability Appraisal (proposed submission version. Reg 27)	June / July 2013	
Submission of plan & evidence for Examination	Sep/ Oct 2013	
Joint or consecutive Examination with Core Strategy Partial Review	Jan / Feb 2014	
Receipt of Inspector's report	Apr / May 2014	
Adoption and Publication	Summer 2014	

<b>City Local Plan</b>	
<b>Role and Content</b>	Strategic and local planning framework for the City which sets out policies and allocates sites. The City Local Plan will replace the Core Strategy, Local Plan Review and City Centre Action Plan incorporating key policies from the three documents, which will be used in development management decision making.
<b>Geographic coverage</b>	City wide
<b>Status</b>	DPD
<b>Chain of conformity</b>	Must be in conformity with Government legislation and guidance
<b>Timetable</b>	
Commencement	Mar / Apr 2014
Prepare / update evidence base and prepare initial consultation document and initial Sustainability Appraisal	Oct 2014
Initial public consultation on issues and Sustainability Appraisal Reg 25.	Jan / Feb 2015
Further public and stakeholder involvement on the preferred approach	Jan/Feb 2016
Completion of proposed submission plan & final Sustainability Appraisal	2016
Public consultation of the plan & Sustainability Appraisal (proposed submission version). Reg 27.	2016
Submission of plan & public Examination	2017
Adoption and Publication	2017



<b>Minerals &amp; Waste Plan</b>	
<b>Role and Content</b>	Strategic planning framework for the county of Hampshire. The document is produced jointly with Hampshire County Council, Portsmouth City Council, New Forest National Park Authority and the South Downs National Park Authority. The Plan sets out a vision, objectives, spatial strategy, policies and site allocations to enable the delivery of sustainable minerals and waste up to 2030.
<b>Geographic coverage</b>	Hampshire
<b>Status</b>	DPD
<b>Chain of conformity</b>	Must be in conformity with the South East Plan (soon to be abolished), Government legislation and guidance
<b>Timetable</b>	
Examination	June 2012
Additional public consultation on changes requested by Inspector	October / November 2012
Adoption and Publication	2013

Further details can be found at:

<http://www3.hants.gov.uk/search?cx=009988739743092233991%3A4hx6rzq-igq&cof=FORID%3A11&q=local+development+scheme>

## Proposed supporting documents

<b>Community Infrastructure Levy Charging Schedule</b>	
<b>Role and Content</b>	Mechanism for securing developer contributions to assist in funding the infrastructure needed to support new development, The Charging Schedule sets out the rate per sq metre of new floorspace that will developers be will be charged
<b>Geographic coverage</b>	City wide
<b>Status</b>	DPD
<b>Chain of conformity</b>	Government legislation and guidance
<b>Timetable</b>	
Informal consultation	Jan 2012
Cabinet approves revised schedule for formal public consultation	<b>21st August 2012</b>
Public consultation (4 weeks)	September 2012
Submission	October 2012
Examination	January 2103
Receipt of Inspector's report	March 2013
Adopt	May 2013

<b>DECISION-MAKER:</b>	CABINET MEMBER FOR CHILDREN'S SERVICES
<b>SUBJECT:</b>	IMPLEMENTATION OF THE NEW SCHOOL FUNDING FORMULA FOR 2013/14
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012
<b>REPORT OF:</b>	SENIOR MANAGER FOR CHILDREN AND YOUNG PEOPLE STRATEGIC COMMISSIONING, EDUCATION AND INCLUSION
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

## **BRIEF SUMMARY**

The Department for Education (DfE) has notified all local authorities of its intention to reform school funding with effect from 2013-14. Schools will no longer receive their funding under the previous local formula but instead funding will be based on a new set of DfE defined factors, the objective of which is to create a more simple, consistent and transparent funding system. The proposal is for the reforms to lead to a national funding formula in the next Spending Review period, starting 2015-16 at the earliest.

## **RECOMMENDATIONS:**

- (i) To approve the implementation of the new Southampton funding formula for schools with effect from 1 April 2013 as described in Appendix 1.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. The Department for Education (DfE) has introduced new regulations to introduce school funding reform from April 2013. These require local authorities to develop a new formula and delegate funding to schools that had previously been held centrally.

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

2. Primary and Secondary schools currently receive an annual budget share calculated using Southampton's locally set Fair Funding Formula. The current local formula contains 21 funding factors.
3. By April 2013, each Local Authority has to set a brand new formula based on a suite of up to 12 allowable factors defined by the DfE. Following discussion with Southampton's Schools Forum a suite of ten factors are proposed for the new funding formula as detailed in Appendix 1.
4. The implementation of a new funding formula will inevitably lead to movements in funding between schools. The recommendation by Southampton's Schools Forum is that the new model seeks to limit the movement of funds as much as possible to avoid undue turbulence in funding. The new Southampton formula results in a ratio of funding between Primary and Secondary schools of 1:1.33 which would mean that an average Secondary School will be funded at 133% of an average Primary School. The current national average ratio is 1:1.27.

5. Large reductions in individual schools funding will be limited by the DfE's Minimum Funding Guarantee which ensures a maximum loss of 1.5% per pupil. In order to afford the cost of supporting those schools that would lose under the new system the proposed formula scales back the amount any school would gain.
6. Southampton's Schools Forum has been involved in the process of developing the new formula, and the majority of their recommendations have been adopted. The details of the proposed formula were sent to the Chair of Governors, Head teacher and Finance Manager of all maintained schools and academies in the city on 21 September 2012 for consultation. The results of the consultation are summarised in Appendix 2.
7. Schools Forum met on 17<sup>th</sup> October 2012 and agreed the new formula as detailed in Appendix 1 with two exceptions:
  - Not agreed to fund £450,000 through the PFI factor.
  - Not agreed to allocate any growth funding received to the PFI factor.
8. The Forum wished to register with Southampton City Council their understanding of the difficulties in which they find themselves due to the Government cuts in grant funding. They also wished to register the fact that they had not come to their decisions easily and appreciated the fact that Southampton City Council was asking the Forum to add a PFI factor amount of £450,000 and not the full amount of £1.2 million into the new funding formula model.
9. Notwithstanding the Forum recommending not to accept the amount of funding allocated to the PFI factor, officers are nonetheless recommending approval as this funding will go towards payment of the PFI affordability gap, thereby directly contributing to Council savings targets in 2013-14.

#### **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

10. All funding options were taken to the Schools Forum and a working group of head teachers and governors was set up. A number of different factors were modelled and various alternatives were considered. Whilst the majority of these proposals are based on the recommendations of the Schools Forum, the final decision on the new schools funding formula lies with the Local Authority.

#### **RESOURCE IMPLICATIONS**

##### **Capital/Revenue**

11. School budget shares are entirely funded by the Dedicated Schools Grant.

##### **Property/Other**

12. None

#### **LEGAL IMPLICATIONS**

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

13. The School Finance (England) Regulations 2011 and the Education Act 2010-12 direct any changes made to the Fair Funding Formula used to determine school budget shares.

**Other Legal Implications:**

14. None

**POLICY FRAMEWORK IMPLICATIONS**

15. The proposals set out in the report are consistent with the strategies and policy objectives set out in the Children and Young People’s Plan (CYPP).

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**SUPPORTING DOCUMENTATION**

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

**Appendices**

1.	Schools Funding Reform 2013-14
2.	Schools Funding Reform Consultation

**Documents In Members’ Rooms**

1.	None
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**Integrated Impact Assessment**

Do the implications/subject/recommendations in the report require an Integrated Impact Assessment to be carried out.	No
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**Other Background Documents – None**

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

*Amounts shown below are allocations per pupil in each category.  
All numbers quoted are indicative and based on 2012/13 levels of funding and October 2011 data which will be updated before final allocations are made to schools in March 2013.*

### **Basic per-pupil entitlement**

Primary: £2,627.96

Secondary: £4,096.89

The DfE guidance is that the majority of funding should be pupil led and not driven by organisational factors such as the floor area of a school or numbers of upper pay scale teachers employed.

The proposed funding formula will allocate 70% of funding via the basic per-pupil entitlement.

### **Deprivation**

The new funding system must have a deprivation factor. The proposed formula replicates the current overall amounts allocated through Free School Meals and IDACI factors for each sector.

### **Free School meals**

Primary: £470.55

Secondary: £679.12

### **IDACI bands**

Band	IDACI score lower limit	IDACI score upper limit	Unit Values
1	0.2	0.25	0
2	0.25	0.3	0
3	0.3	0.4	£500
4	0.4	0.5	£800
5	0.5	0.6	£1,200
6	0.6	1.0	£1,500

It was recognised however that funding should target the most deprived families and therefore funding is allocated for those children with a minimum 30% chance of coming from a deprived family, with the maximum level of funding to those with a 60% chance and above as illustrated in the table above.

### **Children Looked After**

Primary: £679.12

Secondary: £679.12

There is currently no recognition within Southampton's existing formula for schools who have children looked after. The proposed formula includes an allocation for each Child Looked After.

### **Lump sum**

Primary & Secondary: £114,200.00

Currently schools receive a lump sum of £88,554 per Primary school and £189,297 per Secondary school. The DfE are proposing a single lump sum limited to a maximum of £200,000 per school. The new formula allocates a lump sum based on overall funding currently allocated through this factor.

### **Prior Attainment**

Primary: £847.33

Secondary: £2342.52

Currently schools receive funding within their budget shares for low cost/high incidence SEN on the basis of prior attainment data. The proposed formula continues to fund this at the same overall level for each sector but some variances will occur as we are directed to use DfE supplied prior attainment data.

### **English as an additional language**

Primary: £679.91

Secondary: £679.91

The DfE recognise that pupils with English as an additional language often require additional support. DfE evidence suggests that pupils require additional support for up to 3 years from the point at which they enter compulsory education. This factor targets funding at existing levels for each sector.

### **Mobility**

Primary: £679.12

Secondary: £679.12

The mobility factor allocates funds on the basis of the percentage of pupils at each school who started in the last three academic years but did not start in August or September (or January for Year 1).

### **Split Sites**

This affects one Primary school in the city with a split site and is funded as a lump sum of £28,452.

### **Rates**

The DfE will continue to allow rates to be funded at the actual cost incurred by schools.



**Private Finance Initiative (PFI) Funding**

This represents the schools contribution to the PFI affordability gap and has been set to £450,000. The funding will be allocated to the three PFI schools, who under the terms of their funding agreements are required to pass it back to the Local Authority to help pay the annual PFI Unitary charge.

**Growth funding – Headroom**

The Schools Block for 2013-14 has been estimated using October 2011 pupil data. In December the DfE will confirm final allocations based on October 2012 pupil data which is likely to result in an increase in the overall budget.

The majority of this funding will feed through the formula in terms of additional pupil numbers at individual schools, or changes in other data such as IDACI or Prior Attainment. However, once this has been completed any funds remaining, know as “headroom”, will be allocated to the PFI factor in addition to the £450,000 above.

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# Agenda Item 22

Appendix 2  
Appendix B

## Summary of consultation responses

*Question 1 – Do you agree with the proposal to target deprivation at an IDACI level of 30% and above?*

Number of Responses: 8

Answers: 100% Yes

Further Comments: Range could be set at 27% and above as students with similar indices of poverty may miss out.

*Question 2 – Do you agree that there should be provision made for a Children Looked After factor?*

Number of Responses: 8

Answers: 100% Yes

Further Comments: None

*Question 3 – Do you agree that there should not be a split site factor within the new formula?*

Number of Responses: 8

Answers: 6 Yes. 2 No

Further Comments: Should not be an automatic right - but funding could target unavoidable costs.

Detailed response from Highfield Primary in favour of split site factor.

*Question 4 – Do you agree that there should be provision made for pupils who join a school not at the start of the academic year?*

Number of Responses: 8

Answers: 100% Yes

Further Comments: None

*Question 5 – Do you agree that schools should make a contribution to the PFI affordability gap?*

Number of Responses: 8

Answers: 100% No

Further Comments: No - This has been a City Council issue and should remain so.

No - unfair to expect other schools to pick up the cost of poor decisions made in the past

No - Grossly unfair to top slice money directly from students

*Question 6 – Do you agree with the proposal to scale back winners rather than limit all gains to a set percentage?*

Number of Responses: 8

Answers: 7 Yes. 1 No

Further Comments: No - seems unfair for schools to lose out on funding that they are due.

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<b>DECISION-MAKER:</b>	CABINET MEMBER FOR ENVIRONMENT AND TRANSPORT
<b>SUBJECT:</b>	CONCESSIONARY FARES SCHEME 2013
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012
<b>REPORT OF:</b>	SENIOR MANAGER PLANNING, TRANSPORT AND SUSTAINABILITY
<b>STATEMENT OF CONFIDENTIALITY</b>	
N/A	

## **BRIEF SUMMARY**

The report seeks agreement on the Concessionary Fares Scheme 2013 -14, subject to the publication of any revised guidance from the Department for Transport.

## **RECOMMENDATIONS:**

- (i) To approve the scheme in Appendix 1 subject to the calculations in recommendation (ii) below; and
- (ii) To reimburse bus operators at a percentage rate plus an amount per generated journey, in accordance with the guidance given by the Department for Transport using their reimbursement calculator.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. To enable the Council to comply with the statutory requirement to serve bus operators with a minimum four months notice of the proposed Concessionary fares Scheme for 2013-14.

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

2. The Council is required by law to give bus operators four months notice of the proposed Scheme it will operate prior to determining reimbursement figures. The four months notice period allows operators to make representations to the Council in relation to the Scheme methodology, content and reimbursement arrangements before a final decision is made. In order for participation Notices to be effective, final confirmation of additional local enhancements to statutory minimum must be given 28 days in advance of the Scheme coming in to operation. Final confirmation of the reimbursement rates for operators (as opposed to the methodology to be used) must be given 28 days in advance of the Scheme coming in to operation. Bus operators then have 56 days from the start of the scheme to appeal to the Secretary of State on the proposed reimbursement arrangements.
3. Appendix 1 shows the details of the proposed scheme for 2013/14.
4. Under the current scheme, the eligibility criteria are more generous than those required by the national scheme. The Council currently provides a discretionary local concession pass for those disabled people who do not meet the national concession criteria but who still have difficulty with travel; this pass allows travel within the City only. Whether this discretionary enhancement to the national scheme will continue to be offered will be determined by the Council in its budget setting meeting in February 2013 and that decision will be reflected in the recommendations to Cabinet on the adoption of reimbursement rates and final Scheme approval in February following the Council's budget meeting.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

5. It is a statutory requirement that the Council has to publish details of its proposed Scheme in advance of the Scheme introduction on 1 April 2013. The final decision on any changes to the local enhancements will be made at Cabinet in February following the Council setting its budget.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

6. It is estimated that the cost of the scheme will be £4,892,000 in 2013/14. Revised guidance from the Department for Transport has not been issued yet, however, this is based on the current reimbursement rate (subject to confirmation 28 days prior to commencement) which is set at 48 p in the £.

### **Property/Other**

7. There are no property or other implications

## **LEGAL IMPLICATIONS**

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

8. Concessionary fares are governed by the Transport Acts of 1985 and 2000, and the Concessionary Fares Act of 2007. If it is agreed that in the future, no enhancements over and above the statutory minimum will be offered, then the 1985 Act does not apply.

### **Other Legal Implications:**

9. The provision of a concessionary travel scheme in accordance with the national minimum is a statutory duty. A discretionary power exists to provide a scheme that extends entitlement of services over and above the national minimum. Any scheme must be made having regard to the Human Rights Act 1998 (with which any national minimum scheme will be deemed to comply). Statutory notice of the amendments to the 2013 scheme must be given by 1 December 2012 and any representations received in accordance with this Notice considered and determined in accordance with the Act and Regulations

## **POLICY FRAMEWORK IMPLICATIONS**

10. The provision of concessionary travel accords with the policy direction of the City's adopted Local Transport Plan 2011 - 2016 by helping the Council meet its targets for increasing the use of sustainable transport modes (and bus travel in particular) and also increasing accessibility and promoting social inclusion.

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## SUPPORTING DOCUMENTATION

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

### **Appendices**

1.	Proposed 2013/14 Scheme details
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### **Documents In Members' Rooms**

1.	None
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### **Equality Impact Assessment**

Do the implications/subject/recommendations in the report require an Equality Impact Assessment to be carried out.	No
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### **Other Background Documents**

Title of Background Paper(s)

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

1.	None
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**Equality Impact Assessment and Other Background documents available for inspection at:**

<b>WARDS/COMMUNITIES AFFECTED:</b>	ALL
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### **SOUTHAMPTON CONCESSIONARY FARES SCHEME 2013 ('the Scheme')**

#### **Introduction**

The Concessionary Fares Scheme agreed by Southampton City Council will come into effect on Monday, 1 April 2013 and continues until 31<sup>st</sup> March 2014. This Notice and Scheme replaces the Southampton Concessionary fares Scheme 2012 and supersedes all previous Schemes and Notices

#### **Legislation**

The scheme is made in accordance with the Concessionary Bus Travel Act 2007, the Transport Act 2000, the Travel Concessions (Eligibility) Act 2002 and the discretionary powers contained in the Transport Act 1985 ('the Acts').

#### **Responsible Authority**

The responsible authority for the Scheme shall be Southampton City Council. The Scheme shall be funded by Southampton City Council. The Scheme shall be administered by either Southampton City Council or its appointed agent(s).

All enquiries regarding the Scheme and all Notices required to be served upon the responsible authority under the Acts should be addressed to:

Paul Nicholls, Senior Manager Planning, Transport and Sustainability, 45 Castle Way, Southampton, SO14 7PD.

A copy of the Scheme will be supplied to any person on request by post from the person specified above and is available on the Council website at [www.southampton.gov.uk](http://www.southampton.gov.uk).

#### **Operator Eligibility**

Operators of registered bus services running within the City which are also eligible for bus service operators grant.

#### **User Eligibility**

Residents of Southampton who meet any of the following criteria will be eligible for a free concessionary fares pass:

- men and women aged 60 years and older;
- blind people;
- partially sighted people;
- deaf people;
- people without speech (in any language);
- people with a disability, or who have suffered an injury, which, in the opinion of a qualified medical practitioner, seriously impairs their ability to walk;
- people without the use of both arms;
- people with a learning difficulty;
- people who would be refused the grant of a driving licence to drive a motor vehicle under Section 92 of Part III the Road Traffic Act 1988;
- people with a long term mental health problem; and
- travelling companions/escorts of disabled people.

For those under the age of 62, applicants must either provide confirmation that:

- i) They are in receipt of Disability Living Allowance (mobility component); or
- ii) They are in receipt of Disability Living Allowance (care component); or
- iii) They are in receipt of War Pensions Mobility Supplement; or
- iv) They have a valid registration card for their disability; or
- v) Certification of Vision impairment; or
- vi) Have learning difficulties and attend Southampton Day Services or registered with Southampton Learning Disabilities team; or
- vii) They have a signed form (09MQ) from their doctor confirming eligibility.

## **Hours of Operation**

The Southampton concessionary fares scheme will be based on bus travel alone. Concessionary travel available all day on Saturdays, Sundays, Bank Holidays and declared public holidays and between 09:00 and 00:30 on other days for residents of Southampton and between 0930 and 2300 for all others. Blind persons will be permitted to travel at any time.

## **Area of Travel**

Any journey that starts within the boundary of Southampton (NOTE: funding of such travel shall be subject to any inter-authority boundary/funding agreements which may be entered into and shall be deemed to be part of this Scheme. This will not affect user eligibility or operator reimbursement).

## **Level of Concession**

The proposed scheme provides free travel on presentation of a valid pass:

## **Administration**

The administration of the issue of concessionary fares scheme passes will be carried out by the Public Transport Team. A database of all people who are issued with a bus pass will be kept. The City Council will be responsible for meeting the statutory requirements for data protection.

## **Reimbursement**

Operators will submit monthly returns to the City Council unless otherwise agreed in advance. Payment of 85% of the estimated figure for the month will be agreed with the operator be made on the 15<sup>th</sup> of the month. The outstanding figure paid once exact figures are known and the claim should identify the number of journeys undertaken and the average fare payable.

The City Council will require all information required to be produced in support of claims under the scheme to be certified as accurate by a "responsible person".

The returns will be subject to periodic audit by the City Council or its nominated representatives. Bus operators will be expected to provide information reasonably required for this purpose.

The City Council will reimburse you at (xx%). An additional amount of (£x.x) per generated trip will also be paid to recognise operators' additional costs in providing the concession.

## Guidelines on evidence required to substantiate Additional Capacity Cost claims to the Concessionary Fares Scheme

The Southampton Concessionary Fares Scheme makes provision for operators to claim specific additional costs “to cover the costs of providing additional vehicle capacity to cope with growth in patronage brought about by concessionary travel”, in addition to the standard marginal additional costs allowance. Such Additional Capacity Costs are considered on a case-by-case and service-specific basis, on submission of written evidence of the circumstances together with a statement of the costs incurred and may comprise claims for marginal capacity costs calculated in accordance with any prevailing DfT guidance and/or Peak vehicle Requirement Costs if evidenced to the satisfaction of the City Council.

The following checklist gives guidance on the nature of information which is considered necessary to substantiate Additional Capacity Cost claims. It should be appreciated that the amount and detail of information required will increase with claims of greater scope: one duplicate journey will require much more limited evidence than that to support a general increase of service frequency.

The claimant should demonstrate, with auditable evidence for each affected service:

- a) The extent of the capacity increase which is deemed necessary, itemising the resources entailed in its provision.
- b) The rationale for the increase, including –
  - u the average distribution of capacity and utilisation by day / time and direction, and the scale and frequency of peaks in each;
  - u the decision thresholds applied; and
  - u any constraints on those decisions (e.g. maintaining clockface frequency).
- c) The proportions of concessionary passengers using the service at relevant times, and the contribution towards costs made by commercial passengers generated by the additional capacity.
- d) The relevant costs, clearly distinguishing –
  - u marginal costs of operation (e.g. driver’s time, fuel, tyres);
  - u semi-variable costs (e.g. maintenance);
  - u attributable overheads (if any); and
  - u capital / financing costs and profit margin (if capital investment is involved).

Account should be taken of the standard Additional Marginal Costs allowance, either by netting off the cash sum or the exclusion of relevant cost headings.

On request, the operator must make available historic boarding data for affected services; this will normally be in the form of unprocessed data from electronic ticket machine systems.

To enable the timely and efficient operation of the scheme and consideration of claims, claims should be submitted by the end of the calendar year to which they relate and relate to the preceding 12 months operation of the scheme. Additional claims submitted in accordance with the Limitation Act 1980 will be considered on a case by case basis.

Any challenge to any decision by the Authority in relation to any claim for additional capacity costs must be brought in accordance with the paragraph below headed “Operator Representations and Complaints”.

Reimbursement arrangements will be determined annually by 3<sup>rd</sup> March following discussions with operators and determined in accordance with the Acts and any guidance issued by the Secretary of State. Operators will be notified of final determination of reimbursement arrangements as soon as possible after 3<sup>rd</sup> March each year. Any newly determined reimbursement arrangements will comprise part of this Scheme and replace Schedule 1 accordingly.

### **Right to Survey**

The City Council has the right to carry out surveys on vehicles on which concessions are given. Bus operators will be consulted as to how and when the survey will be carried out and operators will be given reasonable prior notice of the City Council's intention.

### **Variations**

Southampton City Council reserves the right to vary the Scheme or to offer discretionary enhancements to the Scheme in accordance with the provisions of the Transport Act 1985 and any reimbursement arrangements relating to and forming part of the Scheme at any time in accordance with the provisions of the Acts, upon relevant Notice. Southampton City Council shall give 28 days notice in writing to Operators of any proposed variations or changes to the Scheme, save where changes relate to reimbursement arrangements in relation to which the Authority shall give 4 months notice of any proposed changes reimbursement arrangements, but the period of such notice may be shortened by mutual agreement or variations to the scheme required to give effect to a decision of the Secretary of state for Transport's determination of any application under the Transport Acts in relation to which the Authority shall give notice in writing to apply with immediate effect .

### **Right of Participation**

Notwithstanding the mandatory participation of Operators in accordance with the Transport Act 2000 and the Concessionary Bus Travel Act 2007, Southampton City Council may require and notify any Operator to participate in the Scheme or any variation of the Scheme in accordance with the Transport Act 1985, and such participation will commence not less than 28 days after receipt of such written notification. At the date of notification the Operator will be supplied with a copy of this Scheme and any Variations thereto.

### **Operator Representations and Complaints:**

If an Operator participating in this Scheme wishes to make any representations in relation to this scheme or reimbursement under this scheme (including any challenge, complaint, concern or grievance in relation to the Scheme) such a representation should be made in writing to the Responsible Authority at the address set out above. Representations will be considered by the Council on their merits and without prejudice to the Operators rights of Appeal under the Acts. Operators also have the right to avail themselves of the Authority's Corporate Complaints Policy, details of which may be found on the Authority's website at [www.southampton.gov.uk](http://www.southampton.gov.uk)

## **Right of Appeal**

Any Operator has a right of appeal to the Secretary of State against the terms of reimbursement of the Scheme under the Transport Acts 1985 and 2000 or against participation in any discretionary element of the Scheme under the Transport Act 1985 on the grounds that:-

(a) There are special reasons why their company's participation in the scheme in respect of any of the services to which the notice applies would be inappropriate (under both the 2000 Act and the 1985 Act); or

(b) Any provision of the scheme or of any of the scheme arrangements are inappropriate for application in relation to any operators who are not voluntarily participating in the scheme (1985 Act only).

Prior to making such an application, notice in writing must be given to the person and at the address specified under the 'Responsible Authority Heading above.

### **NOTE**

Those sections shaded include elements that are local enhancements and may be amended or removed following the Council budget setting meeting on 5<sup>th</sup> February 2013. A final decision will be made on 19 February 2013.

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<b>DECISION-MAKER:</b>	CABINET MEMBER FOR ADULT SOCIAL CARE
<b>SUBJECT:</b>	*ESTABLISHMENT OF THE COMMISSIONING PROCESS FOR HEALTHWATCH SOUTHAMPTON
<b>DATE OF DECISION:</b>	13 NOVEMBER 2012
<b>REPORT OF:</b>	DIRECTOR OF HEALTH AND ADULT SOCIAL CARE
<b>STATEMENT OF CONFIDENTIALITY</b>	
None	

## **BRIEF SUMMARY**

The Health and Social Care Act 2012 creates Healthwatch as the independent voice of the citizen and users of health and social care services. Healthwatch England was established as the national body in October 2012, and local authorities will establish local Healthwatch from April 2013. This report seeks authorisation for the procurement process to secure Healthwatch Southampton and an NHS complaints advocacy service.

## **RECOMMENDATIONS:**

- (i) That approval be given to the Director of Health and Adult Social Care to procure Healthwatch Southampton to deliver the local Healthwatch services set out in the Health and Social Care Act 2012.
- (ii) That authority be delegated to the Director of Health and Adult Social Care, after consultation with the Cabinet Member for Adult Social Care, to determine whether the arrangements for securing an NHS complaints advocacy service should be delivered jointly with other authorities in south east England, or provided as part of the local contract for Southampton.

## **REASONS FOR REPORT RECOMMENDATIONS**

1. Upper tier local authorities are required to establish local Healthwatch in their areas. Having examined and discounted other options (see paragraph 2 below) the best solution would appear to be through following the procurement process.

## **ALTERNATIVE OPTIONS CONSIDERED AND REJECTED**

2. Two options were considered and rejected. The first was grant aiding an organisation to establish Healthwatch Southampton. This was rejected on the grounds that it may not secure the most effective delivery model. The other option considered was for the Council to establish a social enterprise which would then deliver Healthwatch functions. This was rejected on the grounds that there appear to be organisations operating in the City which are likely to be able to deliver the services required.

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

3. There has been a succession of bodies introduced by successive governments over the years to attempt to represent patients and the public and to articulate the voice of health and social care service users. Community Health Councils were replaced by Patient and Public Involvement

Forums, then the Local Government and Public Involvement in Health Act 2007, introduced the current Local Involvement Networks which included adult social care services as well as health services, and now the newly enacted Health and Social Care Act 2012 is setting up Healthwatch in England, at both a national and local level. Healthwatch will cover health services and adult and children's social care services.

4. A number of the local Healthwatch responsibilities continue the core patient and public engagement activities undertaken by Southampton Local Involvement Network (LINK) over recent years, but with the significant additional responsibility for information and signposting services. The main functions to be delivered by local Healthwatch are:-
  - Making the views and experiences of people known to Healthwatch England helping it to carry out its role as national champion;
  - Making recommendations to Healthwatch England to advise the Care Quality Commission to carry out special reviews or investigations into areas of concern;
  - Promoting and supporting the involvement of people in the monitoring, commissioning and provision of local care services;
  - Obtaining the views of people about their needs for and experience of local care services and make those views known to those involved in the commissioning, provision and scrutiny of care services;
  - Making reports and make recommendations about how those services could or should be improved;
  - Being represented on the Health and Wellbeing Board; and
  - Providing signposting and information to the public about accessing health and social care services and choices available in relation to those services.
5. The establishment of Healthwatch England as a national champion within the Care Quality Commission aims to provide a voice direct to government on public concerns in relation to health and care services. Healthwatch England has developed a branding that is to be licensed to local Healthwatch. This should create a recognisable brand, with a service behind it tailored to local needs.

## **Consultation**

6. A number of wide-ranging consultation activities have been undertaken to develop a framework for Healthwatch Southampton. In the spring of 2012, a series of 3 workshops, facilitated by Southampton Voluntary Services, captured the views of voluntary and community organisations. Southampton LINK held an event in the summer for the public to express their views and ideas. Some of the key issues to come out of these sessions included:
  - The importance of ensuring Healthwatch Southampton as a service rooted in Southampton, representing the whole of the City and reflecting the views of excluded and hard to reach groups;
  - Connecting to but not duplicating, other engagement, signposting and information services;
  - Realistically managing expectations of what it can deliver;



- Being truly independent, with both paid staff and volunteers delivering outcomes;
  - The ability to operate and offer support at a community level;
  - Effectively marketing local Healthwatch to ensure it is well known across the City;
  - Having a sound governance framework to make Healthwatch Southampton transparent, accountable and autonomous, with roles and responsibilities clearly defined;
7. In autumn 2012, an external facilitator has been used to run a series of market development workshops and interviews with potential providers. A key strand of this exercise was in relation to interested organisations examining their own skill-sets and assessing whether they might be best placed to bid on the basis of a stand alone bid, or in some arrangement with other interested organisations who may possibly have complementary skill sets.
8. A further strand of consultation work has been to identify and capture the legacy of Southampton Local Involvement Network (LINK). This will provide a resource for Healthwatch Southampton and enable it to have a clear focus on issues which have been of concern to the public, secure a written record of the outcomes from the LINK, and an understanding of the challenges LINK has faced during its existence.

### **Establishing Local Healthwatch**

9. Section 183 of the Act requires that Healthwatch Southampton is operated by a body corporate which is a social enterprise. With the market development process indicating there are likely to be such organisations capable of establishing Healthwatch either individually or by working together, a procurement process can begin with a reasonable expectation of securing successful tenders. The Cabinet Member is therefore requested to authorise the implementation of this process. It is proposed that a degree of flexibility is built into the process to enable bidders to tender either to operate both the continuing patient and public engagements activities, together with the information and advice services, or else to tender for either one of them.

### **NHS Complaints Advocacy**

10. The Act also requires local authorities to make arrangements for the provision of an NHS complaints advocacy services. At present this service is commissioned regionally by the Department of Health, but from April 2013 the duty transfers to local authorities. The local authority can choose either to secure the complaints advocacy service as part of the arrangements for Healthwatch or separately secure the service.
11. Discussions have been undertaken with a number of local authorities in south east England to explore whether the service could be procured jointly across a wider area. This would have the benefit of a wider resource base to cope with any sudden peaks in complaints, or provide cover in the event of staff sickness. However, it is not clear at this stage whether a uniform service would meet the needs and expectations of all the local authorities. In the event that it is not possible to achieve an agreement, then an alternative plan

is required. The recent market development workshops have indicated that there are likely to be advocacy organisations operating in the City with the capability of delivering NHS complaints advocacy. This means the other option would be to secure a local NHS complaints advocacy service locally, either as part of Healthwatch Southampton, or as a stand alone service. Taking account of the current state of discussions with other local authorities, it is suggested in recommendation that the final decision on how best to secure this service is delegated to the Director of Health and Adult Social Care after consultation with the Cabinet Member for Adult Social Care.

## **RESOURCE IMPLICATIONS**

### **Capital/Revenue**

12. Local Healthwatch will commence from April 2013. The ongoing funding to support Healthwatch is derived from several strands. These are outlined as:
- Existing funding, LINKs, currently held within the Council budget - £100,000pa
  - New funding from the Department of Health in respect of:
    - PCT PALS – estimated at £120,000 a year from 2013/14
    - NHS complaints advocacy service – estimated at £60,000 a year from 2013/14
    - PCT DOLS – Estimated at £7,000 a year from 2013/14

The Department of Health will clarify the final funding for local HealthWatch in December 2012 for 2013/14.

13. In respect of 2012/13, the Department of Health have announced that non recurrent funding will be available to support the set up of the local Healthwatch. For Southampton it has been announced that £6,500 will be available in respect of PCT DOLS and £15,000 will be available for the set up of Healthwatch.

### **Property/Other**

14. None.

## **LEGAL IMPLICATIONS**

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

15. Sections 182 – 184 of the Health and Social Care Act 2012 amends the Local Government and Public Involvement in Health Act 2007 to provide local authorities with the duty to establish local Healthwatch. Section 185 empowers local authorities to provide independent advocacy services, either through local Healthwatch, or else independently of local Healthwatch.

### **Other Legal Implications:**

16. None.

## **POLICY FRAMEWORK IMPLICATIONS**

17. A representative of Healthwatch Southampton will be required to be appointed to the Health and Wellbeing Board. The Health and Wellbeing Board is charged with the responsibility of ensuring that the local authority and clinical commissioning group commissioning plans address the issues identified in the Joint Health and Wellbeing Strategy.

<b>AUTHOR:</b>	Name:	Martin Day	Tel:	023 80917831
	E-mail:	Martin.day@southampton.gov.uk		

**KEY DECISION?** Yes

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

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

**Appendices**

1.	Letter from David Behan, Director of Social Care, Local Government and Care Partnerships at the Department of Health dated the 3 <sup>rd</sup> January 2012.
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**Documents In Members' Rooms**

1.	None
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**Integrated Impact Assessment**

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

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

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.	None	
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3 January 2012

**Gateway reference: 17068**

*Department of Health  
Room 213  
Richmond House  
79 Whitehall  
London  
SW1A 2NS*

*Tel: 0207 210 5727*

**To:**

Leaders of Local Authorities  
Chief Executives of Local Authorities  
Directors of Children's Services  
Directors of Adult Social Services

**Copy:**

Local Involvement Networks  
Healthwatch Programme Board and Advisory Group

Dear Colleague

## **Local Healthwatch**

I am writing to let you know about the announcement made (today) by Secretary of State for Health, Andrew Lansley.

The announcement covers:

1. a new start date for Local Healthwatch
2. funding made available for the Healthwatch pathfinders
3. new funding of £3.2m for start up costs for Local Healthwatch; and

### **1. A new start date for Local Healthwatch in April 2013**

Subject to parliamentary approval, Local Healthwatch will be the local consumer champion for patients, service users and the public. It will have an important role to champion the local consumer voice, not least through its seat on the local health and well being boards.

The new date for establishing Local Healthwatch in April 2013 will support the need to align this closer to the establishment of other new bodies such as the health and well being boards. The extension will also support preparations for implementation and enable Healthwatch England (which will be established in October 2012) to provide the leadership and support to Local Healthwatch organisations.

### **2. Funding made available for the HealthWatch pathfinders in Q4 of 2011/12**

The funding being made available to each of the 75 Healthwatch pathfinders is in response to stakeholders seeking resources from the Department to support them in delivering their work. Whilst how this will be spent is for each pathfinder to agree with their delivery partners, there are three areas where value for money could be sought:

- demonstrate testing elements of proposed Healthwatch functions

- stakeholder events to involve local people
- develop wider community engagement
- rewarding and reimbursing volunteers (particularly from LINKs) for their contribution
- contributing to their regional network to accelerate shared learning.

The funding for the pathfinders will be allocated through the local government Formula Grant route and we will be in contact with each pathfinder local authority to make them aware of this.

In addition to this, the Department will be funding expertise from the sector to draw together and share the learning and it will be important for the Healthwatch pathfinders to support this work to gather the information from them so to inform planning for the implementation stage in 2012/13.

### **3. New funding of £3.2m for Local HealthWatch in 2012/13**

The new funding of £3.2m that will be made available in 2012/13 is for start up costs in setting up Local Healthwatch and includes costs such as staff recruitment/training, office set up costs, and branding; the funding will be allocated as part of the DH learning disabilities and health reform grant in 2012/13.

Under the Local Government and Public Involvement in Health Act 2007, local authorities will need to continue to provide a Local Involvement Network (LINK) and funding for this continues to be allocated as part of the local government Formula Grant in 2012/13 and the £3.2m will be in addition to this.

The Department will provide further advice for planning purposes about funding for Local Healthwatch in 2013/14, as part of the Local Government allocations notifications at the end of 2012.

Yours sincerely,



David Behan  
Director General for Social Care, Local Government and Care Partnerships