

# Public Document Pack



## NOTICE OF MEETING

<b>Meeting</b>	Executive Member for Policy and Resources Decision Day
<b>Date and Time</b>	Wednesday, 18th October, 2017 at 2.00 pm
<b>Place</b>	Chute Room, Ell Court South, The Castle, Winchester
<b>Enquiries to</b>	members.services@hants.gov.uk

John Coughlan CBE  
Chief Executive  
The Castle, Winchester SO23 8UJ

## FILMING AND BROADCAST NOTIFICATION

This meeting may be recorded and broadcast live on the County Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Filming Protocol available on the County Council's website.

## AGENDA

### 1. BUILDINGS, LAND AND PROCUREMENT PANEL MEETING - 3 OCTOBER 2017

To consider recommendations from the Buildings, Land and Procurement Panel at its meeting on 3 October 2017:

- a) Minutes of the meeting  
Minutes not yet available.
- b) Strategic Procurement and County Supplies Contracting Activity and Approvals for 2016/17 (KEY DECISION) (Pages 5 - 14)
- c) Property Services: Major Programmes Update Report (Pages 15 - 26)

### 2. MAJOR HIGHWAY SCHEME M27 JUNCTION 9 AND PARKWAY SOUTH ROUNDABOUT SCHEME, WHITELEY - LAND PURCHASE (Pages 27 - 38)

To consider a report of the Director of Culture, Communities and Business Services seeking approval to the acquisition of all third party interests in land and any necessary rights required for the delivery of the Scheme.

**3. ANNUAL REVIEW AND CONFIRMATION OF EXISTING POLICY WITH REGARDS TO SURVEILLANCE (Pages 39 - 48)**

To consider a report of the Director of Culture, Communities and Business Services and the Director of Transformation and Governance – Corporate Services seeking the annual approval of the County Council’s Policy on Surveillance as required under the Codes of Practice issued by the Home Office associated with the Regulation of Investigatory Powers Act (RIPA).

**4. RURAL DELIVERY STRATEGY: RURAL DELIVERY FUNDING (Pages 49 - 54)**

To consider a report of the Director of Culture, Communities and Business Services seeking approval to proposals for Rural Delivery funding in 2017/18.

**5. GRANTS TO VOLUNTARY ORGANISATIONS AND OTHER BODIES (Pages 55 - 60)**

To consider a report of the Director of Transformation and Governance – Corporate Services regarding requests received for financial assistance from the Policy and Resources grants budget.

**6. EXCLUSION OF THE PRESS AND PUBLIC**

To resolve that the public be excluded from the meeting during the following items of business, as it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the public were present during these items there would be disclosure to them of exempt information within Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972, and further that in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons set out in the reports.

**7. ADULTS WITH A DISABILITY HOUSING PROGRAMME - PROGRESS UPDATE AND APPROVAL TO THE STRATEGY FOR PHASE 2 NEW BUILD PROJECTS (Pages 61 - 82)**

To consider an exempt report of the Director of Culture, Communities and Business Services and Director of Adult Health and Social Care giving an update on the Adults with a Disability Housing Programme and approval to the strategy for the identified Phase 2 new build projects with in the approval funding envelope.

**8. STRATEGIC LAND AT BOTLEY AND HEDGE END: DELIVERY STRATEGY AND ASSOCIATED APPROVALS (Pages 83 - 110)**

To consider an exempt report of the Director of Culture, Communities and Business Services seeking approval to the proposed strategic delivery and expenditure strategy for the County Council's strategic land holdings at Botley/Hedge End.

**9. LAND AT THE GROVE, KINGS WORTHY - OUTCOME OF MARKETING AND DISPOSAL** (Pages 111 - 124)

To consider an exempt report of the Director of Culture, Communities and Business Services regarding the outcome of marketing and disposal of land at The Grove, Kings Worthy

**10. SURPLUS LAND FORMERLY PART OF WOODCROFT PRIMARY SCHOOL, HAVANT - OUTCOME OF MARKETING** (Pages 125 - 138)

To consider an exempt report of the Director of Culture, Communities and Business Services regarding the outcome of marketing and disposal of land at Woodcroft Primary School in Lovedean, Waterlooville.

**ABOUT THIS AGENDA:**

**On request, this agenda can be provided in alternative versions (such as large print, Braille or audio) and in alternative languages.**

**ABOUT THIS MEETING:**

**The press and public are welcome to attend the public sessions of the meeting. If you have any particular requirements, for example if you require wheelchair access, please contact [members.services@hants.gov.uk](mailto:members.services@hants.gov.uk) for assistance.**

County Councillors attending as appointed members of this Committee or by virtue of Standing Order 18.5; or with the concurrence of the Chairman in connection with their duties as members of the Council or as a local County Councillor qualify for travelling expenses.

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## HAMPSHIRE COUNTY COUNCIL

### Executive Decision Record

<b>Decision Maker:</b>	Executive Member for Policy and Resources
<b>Date:</b>	18 October 2017
<b>Title:</b>	Strategic Procurement and County Supplies Contracting Activity and Approvals for 2017-18
<b>Report From:</b>	Director of Transformation and Governance

**Contact name:** Belinda Stubbs

**Tel:** 01962 846235

**Email:** belinda.stubbs@hants.gov.uk

**1. The decision:**

That the Executive Member for Policy and Resources approves the following:

- 1.1. The procurement and spend approvals be given for the contracts as detailed in Appendix 1 of the report.

**2. Reason(s) for the decision:**

- 2.1. The purpose of this report is to present the relevant procurement approvals in relation to various contracts as listed in Appendix 1. This approval request is in accordance with the County Council's Contract Standing Orders and Constitution.

**3. Other options considered and rejected:**

- 3.1. None

**4. Conflicts of interest:**

- 4.1. Conflicts of interest declared by the decision-maker: None

- 4.2. Conflicts of interest declared by other Executive Members consulted: None

**5. Dispensation granted by the Conduct Advisory Panel: none.**

**6. Reason(s) for the matter being dealt with if urgent: not applicable.**

**7. Statement from the Decision Maker:**

**Approved by:**

**Date:**

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**18 October 2017**

**Executive Member for Policy and Resources  
Councillor R Perry**

## HAMPSHIRE COUNTY COUNCIL

### Report

<b>Committee/Panel:</b>	Buildings, Land and Procurement Panel
<b>Date:</b>	3 October 2017
<b>Title:</b>	Strategic Procurement and County Supplies Contracting Activity and Approvals for 2017/18
<b>Report From:</b>	Director of Transformation and Governance

**Contact name:** Belinda Stubbs

**Tel:** 01962 846235

**Tel:** belinda.stubbs@hants.gov.uk

#### 1. Summary

- 1.1. The purpose of this report is to present the relevant procurement approvals in relation to various contracts as listed in Appendix 1. This approval request is in accordance with the County Council's Contract Standing Orders and Constitution.
- 1.2. The County Council's Contract Standing Orders (CSO) requires that 'The procurement of a Contract (not including a Framework Agreement) is subject to the approval of the relevant decision maker who has the authority to give approval for the relevant expenditure under the Constitution.'
- 1.3. Framework agreements are not linked to specific one-off purchases or projects but provide for the ongoing routine goods and services requirements of a large number of individual budget holders, either through direct call-offs or mini-competitions as required by each framework agreement. Therefore, the framework agreement values are only estimates and expenditure will be determined by the actual commitments made by budget holders.

#### 2. Contextual information

- 2.1. The programme of procurements contained within this report includes arrangements for use by the County Council, Hampshire Constabulary and Hampshire Fire and Rescue Service, schools and other external partners and customers, with a total estimated value over £1 million. Contracts with a total value of under £1 million are approved by the relevant budget holder under the scheme of delegation.
- 2.2. One of the approvals in this report is a revision to an existing approval because the estimated value and/or the procurement approach has been amended. These amendments are due to contract strategy changes or a more appropriate procurement approach being developed and to allow for transition and continuity with current service user delivery requirements.

- 2.3. Whilst all the latest finalised procurement proposals are included in this report, further procurement projects are planned during the coming year. Once fully developed, these proposals will be reported to this Panel prior to seeking Executive Member for Policy and Resources approval.
- 2.4. Additional background and context has been provided for the larger scale projects in the sections below.

### **3. T19 IT - HPSN 3**

#### **Background**

- 3.1. The HPSN2 contract was awarded to Ntl:Telewest Business (now Virgin Media Business (VMB)) in 2009, for an initial period of six years with the option to extend for a further four years which was taken up in July 2015. This is a single supplier framework agreement.
- 3.2. The contract provides a range of telecommunications and Internet services, to the HPSN2 partnership, including the County Council, nearly all schools and 16 initial Partner organisations: Hampshire County Council, Southampton City Council, Portsmouth City Council, Isle of Wight Council, Basingstoke & Deane Borough Council, Hart District Council, Rushmoor Borough Council, Fareham Borough Council, Eastleigh Borough Council, East Hants District Council, Havant Borough, Gosport Borough Council, New Forest District Council, Test Valley Borough Council, Winchester City Council, Hampshire Fire & Rescue Service.
- 3.3. The following organisations have since joined the Partnership: New Forest National Parks Authority, Southern Health NHS Foundation Trust, Portsmouth Hospitals NHS Trust and Solent NHS Trust. There are approx. 1,200 connected sites.

HPSN2 services include Ethernet connectivity (WAN and LAN), wireless network, voice (both fixed & mobile), Video conferencing, text, CCTV, structured cabling, internet, content filtering (E safety).

#### **Progress to Date**

- 3.4. The current framework contract does allow for Call Off orders for services to be placed which extend beyond the life of the contract.  
  
We have been in discussions with VMB since January 2017 on whether they can provide a new deal (as a Call Off) which will achieve the level of cost savings we require, which could be tied into an extension of services. VMB responded in June 2017 with an offer which fell short of the required savings.
- 3.5. In the meantime, IT worked with Procurement to prepare the issuing of a Prior Information Notice (PIN) for Market Awareness should VMB be unable to provide an adequate offer. PIN issued 1<sup>st</sup> September for an engagement day scheduled 22<sup>nd</sup> September.
- 3.6. VMB have indicated that they will put forward a revised offer, but this has not been received at the time of writing.



- 3.7. The supplier engagement day is designed to give early, high-level information about what we are potentially looking for, give suppliers the opportunity to ask questions, and stimulate market interest.

### **Next Steps**

- 3.8. A number of streams will take place over the next 3 months which will culminate in the issuing of an invitation to tender (ITT) in January 2018.
- 3.9. Detailed requirements will be gathered with regard to external connectivity e.g. number/location/type of sites, bandwidth, future growth, public or private infrastructure etc.
- 3.10. An options paper will be drafted outlining the potential future models for telephony, which will then be used to consult with business representatives. Once the model has been agreed, this will form the basis of the telephony strategy and associated requirements.
- 3.11. The ITT will be drafted in December, containing a number 'baskets' of services which may be bundled or unbundled (based on advice from Procurement).
- 3.12. An overview of the requirements will be communicated to appropriate stakeholders (e.g. CMT, programmes with dependencies).
- 3.13. Should VMB as the incumbent provide a revised offer before the issuing of the ITT, which delivers the required savings, and is deemed of sufficient commercial value, then the option to extend services to them will be pursued.
- 3.14. Post contract award / or re-negotiation, the project will move into an implementation phase which will include the following based on our detailed requirements:
- Migration / refresh of local network lines, Internet and security infrastructure, and the decommissioning of legacy equipment
  - The implementation of the new telephony solution, end-user transition and decommissioning of existing Avaya service

### **Financial**

- 3.15. The current annual cost is made up of the following core elements: connectivity (network access circuits & support) £2.8 million; Telephony (fixed lines and calls) £1.5 million; Internet services (including firewalls) £2.7 million; mobile telephony £0.5 million. Typical BAU spend @£7.5 million/pa. Whole year under HPSN 1<sup>st</sup> Jan 2010 to 31<sup>st</sup> Dec 2015 was @£62.4 million (average £10.4 million pa over 6 years).

## **4. Enabling Productivity Background**

- 4.1. The Enabling Productivity (EP) programme is in place to Enable Transformation T19 and beyond to support HCC achieve the goal of saving £140m by 2019.

- 4.2. This includes a device refresh and exploitation to mitigate an operational risk of IT systems going out of support and also introduce a greater diversity of IT assets to enable a flexible and mobile workforce.
- 4.3. Management and Leadership (HR) workstream will support departments to work with their teams to change their operating models and practices to enhance productivity and embed these into teams.
- 4.4. Full alignment with the T19 Office Accommodation Strategy to enable savings to be realised within the property estate through flexible and mobile working.

#### **Progress to Date**

- 4.5. Alignment with HR activity and the T19 Office Accommodation Strategy is in progress.
- 4.6. There has been a full review of HR policies and relevant updates made where necessary to ensure these are suitable for new ways of working.
- 4.7. Flexible Working Policy and Overtime Policy are under review and will be updated during autumn 2017. In addition HR has designed a new Mobile Device Conditions of Use Policy to ensure staff will be aware of their obligations in regards to devices.
- 4.8. Commercial benchmarking has commenced and indicative device costings should be available for inclusion in the Cabinet Report for October.
- 4.9. Intensive engagement with key stakeholders including DMT engagement is underway to understand how the programme aligns to T19 opportunities and other portfolios of work.
- 4.10. Along with mobile devices, a review of Windows 10 operating software is underway. This project was designed to ensure Windows 10 is fully supported by the IT Department and hence enhance the user experience. Devices need to be enabled with appropriate business software and productivity software suited to role.
- 4.11. There is a technology imperative that requires all of our existing Windows 7 machines to be replaced by the end of December 2018 when Windows 7 goes out of support.
- 4.12. Deployment of 500 Devices to Children Service department has commenced (due for completion October). This trailblazer deployment project is currently underway and is providing valuable insight to both IT and departments for future device deployments.

#### **Next Steps**

- 4.13. CMT approval for the programme deliverables, structure & governance approach, prior to contracting is to be sought.

#### **Financial**

- 4.14. As part of the EP funding £4.4 million of reserves/capital (effectively IT hardware underspend from previous years) is ear-marked for the programme. There is a further £3.6 million in revenue to capital contributions for IT device

renewals over the next 5 years. In total there is £8.0 million allocated to EP leaving a further £12.0 million of new financial requirement.

**5. Consultation and Equalities**

- 5.1. This report seeks approvals for spending on individual projects and no equality impacts have been identified.

**6. Recommendation**

**That the Buildings, Land and Procurement Panel make the following recommendations to the Executive Member for Policy and Resources:**

That procurement and spend approvals, as appropriate, be given for the contracts as detailed in Appendix 1.

**CORPORATE OR LEGAL INFORMATION:****Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	yes

**Other Significant Links**

<b>Links to previous Member decisions:</b>	
<u>Title</u>	<u>Date</u>
<b>Direct links to specific legislation or Government Directives</b>	
<u>Title</u>	<u>Date</u>

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

None

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **1.2. Equalities Impact Assessment:**

This report seeks approvals for spending on individual projects and no equality impacts have been identified.

### **2. Impact on Crime and Disorder:**

2.1 The County Council has a legal obligation under Section 17 of the Crime and Disorder Act 1998 to consider the impact of all decisions it makes on the prevention of crime. The proposals in this report have no impact on the prevention of crime.

### **3. Climate Change:**

3.1 Positive impact on climate change will be considered at the time each of the projects is reported for approval. This report seeks solely procurement approvals and it is not appropriate to set out specific impacts on climate change for each individual item.

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## HAMPSHIRE COUNTY COUNCIL

### Executive Decision Record

<b>Decision Maker:</b>	Executive Member for Policy and Resources
<b>Date:</b>	18 October 2017
<b>Title:</b>	Property Services Major Programmes Update Report
<b>Report From:</b>	Director of Culture, Communities and Business Services

**Contact name:** Steve Clow

**Tel:** 01962 847858

**Email:** Steve.clow@hants.gov.uk

#### 1. The decision:

That the Executive Member for Policy and Resources:

- 1.1. Notes the progress of each of the programmes in the report.
- 1.2. Gives approval to the Learning Disability Transformation project proposals for the Havant Day Services building on the basis summarised in the report to establish a Keystone Service at a total cost of £700,000.
- 1.3. Grants procurement and spend approval for contracting activity associated with the projects as outlined in this report.
- 1.4. Gives approval for the full retention of the capital receipt from the sale of the asset identified in the report in order to re-invest and finance elements of the proposed Camping Pods project at Calshot Activities Centre.
- 1.5. Approves the proposal to invest in the Camping Pods, subject to confirmation of funding, be added to the 2017/18 Policy and Resources Capital Programme.

#### 2. Reason(s) for the decision:

- 2.1. The Major Programmes set out in the report to the Buildings, Land and Procurement Panel on 3 October 2017 will enhance the quality of place for residents in Hampshire and users of the respective buildings.

#### 3. Other options considered and rejected:

- 3.1. None

#### 4. Conflicts of interest:

- 4.1. Conflicts of interest declared by the decision-maker: None
- 4.2. Conflicts of interest declared by other Executive Members consulted: None

5. **Dispensation granted by the Conduct Advisory Panel: none.**
6. **Reason(s) for the matter being dealt with if urgent: not applicable.**
7. **Statement from the Decision Maker:**

**Approved by:**

**Date:**

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**18 October 2017**

**Executive Member for Policy and Resources  
Councillor R Perry**



## HAMPSHIRE COUNTY COUNCIL

<b>Committee/ Panel:</b>	Buildings, Land and Procurement Panel
<b>Date of Decision:</b>	3 October 2017
<b>Decision Title:</b>	Property Services: Major Programmes Update
<b>Report From:</b>	Director of Culture, Communities and Business Services

**Contact names:** Steve Clow

**Tel:** 01962 847858

**Email:** [steve.clow@hants.gov.uk](mailto:steve.clow@hants.gov.uk)

### 1 Summary

1.1 The purpose of this report is to provide an update on the major projects and issues currently being progressed relating to:

- Children's Services Capital Programme and New Schools Delivery
- Learning Disability Transformation Programme
- Framework Management Update
- Replacement of the Register of Contractors
- Outdoor Service: Calshot Camping Pods - re-investment of capital receipts

### 2. Children's Services Capital Programme and New Schools Delivery

- 2.1 Property Services are continuing to work closely with Children's Services colleagues on the design of new schools, school extensions, children's homes, modular classrooms and special schools. There is also ongoing work on the delivery of programmes of activity such as inclusion, health & safety and access improvements across the schools estate.
- 2.2 The Department for Education (DfE) now requires that all new schools are academies, delivered as Free Schools either through a DfE 'approved sponsor' route or alternatively through a local authority led 'presumption' route. Both are to be constructed in the context of reduced public spending and are proposed to be at a lower cost than schools previously delivered in Hampshire. It is proposed that County Council's Property Services retain the role of delivery agent and technical advisor to ensure the best outcome within the framework that the DfE sets.
- 2.3 The County Council has been successful to date in working with academy sponsors to gain approval from the DfE for a number of new schools. There are currently two new primary schools with academy status on site or near to being on site; one at Wellesley, Aldershot and the other at Barton Farm, Winchester.

- 2.4 There are currently a further seven new schools identified to be delivered in the next four years (2017-2021). The County Council's Property Services has established a partnership with the Education and Skills Funding Agency (ESFA) to undertake local delivery of a number of these as Free Schools. The close working with the ESFA and DfE is currently expected to realise more than £20 million of capital funding over and above developers' contributions for the current programme of new schools.
- 2.5 There is design development and procurement work being undertaken for new free schools at Boorley Green (primary school) and Horton Heath (all through school) with the Wildern Academy Trust.
- 2.6 Feasibility work is also being undertaken for a new free school (primary school places) at Chestnut Avenue and a sponsor being sought. This school will be delivered locally by the County Council but will now be to a lower cost to match the DfE's benchmark standards.
- 2.7 The County Council has been successful in the first stage of application for a free school for Special Educational Needs in Basingstoke and further design work is required now to secure capital funding from the DfE for this project.
- 2.8 In addition to these free schools there is continuing strategic planning work for a new secondary school for North Whiteley and design work continuing on the proposed relocation of the existing primary provision at Cornerstones Primary, Whiteley (Church of England Aided School).
- 2.9 Design proposals are progressing for relocating the existing Mill Chase Academy to a new secondary school site within the new residential development at Whitehill and Bordon. The total cost of the replacement facility is estimated to be £30m including a significant one-off capital contribution of £10m by the County Council.
- 2.10 There are also a significant number of major extension and re-modelling projects completed on existing school sites, including, Oakwood Infant School and Greenfield Junior School, Great Binfields Primary School, Hook Infant and Junior schools and Leesland Church of England (Controlled) Junior School. A new Future Skills Centre has also been completed and opened at Whitehill and Bordon to support employment opportunities and regeneration of the local area.
- 2.11 Extension projects are at the tender stage or on site for additional school places at Trostant Infant & Junior Schools, Romsey Primary School, Bishops Waltham Infant & Junior Schools, Pilgrims Cross Primary School, Andover. Reinvestment projects at Kings School, Winchester and at Swanmore College are also progressing well.
- 2.12 Proposals are on site for adding further new primary school places at a number of existing schools and these include, St James CE Primary School, Tweseldown Infant School, The Butts Primary School, Oakridge Infant & Junior Schools, Emsworth Primary School, St Lawrence Church

of England Primary School and at Robert May's School for additional secondary school places.

- 2.13 There is feasibility work for school places to be added at a further 16 schools, including two secondary schools, and more strategic planning work being undertaken for new school provision, including specifically at Manydown (Basingstoke), Welbourne (Fareham), Hartlands Park (Fleet) and the wider Fleet area.
- 2.14 Five of the six new Childrens Homes are now complete on site and handed over to the client. The sixth home has now been confirmed in Winchester and the proposals are being progressed.
- 2.15 The relocation project for the Linden Education Centre to what was formerly West End Infant School site in Farnborough is now complete. The Centre has been operational since September on its new site.
- 2.16 There is innovative design work with our contractors to keep downward pressure on construction costs and work with our strategic partners to maintain our capacity to deliver. Projects are batched into programmes where possible to achieve economies of scale and a shared design approach (but not one size fits all) is being adopted.
- 2.17 There continues to be robust negotiations with developers to maximise financial contributions. There are ongoing discussions with the ESFA and DfE to secure the maximum possible funding with bids submitted to the Free Schools programme.
- 2.18 Value for money for the delivery of new school places continues to be scrutinised and it is evidenced with the benchmarking of construction costs for schools across the country. Despite inflation pressures being experienced in the construction market Hampshire schools costs remain close to the national average. The cost of school delivery in Hampshire has been driven down in real terms over the past five years. The exertion of this downward direction on costs is necessary and will need to continue in the face of further reductions of funding in the public sector and the financial pressures on Local Authorities.

### **3. Learning Disability Transformation Programme**

#### **Eastern Keystone, Havant Day Services – Project Appraisal**

- 3.1 This section seeks approval to the project proposals (design and expenditure) to improve and refurbish the existing Havant Day Services building to provide a Keystone Service at an estimated cost of £700,000 inclusive of fee. This project forms part of the Learning Disability Transformation Programme for which funding at this level was agreed in principle in the updated business case for the programme approved by the Executive Member Policy and Resources on the 9<sup>th</sup> March 2017. This project will complete the transformation of the day services provision in the eastern part of the County.

### Contextual Information

- 3.2 The scheme will provide facilities for Adults with Learning & Physical Disabilities as an open service including creation of spaces for wider community use. This part of a transformation programme to modernise the service and reduce revenue costs. It also rationalises the estate and releases buildings for sale and reinvestment in the programme.
- 3.3 The Keystone will provide a service covering the East of the county for clients with High Complex Needs supported by staff to access activities in the community and/or on site throughout the day.
- 3.4 The wider community would also be welcomed, partly to inform them about our services, thereby gaining a better understanding of the needs of our service users. It will also allow the Council to improve its knowledge of other community activities that could use various spaces created within the building.

### Scope of Work

- 3.5 The refurbishment scheme will see demolition and replacement of walls within the building to create a more open plan arrangement, together with a number of multi-functional rooms including a community room, café area and sensory room.
- 3.6 Existing toilet areas will also be remodelled to increase provision and to provide suitable facilities to support the needs of clients with more complex needs.
- 3.7 Staff facilities will also be remodelled to achieve flexible working principles. External spaces will be re-landscaped to improve access for the high complex needs clients who will access the service.
- 3.8 It is proposed that the works be procured through a traditional tender process.
- 3.9 The Buildings, Land and Procurement Panel is asked to support the spend and procurement approval for contracting activity associated with the Project Appraisal for the Havant Day Services Keystone project.

## **4. Framework Management Update**

- 4.1 The County Council's construction framework portfolio, which is primarily used to secure capacity and a means of combating inflation pressures is also a source of revenue income. Indeed the use of frameworks has been identified as a workstream in the Property Services Transformation to 2019 programme as a potential source of new revenue income. The framework arrangements are seen as a key component of Property's Traded Services strategy and are an important source of additional revenue in support of Property Services contributing additional income to offset reductions in Cash Limited Budgets. The success of the new

Southern Construction Framework will be a key component of this strategy along side the Southern Modular Building Framework, previously reported to this panel, as well as other local arrangements.

- 4.2 The County Council established the current regional framework for major projects in partnership with Devon County Council and Haringey Council. Haringey Council are no longer an active partner in the framework, but the relationship with Devon County Council continues to be successful. The framework itself, known as the Southern Construction Framework, is delivering nearly 100 major projects over £1m amounting to over £1.5bn in total construction value in just over two years. The framework is serving over 50 public sector organisations of a diverse nature. It is designed to be self funding, with a built in levy and subscriptions paying for the procurement and ongoing management costs, returning a surplus to the County Council. It should also be noted that the current Southern Construction Framework is successfully delivering 9 projects for the County Council with a construction budget of £73.2m including the new secondary school at North Whiteley, and will be used for the future pipeline expected to be 4 to 5 major projects per annum estimated to be around £40m.
- 4.3 A business case has been produced which sets out proposals for a successor to the current Southern Construction Framework that, as well as extending our influence in the sector, targets an increased financial return. As a result of the successful partnership with Devon County Council the new framework will also be undertaken as a joint procurement exercise with them. The basis of the agreement will comprise overall control of the framework retained by the County Council with Devon County Council acting as the lead authority for the South West region. The new framework will be along much the same lines as the existing framework, although consideration is being given to an extended geographical coverage. It should be noted that the current framework comprises three separate lots covering the South East, London and South West and has an overall maximum value of £4bn over a 4 year term concluding in April 2019. A similar structure is envisaged for the new arrangement. All the costs of procurement and set-up will be met from existing framework revenue income.
- 4.4 As part of the planning work for the new Southern Construction Framework, it has been identified that it would be beneficial to offer independent but aligned professional consultancy services for Project Management, Cost Management, and Multi Disciplinary Design services in order to encourage increased use of the construction framework. The plan is to procure and manage such a Professional Services Framework in parallel with the new Construction Framework. Once again, all the costs of procurement and set-up will be met from existing framework revenue income at no cost to the County Council. The principal aim is to increase turnover of the Construction Framework by 20% to yield new revenue income.
- 4.5 A separate corporate procurement report to this panel outlines the detail of the new Southern Construction Framework and consultancy

arrangement which will commence early in 2018 with the new arrangements in place by April 2019.

- 4.6 A category planning process is underway as part of the Property Futures review. Property Futures was referred to in the Property Services Business Review 2016/17 report presented at the June 2017 meeting of this panel. This review may have a bearing on the future direction of frameworks and other strategic procurement activity which will be reported to a future meeting of this panel.

## **5. Replacement of the Register of Contractors for “works “contracts**

- 5.1 Following the successful completion of the procurement exercise for the Minor Works Construction Frameworks, the Register of Contractors will close for use by Hampshire County Council, Partners and Schools from the 31 December 2017.
- 5.2 The Register of Contractors is not a compliant list under the Public Procurement Regulations and therefore a replacement for the list has been provided in most cases by the minor works framework.
- 5.3 There are a small amount of specialist works contractors not covered by Frameworks and arrangements for these types of works and the need for more formal arrangements will be kept under review.
- 5.4 The Register of contractors also provides a vehicle for tendering works contracts up to the OJEU threshold of approximately £4m. In most cases we would use frameworks for these e.g. minor works, or the Intermediate construction frameworks. In instances where these framework are not suitable it is the intention to either use open tendering or Construction line.
- 5.5 Schools had direct access to the register of contractors via hantsnet and could use the contractors for works they procured separately. This will no longer be available to them; however there will be communications to Schools to advise how they can access contractors going forward Via the SLA and Management partnership surveyors .

## **6. Outdoor Service: Calshot Camping Pods– re-investment of Capital Receipts**

- 6.1 This section seeks approval for the full retention of a capital receipt arising from the sale of assets within the Outdoor Service in order to re-invest to deliver Transformation to 2019 (T2019) savings targets.
- 6.2 As part of T2019 planning a detailed assessment of customer data, market conditions, and business opportunity, was undertaken across the Outdoor Centres. This was done to identify the most appropriate opportunities to address the agreed target of becoming cash limit neutral, or negative, within the service. The analysis also highlighted the feasibility to consolidate assets in order to invest where the best income generation opportunities existed to support the delivery of savings for T2019. It is this work that leads to the recommendations in this report.

- 6.3 It is proposed to procure and construct 10 new camping Pods on the site of Calshot Activities Centre. This will add additional accommodation provision for up to 40 customers. The facility is to be marketed as family lets to the wider community who then can access the facilities that the centre has to offer. Property Services will manage the planning and implementation of the infrastructure that the Pods require, including water & electricity. The concept and approach adopted will build upon the experience gained from introducing such a similar facility at the Tile Barn outdoor centre ('Poppy Pods') which has proved very successful.
- 6.4 The overall cost of the project is estimated at £400,000. It is proposed that funding for this project will come from three sources: full use of a capital receipt from the sale of a surplus asset, a percentage of a realised capital asset and the CCBS departments Cost of Change Reserve. An estimated £250,000 (100%) will be realised from the sale of the Birch Grove centre and £20,625 (25% of the total) has already been secured from the sale of The Privett Centre. The Birch Grove facility is a small satellite facility of the Hampshire and Cass Mountain centre located in North Wales and has been identified as surplus to requirements within the context of consolidating and securing business within the main centre. It is currently being marketed through local agents.
- 6.5 The outcome of marketing Birch Grove will be reported to a future meeting of the Executive Member for Policy and Resources. In the meantime approval is sought to make full use of sale proceeds arising from the sale of Birch Grove and 25% of The Privett Centre (completed February 2017) and for the cumulative capital value (estimated at £270,625) to be added to the Policy and Resources Capital Programme.
- 6.6 The estimated pay back period, identified in the project appraisal approved by the Executive Member for Culture, Recreation and Countryside, is 4 years.

## **7. Recommendations**

That the Buildings, Land and Procurement Panel recommends to the Executive Member for Policy and Resources that:

- a) Progress of each of the programmes is noted.
- b) Approval is given to the project appraisal for the Learning Disability Transformation project proposals in the Havant Day Services building on the basis summarised in the report to establish a Keystone Service at a total cost of £700,000.
- c) That procurement and spend approval for contracting activity associated with the projects as outlined in this report is granted.
- d) That approval is given to the full retention of the capital receipt from the sale of the asset identified in this report in order to re-invest and finance elements of the proposed Camping Pods project at Calshot Activities Centre.

- e) That the proposal to invest in the Camping Pods, subject to confirmation of funding, be added to the 2017/18 Policy and Resources Capital Programme.



**CORPORATE OR LEGAL INFORMATION:****Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	yes

**Other Significant Links**

<b>Links to previous Member decisions:</b>	
<u>Title</u>	<u>Date</u>
<b>Direct links to specific legislation or Government Directives</b>	
<u>Title</u>	<u>Date</u>

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

DocumentLocation

None

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1 The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **1.2 Equalities Impact Assessment:**

An equalities impact assessment has /has not been considered in the development of this report as access requirements are always considered during the design stages of building maintenance projects and are often improved.

### **2. Impact on Crime and Disorder:**

2.1 The County Council has a legal obligation under Section 17 of the Crime and Disorder Act 1998 to consider the impact of all decisions it makes on the prevention of crime. The proposals in this report have no impact on the prevention of crime.

### **3. Climate Change:**

3.1 This is an update report which has no impact upon climate change.

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Policy and Resources
<b>Date:</b>	18 October 2017
<b>Title:</b>	Major Highway Scheme: M27 Junction 9 and Parkway South Roundabout Scheme, Whiteley – Land Purchase
<b>Report From:</b>	Director of Culture, Communities and Business Services

**Contact name:** Liz Duffin

**Tel:** 01962 846616

**Email:** liz.duffin@hants.gov.uk

#### 1. Executive Summary

- 1.1. The purpose of this paper is to set out the background to this major highway scheme, known as the M27 Junction 9 and Parkway South Roundabout scheme (“the Scheme”) and to seek approval to the acquisition of all third party interests in land and any necessary rights required for the delivery of the Scheme.
- 1.2. The Scheme was designed by HCC as Strategic Highway Authority and local deliverer on behalf of Highways England (HE). It comprises carriageway widening around both roundabouts and some of the slip roads and full signalisation of the Parkway South Roundabout. It will significantly reduce traffic congestion to both residents and business park users alike and will improve safety by reducing tailbacks on to the M27.
- 1.3. In order to ensure the delivery of the Scheme within the funding timescales agreed with HE, the report also seeks approval to the making of a Compulsory Purchase Order (CPO) as soon as possible to run in parallel with negotiations to preferably acquire all third party interests in land and any necessary rights by agreement.

#### 2. Contextual information

- 2.1. The Scheme involves carriageway widening to provide an additional lane on both motorway off-slip roads, the westbound on-slip road and the Whiteley Way approach, together with additional lanes on the northern and southern sections of the circulatory carriageway. At Parkway South roundabout, a new larger fully signalised roundabout will be provided, with carriageway widening to provide additional traffic lanes on all approaches and the circulatory carriageway.
- 2.2. At his meeting on 19th September 2017, the Executive Member for Environment and Transport confirmed the extent of land required to deliver the Scheme as detailed in Appendix 1 and also approved the

recommendation that the Executive Member for Policy and Resources gives approval to the acquisition of all necessary third party land interests required for the delivery of the Scheme and to the making of a CPO as necessary to ensure construction of the Scheme within agreed funding timescales.

- 2.3. The total land acquisition of approximately 15,000 m<sup>2</sup> (including land required on a temporary basis during the construction period) is located on the periphery of the J9 roundabout and the Parkway South roundabout at Whiteley Way/Rookery Avenue. There is also approximately 420m<sup>2</sup> of land in HCC ownership on the south east side of the J9 roundabout which is required to be transferred to the Highways England (HE) highway network. This is required for the motorway slip road improvements which HCC are undertaking on HE's behalf.
- 2.4. To provide certainty of delivery within the timescales agreed with Highways England for construction of the Scheme, and in the event that negotiations to acquire all third party land by agreement are unsuccessful, it will be necessary to make and progress a CPO to secure the necessary land. As it can take around two years for a CPO to be confirmed by the Secretary of State should the need for a Public Inquiry arise, it is proposed to commence this process as soon as reasonably possible to run in parallel with negotiations to acquire all third party land interests by agreement.

### **3. Legal Context**

- 3.1. The County Council has the power to make Compulsory Purchase Orders and in relation to this road construction Scheme, the enabling power is the Highways Act 1980.
- 3.2. The Compulsory Purchase Process Guidance from the Department for Communities and Local Government (CPO Guidance) states that a compulsory purchase order should only be made where;
  - a) there is a compelling case in the public interest; and
  - b) the purposes for which the compulsory purchase order is made justify interfering with the human rights of those with an interest in the land affected.

Particular attention should be given to these considerations.

- 3.3. The public interest test is met due to the proposed acquisition delivering the necessary improved infrastructure to provide better access to the Whiteley area and to encourage economic retention and development. The proposed acquisition will also serve to enhance the wellbeing of residents and business park users, particularly in Whiteley and the Solent Business Park, by significantly reducing congestion and delays on the main access routes. This will help to enhance the prosperity of the area overall as well as the quality of place.
- 3.4. The County Council has also had regard to the provision of Article 1 of the First Protocol to the European Convention on Human Rights. In light of the significant public benefit that would arise from the delivery of the Scheme, it is considered that it would be appropriate to acquire the land through

compulsory purchase should that prove necessary, and that to do so would not constitute an unlawful interference with individual property rights.

- 3.5. Article 6 also requires that those civil rights that may be affected by a decision are given a fair hearing by an independent and impartial tribunal. This is secured by means of the compulsory purchase order process including the holding of an inquiry into any objections which may be made and the ability to challenge any compulsory purchase order in the High Court.

#### **4. Funding**

- 4.1. Funding has been secured for the scheme from Highways England (£9.9m HE Growth and Housing Fund, & £3m HE Congestion Relief Fund), which is subject to completion of a funding agreement, and s106 receipts (£6m) and the Local Transport Plan fund (£0.7m).
- 4.2. The total land cost estimate will be reported within the scheme costs which will form part of the Project Appraisal Report that will be considered by the Executive Member for Environment and Transport before the tendering stage and the commencement of works.

#### **5. Planning**

- 5.1. Planning permission is not required for the scheme as all proposed works take place on or adjoining the existing highway network and the works can therefore take place under permitted development rights.

#### **6. Recommendations**

That the Executive Member for Policy and Resources approves:

- 6.1. That approval be given to acquire all third party interests in land and any necessary rights required for or to facilitate / enable the delivery of the proposed Scheme – the M27 Junction 9 and Parkway South Roundabout Scheme in Whiteley -on detailed terms and conditions to be settled by the Director of Culture, Community and Business Services (Strategic Manager – Assets and Development).
- 6.2. That, in order to ensure the delivery of the M27 Junction 9 and Parkway South Roundabout Scheme within agreed funding timescales, authority be given to the making of a Compulsory Purchase Order as soon as possible to run in parallel with negotiations to preferably acquire all third party interests in land and any necessary rights by agreement.
- 6.3. That delegated authority be given to the Director of Culture, Community and Business Services (Strategic Manager – Assets and Development) to amend the scope of the land detailed in Appendix 1 on the basis that it will not be extended, but it could be refined / minimised.

**CORPORATE OR LEGAL INFORMATION:****Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	no
<b>People in Hampshire enjoy a rich and diverse environment:</b>	no
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	no

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title</u>		<u>Date</u>

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DocumentLocation

None

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1 The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

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- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **1.2 Equalities Impact Assessment:**

- a) The proposals will have no or low impact upon groups with protected characteristics. The proposals are accessible to all road users. Pedestrians and cyclists will be catered for as part of the proposals to improve access to Whiteley and mitigation will be identified to add value in terms of accessibility over and above the existing provision.

<http://www3.hants.gov.uk/equality/equality-impact-assessments/cx-pu-eqimpact-envi.htm>

### **2 Impact on Crime and Disorder:**

2.1 None.

### **3 Climate Change:**

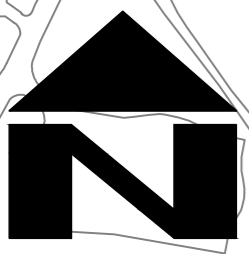
3.1 How does what is being proposed impact on our carbon footprint / energy consumption?

The proposed strategy to improve access to Whiteley seeks to reduce congestion and journey time delay.

3.2 How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

Areas where traffic levels reduce will also experience significant benefit in terms of reduced air pollution.





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ORDNANCE SURVEY 100019180

- NOTES**
- DO NOT SCALE FROM THIS DRAWING
  - ALL DIMENSIONS IN METRES UNLESS OTHERWISE STATED

**KEY**

LAND TO BE ACQUIRED  
AREA = 14806m<sup>2</sup>

REV	AMENDMENTS	DATE	CAD	CHKD	APPD

CLIENT

**HAMPSHIRE COUNTY COUNCIL**  
ECONOMY, TRANSPORT AND ENVIRONMENT DEPARTMENT  
STRATEGIC TRANSPORT

CONSULTANT

 **Hampshire County Council** 

STUART JARVIS BSc DipTP FCIHT MRTPI: DIRECTOR OF ECONOMY, TRANSPORT & ENVIRONMENT

DESIGNER JS	SCHEME <b>M27 JUNCTION 9 AND PARKWAY SOUTH ROUNDABOUT, WHITELEY</b>
CAD JS	
CHECKED AMC	JOB No. C/J008770.01
APPROVED JPR	
SCALE @ A1 1:1250	DATE SEPT 2017

DRAWING TITLE <b>LAND INTEREST TO BE ACQUIRED AT M27 JUNCTION 9 AND PARKWAY SOUTH ROUNDABOUT, WHITELEY</b>
HCC CAD PLOT: 05/09/2017 10:46:06
DRAWING NUMBER <b>EC/CJ008770/L112</b>



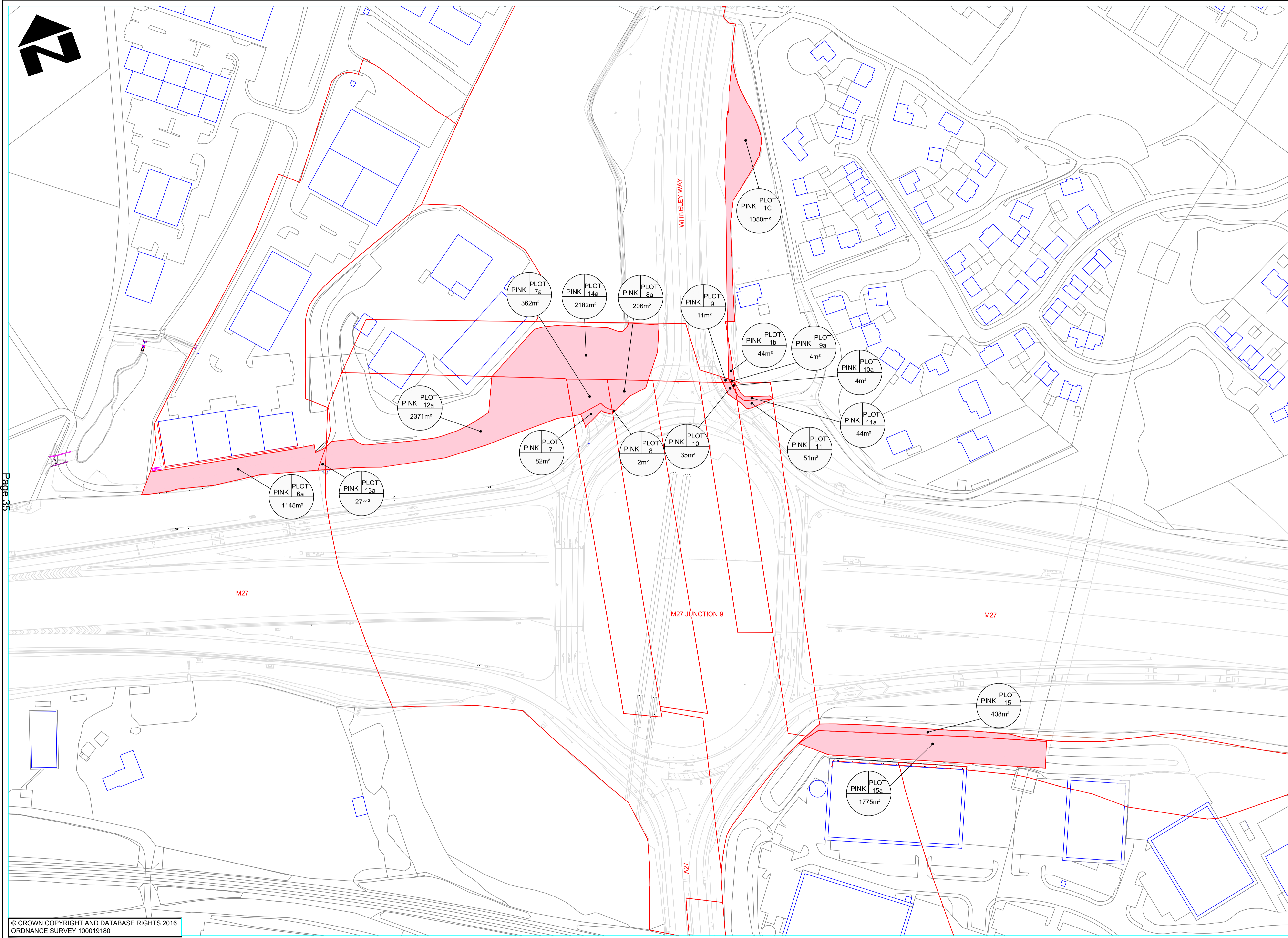
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- NOTES**
- DO NOT SCALE FROM THIS DRAWING
  - ALL DIMENSIONS IN METRES UNLESS OTHERWISE STATED

- KEY**
- AFFECTED PLOT BOUNDARIES
  - LAND TO BE ACQUIRED  
AREA = 9803m<sup>2</sup>



Page 35

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ORDNANCE SURVEY 100019180

REV	AMENDMENTS	DATE	CAD	CHKD	APPD
P2	LAND ADDED ADJACENT TO MOTORWAY COMPOUND ACCESS ROAD AND TO EAST OF WHITELEY WAY	04/09/2017	JS	AMC	JPR
P1	LAND PLOTS REFERENCED	21/08/2017	JS	AMC	JPR

CLIENT

**HAMPSHIRE COUNTY COUNCIL**  
ECONOMY, TRANSPORT AND ENVIRONMENT DEPARTMENT  
STRATEGIC TRANSPORT

CONSULTANT

**Hampshire Engineering**  
County Council CONSULTANCY

STUART JARVIS BSc DipTP FCIHT MRTPI: DIRECTOR OF ECONOMY, TRANSPORT & ENVIRONMENT

DESIGNER	SCHEME
JS	M27 JUNCTION 9 AND PARKWAY SOUTH ROUNDABOUT, WHITELEY
SG	
AMC   AMC	JOB No. R.J567007.01
MCC   MCC	SCALE @ A1 DATE SHEET NUMBER DRAWING NUMBER
	1:1000 AUG 2017 1 OF 1 EC/CJ008770/L108

DRAWING TITLE

**LAND INTEREST TO BE ACQUIRED AT M27 JUNCTION 9**

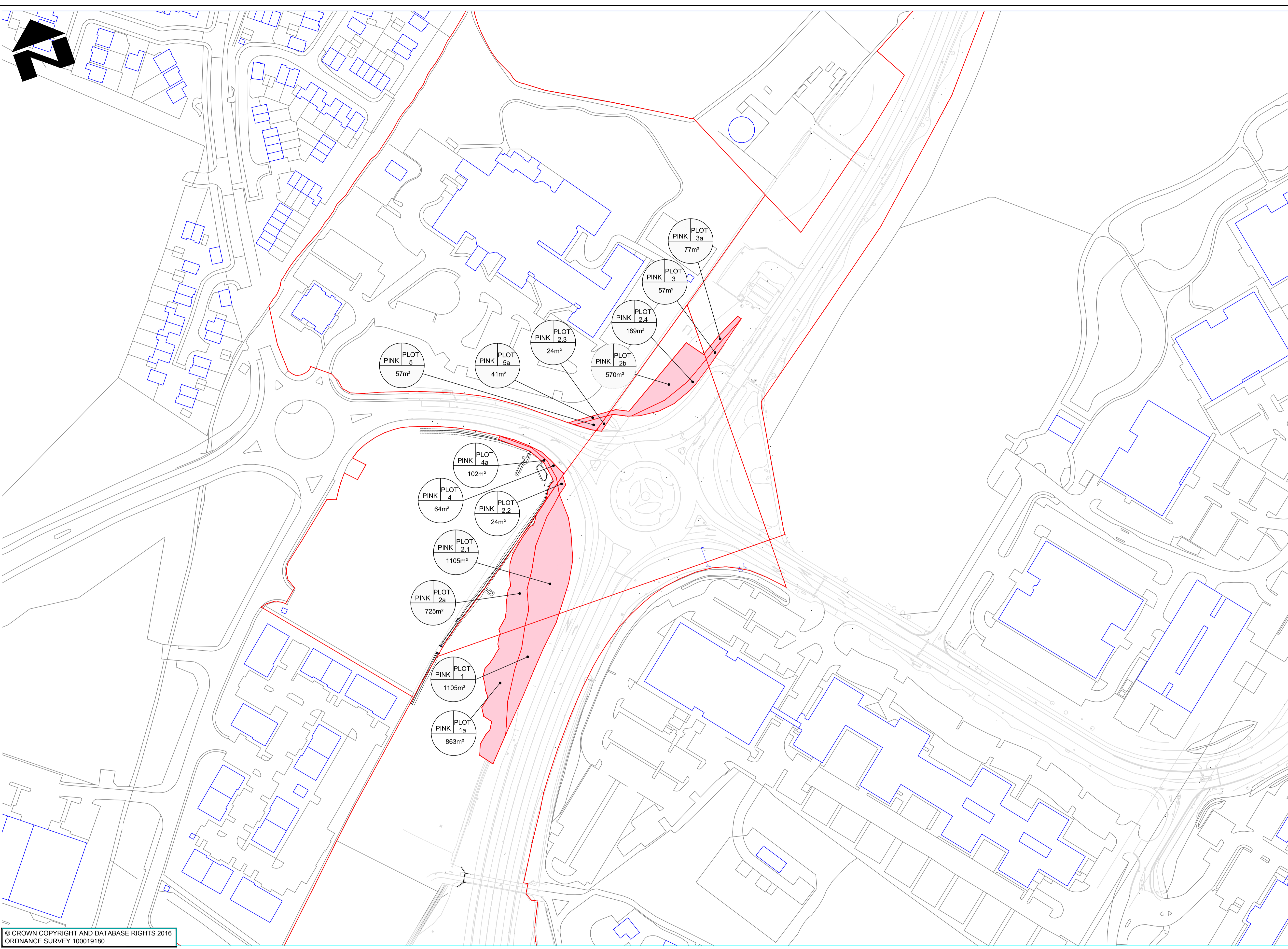
HCC CAD PLOT: 05/9/2017 10:46:23

REV P2



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- NOTES**
- DO NOT SCALE FROM THIS DRAWING
  - ALL DIMENSIONS IN METRES UNLESS OTHERWISE STATED
- KEY**
- AFFECTED PLOT BOUNDARIES
  - LAND TO BE ACQUIRED  
AREA = 5003m<sup>2</sup>

Page 37

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ORDNANCE SURVEY 100019180

REV	AMENDMENTS	DATE	CAD	CHKD	APPD
P2	SCHEME TITLE CHANGED	05/09/2017	JS	AMC	JPR
P1	LAND PLOT REFERENCED	21/08/2017	JS	AMC	JPR

CLIENT

**HAMPSHIRE COUNTY COUNCIL**  
ECONOMY, TRANSPORT AND ENVIRONMENT DEPARTMENT  
STRATEGIC TRANSPORT

CONSULTANT

**Hampshire County Council** **Engineering CONSULTANCY**

STUART JARVIS BSc DipTP FCIHT MRTPI: DIRECTOR OF ECONOMY, TRANSPORT & ENVIRONMENT

DESIGNER  
JS

CAD  
SG

CHECKED  
AMC | AMC

APPROVED  
MCC | MCC

SCHEME  
M27 JUNCTION 9 AND PARKWAY SOUTH ROUNDABOUT, WHITELEY

JOB No. R.J567007.01

SCALE @ A1  
1:1000

DATE  
AUG 2017

SHEET NUMBER  
1 OF 1

DRAWING TITLE  
LAND INTEREST TO BE ACQUIRED AT PARKWAY SOUTH ROUNDABOUT, WHITELEY

HCC CAD PLOT: 05/09/2017 10:46:13

DRAWING NUMBER  
EC/CJ008770/L109

REV  
P2



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## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Policy and Resources
<b>Date of Decision:</b>	18 October 2017
<b>Decision Title:</b>	Regulation of Investigatory Powers Act 2000 – Annual review and confirmation of existing policy with regards to surveillance activity
<b>Report From:</b>	Director of Culture, Communities and Business Services / Director of Transformation and Governance – Corporate Services

**Contact name:** Julie Chambers – Trading Standards Manager (Legal & Compliance)/Peter Andrews – Head of Risk and Information Governance,

**Tel:** 01962 833683  
01962 847309

**Email:** [julie.chambers@hants.gov.uk](mailto:julie.chambers@hants.gov.uk)  
[peter.andrews@hants.gov.uk](mailto:peter.andrews@hants.gov.uk)

#### 1. Executive Summary

- 1.1. The purpose of this paper is to seek the annual approval of the County Council's Policy on Surveillance as required under the Codes of Practice issued by the Home Office associated with the Regulation of Investigatory Powers Act (RIPA).
- 1.2. The Policy statement, for which approval is sought, is attached to this report as Appendix 1.

#### 2. Contextual information

- 2.1. RIPA is the act of parliament that regulates the County Council's use of covert surveillance. The County Council operates a strict control policy, which ensures that only authorised surveillance takes place; where it is lawful, necessary and proportionate to do so.
- 2.2. The current statutory Codes of Practice made by the Secretary of State for the Home Office under the Regulation of Investigatory Powers Act 2000 require that each local authority must have their RIPA policy confirmed by the appropriate executive function on an annual basis, that is, the Executive Member for Policy and Resources.
- 2.3. The current Policy was subject to Executive Decision approval on 29 September 2016, item reference 7749. This was for a twelve month period

and approval for the continued use of surveillance powers for the next 12 months is required.

### **3. Use of Powers**

- 3.1. The County Council uses these powers very sparingly. The Trading Standards Service has adopted the Intelligence Operating Model (IOM) as a means of identifying suspicious activity for further investigation and, thus ensuring resources are used efficiently. The introduction of the IOM has contributed towards the decline in recent surveillance activity as the nature of investigations' identified have not warranted such techniques being used.
- 3.2. In 2016/17 there were no instances of the County Council using its surveillance powers in relation to Directed Surveillance (that is where the person is not aware surveillance is taking place and can be done using cameras or videos), nor of Covert Human Intelligence Source powers (this is where a person is required to covertly/secretly form a 'relationship' with the person/business under investigation for the purpose of obtaining information to further a criminal investigation, for example through face to face conversations, emails or telephone calls).
- 3.3. In 2016/17 the County Council made 4 applications, with 17 specific notices in relation to its communications data powers (this is where a request is made to a telecommunications supplier for subscriber data and service use data (not content), for example, identifying who a particular internet domain is registered to or the identity of the subscriber to a particular telephone number).
- 3.4. It should be noted that the use of surveillance is not the totality of any criminal investigation, but a small part of it, and that criminal investigations may not complete their passage through the criminal court process for many months, if not years after the surveillance activity has ceased.
- 3.5. The principal reasons for the use of surveillance are for prevention and detection of crime and not for criminal proceedings. As such, conviction rates, although excellent, are not the only measure of success (different methods of disposal such as letters of written warning, Simple Cautions and website takedowns are also justifiable indicators of RIPA usage).
- 3.6. Since 2008 the use of surveillance in the fight against counterfeit goods has resulted in £632,550 worth of counterfeit goods being seized.
- 3.7. An example of the successful use of communications data powers was reported in the local media in June of this year. This was the conviction and imprisonment of 2 second-hand car traders who had been causing a very large amount of consumer detriment in relation to fraud. Cars were sold that were clocked (had their odometer readings reduced); were faulty; unroadworthy. Consumers struggled to get refunds or repairs. The prosecution case lasted for almost 6 weeks and the 2 car traders (1 who had pleaded guilty at an earlier hearing) both received substantial terms of imprisonment. In addition, the Trading Standards service has proceedings underway using the Proceeds of Crime Act 2002 to recover the criminal benefit from these two individuals.



#### **4. Monitoring of Activity**

- 4.1. Monitoring of the County Council's activity in respect of RIPA is conducted by the Audit Committee. Regular reports on the use of surveillance powers are presented to the Audit Committee on a quarterly basis.
- 4.2. On 22 June 2017, the Audit Committee reviewed the County Council's use of RIPA powers for the previous 12 months). As a result of that review, the Audit Committee has provided its assurance that the County Council is operating its powers in a lawful and proportionate manner, and the continued use of surveillance powers would be appropriate.
- 4.3. The majority of the County Council's RIPA activity is conducted by officers of the Trading Standards Service, and in accordance with the current County Council's RIPA policy, all RIPA activity is authorised via that Service. Additionally, all authorisations by local authorities are subject to judicial approval through a magistrate, in accordance with the provisions of the Protection of Freedoms Act 2012.
- 4.4. The County Council's use of surveillance powers is regularly subject to external inspection, by both the Office of the Surveillance Commissioner and the Interception of Communication Commissioner's Office. In December 2014, the Assistant Surveillance Commissioner reviewed the County Council's use of directed surveillance, covert human intelligence source and CCTV systems under the Regulation of Investigatory Powers Act, and policies and procedures the County Council has in place. The formal report was received by the County Council in January 2015, where the Assistant Surveillance Commissioner indicated his satisfaction with the County Council's application of its covert activities arrangements. He expressed that the County Council has '*a generally sound RIPA structure, policy and procedures and committed senior management*', and has recommended some changes for implementation for the future, which have been accepted, to make the County Council's procedures more robust and stand up to scrutiny.
- 4.5. In January 2015 Hampshire County Council joined the National Anti-Fraud Network (NAFN) as a result of further changes to the RIPA landscape affecting the acquisition and disclosure of communications data.
- 4.6. On 20 July 2016, the Executive Member for Policy and Resources approved changes to the officers authorised to appear at the Magistrates Court on behalf of the County Council in respect of RIPA approvals, item reference 7638.
- 4.7. In light of the comments from external inspectors, and the absence of any regulatory changes since the approval of the Policy last year, it is recommended that no material changes are made to the Policy and that it be approved unchanged for a further 12 month period.

#### **5. Finance**

5.1. The decision which is sought to be recommended by this report will have no effect upon the budgetary position of Hampshire County Council.

## **6. Performance**

6.1. The recommended decision sought ensures that the County Council continues to comply with the statutory Codes of Practice under RIPA.

## **7. Recommendation(s)**

7.1. That the County Council's current Policy with regard to RIPA, attached as appendix 1 to this report, be approved.

**CORPORATE OR LEGAL INFORMATION:****Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	no
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	no

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Regulation of Investigatory Powers Act 2000 – Annual review and confirmation of existing policy with regards to surveillance Activity	6885	21 September 2015
Information Compliance - Use of Regulated Investigatory Powers	7558	23 June 2016
Regulation of Investigatory Powers Act 2000 – Ability of officers to seek judicial approval for authorisations granted for related surveillance activity	7638	20 July 2016
Regulation of Investigatory Powers Act 2000 – Annual review and confirmation of existing policy with regards to surveillance	7749	29 September 2016
Information Compliance - Use of Regulated Investigatory Powers		22 June 2017
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title</u>		<u>Date</u>
Regulation of Investigatory Powers Act 2000 as amended		2000
Protection of Freedoms Act 2012		2012

<b>Section 100 D - Local Government Act 1972 - background documents</b>
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None

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### **1. Equality Duty**

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **2. Equalities Impact Assessment:**

2.1. As there are no proposed changes to the existing Policy a full Equalities Impact Assessment is not required, however potential impacts have been considered in the development of this report and no adverse impact has been identified.

### **3. Impact on Crime and Disorder:**

3.1. The County Council has a legal obligation under Section 17 of the Crime and Disorder Act 1998 to consider the impact of all the decision it makes on the prevention of crime. The County Council is only able to lawfully carry out covert surveillance activity on the grounds of prevention and detection of crime and disorder. By complying with RIPA and the statutory Codes of Practice this activity will be carried out without unlawfully contravening the requirements of the European Convention on Human Rights and the Human Rights Act 1998. All activity under RIPA will therefore assist the County Council, where it is both necessary and proportionate to do so, in its aim to prevent and detect crime.

### **4. Climate Change:**

- a) How does what is being proposed impact on our carbon footprint / energy consumption?

The activities reported within this report have no effect on climate change

- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

The activities reported within this report have no effect on climate change

## **Policy Statement**

Hampshire County Council will not undertake any activity defined within the Regulation of Investigatory Powers Act 2000 without prior authorisation, from a trained, senior officer who is empowered to grant such consents; and subject to Sections 37 and 38 of the Protections of Freedoms Act 2012 and any pertaining regulations relating to the approval of such authorisations by a Magistrate.

The Director of Culture, Communities and Business Services has been appointed the Senior Responsible Officer and, as such, has been given authority to appoint Authorising Officers (for surveillance activities) and Designated Persons (for the purposes of access to communications data) under the Act.

The Authorising Officer or Designated Person will not authorise the use of surveillance techniques, human intelligence sources or access to communications data unless the authorisation can be shown to be necessary for the purpose of preventing or detecting serious crime or of preventing disorder, in accordance with the Regulation of Investigatory Powers (Directed Surveillance and Covert Human Intelligence Sources) (Amendment) Order 2012.

In addition, the Authorising Officer or Designated Person must believe that the surveillance or obtaining of communications data is necessary and proportionate to what it seeks to achieve. In making this judgment, the officer will consider whether the information can be obtained using other methods and whether efforts have been made to reduce the impact of the surveillance on other people, who are not the subject of the operation.

Applications for authorisation of surveillance, the use of a Covert Human Intelligence Sources or the obtaining of communications data will, except in emergency where legislation permits, be made in writing on the appropriate form.

Intrusive surveillance operations are defined as activities using covert surveillance techniques, on residential premises, or in any private vehicle, which involves the use of a surveillance device, or an individual, in such a vehicle or on such premises. Hampshire County Council officers are NOT legally entitled to authorise these types of operations.

However public bodies are permitted to record telephone conversations, where one party consents to the recording being made and appropriate surveillance authorisation has been granted. The party who consents to the recording of the telephone conversation could either be an officer of the County Council or a third party. On occasions, officers of the County Council do need to record telephone conversations, to secure evidence.

It is the policy of this authority to be open and transparent in the way that it works and delivers its services. To that end, a well-publicised Corporate Complaints procedure is in place and information on how to make a complaint to the Investigatory Powers Tribunal will be provided on request to the Senior Responsible Officer.

The County Councils use of its powers under the Regulation of Investigatory Powers Act 2000 will be subject to regular scrutiny by the County Councils Audit Committee.



## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Policy and Resources		
<b>Date:</b>	18 October 2017		
<b>Title:</b>	Rural Delivery Strategy – rural delivery funding		
<b>Report From:</b>	Director for Culture, Communities and Business Services		
<b>Contact name:</b>	Amanda Hull		
<b>Tel:</b>	01962 847165	<b>Email:</b>	amanda.hull@hants.gov.uk

### 1. Executive Summary

- 1.1. The purpose of this report is to outline proposals for Rural Delivery funding for 2017/18. The proposals have been developed in accordance with the Rural Delivery priorities approved by Cabinet in March 2014.
- 1.2. The report outlines a proposal for funding towards an Adults' Health and Care initiative to support the development of community and micro-enterprises for care in rural areas.
- 1.3. The report also outlines one application for funding from the Rural Communities Fund, under the retailers and community enterprises theme.

### 2. Contextual information

- 2.1. The revised County Council Rural Delivery priority actions were agreed by Cabinet in March 2014 (report 5684). These include supporting community resilience, rural transport, self-help, communications and economic development.
- 2.2. The funding proposals presented in this report fit within the priority actions and build on existing initiatives to maximise impact and use of available resources. The proposals have been reviewed by cross-departmental colleagues and Councillor Edward Heron, the Assistant to the Executive - Rural Affairs Champion, who are supportive of the recommendations.

### 3. Finance

- 3.1. The Rural Delivery budget for 2017/18 is £200,000. £90,000 of this budget has already been allocated, approved by the Executive Member for Policy and Resources at his Decision Days in June 2017 and July 2017.
- 3.2. One new proposal is presented for consideration, to be allocated from the Rural Delivery budget 2017/18, for funding totalling £36,320. £31,203 is also requested from the Rural Delivery budget 2018/19.

- 3.3. The Rural Communities Fund budget for 2017/18 is £139,500, split across four themes (countryside access, flood alleviation, retailers and community enterprises, and general community resilience and self-help initiatives). £16,071 of this budget has already been allocated, approved by the Assistant Director for Culture and Heritage, in consultation with the Assistant to the Executive - Rural Affairs Champion.
- 3.4. Decision making for grant applications up to £5,000 was delegated to the Assistant Director for Culture and Heritage by the Executive Member for Policy and Resources at his decision day on 16 June 2017. One new application for funding over £5,000 has been received for consideration; this is for £10,000 from the Rural Communities Fund – retailers and community enterprises theme (see paragraph 5).

#### **4. Funding proposal – community and micro-enterprises for care**

- 4.1. The Adults' Health and Care Department is seeking to collaborate with a capacity building organisation which would provide a person to act as a Local Catalyst. They would work to identify and nurture community and micro-enterprises to create self sustaining solutions to support older people living in rural areas (hamlets and isolated dwellings, rural villages and towns).
- 4.2. The Socio-economic profile of rural Hampshire 2016 highlighted that people living in rural towns and fringe areas are most likely to live alone and there are higher proportions of older couple occupation households within rural communities than urban areas of Hampshire<sup>1</sup>. Furthermore, Hampshire's rural population is set to age more than its urban counterparts, with significantly more growth amongst the very old (namely those aged 85 and over)<sup>2</sup>.
- 4.3. The aim of the initiative is to develop small, very local enterprises to enable people to have flexible support which enables them to live a good life and connects them into community activities, thereby reducing social isolation and loneliness and supporting carers. Solutions will enable people to take part in community life, live in their own home and stay in the area where they live for as long as possible. This will be achieved by overcoming the barriers which prevent this from happening such as personal care needs, maintaining their home (including gardening and domestic help) and maintaining social relationships (through transport, trips, companionship).
- 4.4. The outcome of the initiative will ultimately contribute to supporting Hampshire's rural areas to become more future proof to the demographic changes, remain vibrant and viable, while increasing rural economies and providing local employment opportunities, particularly for younger people and those over fifty-five. A similar community led project, focused on home care and domiciliary care solutions, generated annual savings of £938,607 of which £525,619 were direct and on-going annual savings to the Council.

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<sup>1</sup> [Socio- economic profile of rural Hampshire 2016 - Health and well-being](#)

<sup>2</sup> [Socio- economic profile of rural Hampshire 2016 – Demography and area](#)

- 4.5. It is proposed that the initiative is commenced in late 2017, to continue for two years. The total cost of the project over the two years would be £135,045. This investment will financially support a full-time Local Catalyst, based in Hampshire, to co-design and deliver a Hampshire specific project. It will not be used to finance care costs or delivery of care.
- 4.6. Adults' Health and Care is committing a 50% contribution towards the initiative and is requesting 50% from the Rural Delivery Budget, split across two financial years (£36,320 in 2017/18 and £31,203 in 2018/19). The funding will be released in two stages, the first on receipt of an agreed action plan and the second on receipt of the first year report evidencing achievement of agreed measures of success. The usual governance, monitoring and evaluation arrangement of Adults' Health and Care will be used to oversee the project within the Supportive Communities Programme.
- 4.7. In recognition of the potential of the initiative to create long-term, self sustaining solutions to domiciliary care support in Hampshire's rural areas, it is recommended that this project is supported with a 50% contribution from the Rural Delivery budget, to include £36,320 from the 2017/18 budget and £31,203 from the 2018/19 budget. The 2018/19 instalment will only be released subject to approval from the Assistant to the Executive – Rural Affairs Champion following the submission of the first year report.

## **5. Grant application**

- 5.1. The Rural Communities Fund offers small grants to support Parish Councils, groups and organisations in rural Hampshire and small market towns. The overall priorities of the scheme are to build community resilience and encourage self-help. Applications are accepted to support one of four themes. Funding approval is sought for one application received under the retailers and community enterprises theme. The aim of this theme is to help them grow, increase their productivity and ultimately improve the services that are offered to communities in rural areas.

### ***Cross Stores, £10,000 requested (grant reference 14239)***

Cross Stores and Post Office in Kings Somborne is a family run business situated in a traditional late Victorian shop, built approximately 1895, in a conservation area.

- 5.2 Over the years Kings Somborne has seen the loss of its bank, all but one of its pubs and several small shops. Public transport serving the village is predominately for access to schools and colleges and the frequency of buses is therefore reduced during the school holidays. Nearly half the population of approximately 1,700 have limited or no private transport and rely on volunteer good neighbour schemes to travel to supermarkets, doctor's appointments etc. Cross Stores therefore provides essential provisions, prescription collection point and Post Office services to residents of Kings Somborne and the surrounding villages of Up Somborne, Little Somborne and Ashley.
- 5.3 Funding is requested towards various shop improvements that will improve shop security (e.g. external shutters, re-enforced post office ceiling) and fire safety (e.g. exterior fire door) and provide the opportunity for the shop to increase its

economic potential by enhancing the space and appearance and allowing the range of stock to be extended (e.g. repositioning the staircase, installing a new post office counter and screen, purchasing a new energy efficient fridge and freezer). The opportunity for an increased range of stock will benefit both customers and local suppliers (the store provides an outlet for a variety of local products e.g. fresh farm eggs, locally made cards, cheese and additional seasonal homemade items like jams).

- 5.4 The changes to the shop have been well thought out in order to improve security and safety, increase income and improve the provision available for residents of Kings Somborne and surrounding villages. The owners have also undertaken a number of improvements not included as part of this funding request, which have been self-funded, including new external signage and new consistent shelf price ticketing.
- 5.5 The issue of whether or not Cross Stores is eligible to apply for a grant, given there is another store in Kings Somborne where some convenience items can also be purchased, was addressed in 2016. It was agreed with Cllr Humby, in his previous capacity of Assistant to the Executive – Rural Affairs Champion, that Hampshire County Council would follow the lead of the Post Office, which had conducted its own investigations and deemed Cross Stores the only suitable location for Post Office services in the village (Cross Stores was subsequently awarded Community Post Office status).

The shop is committing £12,860 of its own funds to support the proposal, and has also successfully secured £11,000 match funding from the Post Office.

In recognition of the benefits of the proposed improvements and the match funding secured, it is recommended that the full amount requested is awarded (£10,000).

## **6. Recommendations**

It is recommended that the Executive Member for Policy and Resources:

- 6.1. Approves the proposal to provide a £76,000 contribution to the Adults' Health and Care initiative to support the development of community and micro-enterprises for care in rural areas, as set out in section 4 of this report. This is to include:
- a. a £36,320 contribution from the Rural Delivery budget 2017/18;
  - b. a £31,203 contribution from the Rural Delivery budget 2018/19, subject to approval from the Assistant to the Executive – Rural Affairs Champion.
- 6.2. Approves the Rural Communities Fund grant application to provide a £10,000 contribution towards improvements at Cross Stores, Kings Somborne, as set out in section 5 of this report.

**CORPORATE OR LEGAL INFORMATION:****Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	Yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	Yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	No
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	Yes

**Other Significant Links**

<b>Links to previous Member decisions:</b>	
<u>Title</u>	<u>Date</u>
Rural Delivery Strategy: rural delivery funding	July 2017
Rural Delivery Strategy: rural grants	June 2017
Hampshire County Council's Rural Delivery Strategy	March 2014

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **1.2. Equalities Impact Assessment:**

The proposals are expected to have a high positive impact on people living in rural areas. No negative impacts are anticipated.

A full equality impact assessment for the community and micro-enterprises for care project is available online ([www.hants.gov.uk/as-equality-ia-archive](http://www.hants.gov.uk/as-equality-ia-archive)).

### **2. Impact on Crime and Disorder:**

2.1. More vibrant and active communities are likely to suffer less crime and anti-social behaviour.

### **3. Climate Change:**

3.1 How does what is being proposed impact on our carbon footprint / energy consumption? Supporting rural retailers encourages residents to shop locally thus reducing car use. The application supports the purchase of more energy efficient appliances.

How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts? The initiative proposed supports the culture of self-help and community resilience in rural areas.

## HAMPSHIRE COUNTY COUNCIL

### Decision Report

<b>Decision Maker:</b>	Executive Member for Policy and Resources
<b>Date of Decision:</b>	18 October 2017
<b>Decision Title:</b>	Grants to Voluntary Organisations and Other Bodies
<b>Report From:</b>	Director of Transformation and Governance - Corporate Services

Contact name: Louise Pickford

Tel: 01962 847355

Email: [louise.pickford@hants.gov.uk](mailto:louise.pickford@hants.gov.uk)

#### 1. **Executive Summary**

- 1.1 This report is to consider 2 requests received for financial assistance from the Policy and Resources grants budget. Details of this request are outlined in Appendix 2 to this report.

#### 2. **Budget Position**

- 2.1 Following commitments made at previous meetings, the Policy and Resources grants budget available at the meeting on 18 October 2017 is £146,505.

#### 3. **Grants Criteria**

- 3.1 A copy of the criteria used for considering grants from the Policy and Resources grants budget is attached as Appendix 1 to this report.

#### 4. **Legal Implications**

- 4.1 Subject to certain restrictions, the County Council has the power under Section 1 of the Localism Act 2011 to do anything that individuals generally may do including the power to give grants.

#### 5. **RECOMMENDATION:**

- 5.1 That grants to those organisations as shown in Appendix 2 of the report be approved.

**CORPORATE OR LEGAL INFORMATION:****Links to the Strategic Plan**

<b>Hampshire maintains strong and sustainable economic growth and prosperity:</b>	yes
<b>People in Hampshire live safe, healthy and independent lives:</b>	yes
<b>People in Hampshire enjoy a rich and diverse environment:</b>	yes
<b>People in Hampshire enjoy being part of strong, inclusive communities:</b>	yes

**Other Significant Links**

<b>Links to previous Member decisions:</b>		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
None		
<b>Direct links to specific legislation or Government Directives</b>		
<u>Title</u>	<u>Date</u>	
None		

**Section 100 D - Local Government Act 1972 - background documents**

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
Application forms and correspondence received from organisations	Director of Transformation and Governance - Corporate Services



## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

### **1.2. Equalities Impact Assessment:**

The application procedure includes equalities monitoring information as agreed as part of the corporate review of grants programmes and procedures. Further information may be found on individual requests.

### **2. Impact on Crime and Disorder:**

The proposals in this report aim to improve the wellbeing of Hampshire residents and reduce the risk of crime occurring.

### **3. Climate Change:**

There is no significant link to Climate Change as a result of this decision.

## FUNDING CRITERIA FOR THE POLICY AND RESOURCES GRANTS

The following criteria should be taken into consideration when preparing a submission for funding. They are intended as guidelines and not prescriptive rules

1. Assistance will be considered only in response to direct applications from properly constituted organisations seeking assistance. You must show in your application that your organisation is properly and legally organised and has its own bank account.
2. Where appropriate, applications will be referred to the relevant service department (e.g. Adult Services, Culture, Communities and Business Services, Children's Services, etc.) for consideration.
3. Preference will be given to applications for specific projects or activities rather than general running costs of organisations. These grants are not intended to replace shortfalls in service delivery budgets or replace funding for other support you may be able to obtain, or that you have obtained from us in the past.
4. Grants will not usually be made in respect of applications from the following:-
  - District or Parish Councils
  - Government Institutions
  - Schools
  - Overseas and out of County organisations which have no direct Hampshire involvement
  - Branches or organisations assisted centrally with a sum from the County Council
  - Bodies requesting funds for onward distribution to other charities e.g. mayoral appeals, carnivals, fetes, or for their own fundraising events.
5. Applications will not be accepted from political parties or groups affiliated with a political party or from lobbying/campaigning organisations.
6. Applications will only be considered from faith groups who can demonstrate their facilities are open and used by the local community other than for church related activities and then only for works in relation to the Disability Discrimination Act.
7. Requests may be considered from County wide groups (e.g. Guides, Scouts, Hampshire County Youth Orchestra) for specific trips, e.g. for an international jamboree or cultural tour. Individual requests will not usually be considered.
8. Where possible self-help within organisations should be encouraged and to this end, grants are normally a percentage of the sum required to complete the project.
9. As a general rule, grants in excess of £5,000 will not be awarded.
10. In general grants will only be awarded to projects which are taking place in the same year as application for funds.

**BE YOUR BEST FOUNDATION (CG00014445)**

The Be Your Best Foundation is seeking a grant of £5,000 from the County Council towards the cost of staging its Global Rock Challenge events at Portsmouth and Southampton Guildhalls in 2018. There will be 12 events involving up to 12 local secondary and primary schools totalling approximately 4,500 young people.

Rock Challenge is a crime and drug prevention initiative in the form of a performing arts event for 7-18 year olds. The focus of the event is on young people leading healthy lifestyles, having fun and being their best without the need for tobacco, alcohol or any other harmful substance as well as making a positive use of their spare time.

**Total Expenditure:** £119,500 (venue hire, lighting and sound, insurances, etc.).

**Total Income:** £124,500 (confirmed and unconfirmed), including Portsmouth CC - £5,000, Southampton CC - £10,000 and Hampshire Rural Communities - £10,000 (Decisions known Nov/Dec 2017)

**Surplus:** £5,000 should all funding requests be granted and expected income received

**APPLICATION ADDRESSED TO:**

Director of Transformation and Governance

**AMOUNT OF REQUEST**

£5,000

**GRANTS PREVIOUSLY AWARDED BY OTHER EXECUTIVE MEMBERS AND CONSIDERATION GIVEN BY OTHER LOCAL MEMBERS****This budget:**

The Foundation has received a £5,000 grant from this budget over many years.

**Hampshire Rural Communities budget:** £10,000 requested

**COMMENTS OF LOCAL MEMBER**

This is a countywide organisation.

**GENERAL COMMENTS**

**Director of Transformation and Governance:** Up to 12 local secondary and primary schools will be in attendance where pupils will experience increased self-esteem, improved teamwork skills and thereby having better relationships with peers and teachers and improving their attendance in school.

It should be noted that should all their funding requests be granted and expected income received, the Foundation would have a surplus of £5,000. It is therefore recommended that depending on the outcome of its other requests to the County Council and other funding authorities, a final grant of up to £5,000 be awarded.

**RECOMMENDATION**

A final grant of up to £5,000

**WINCHESTER CATHEDRAL TRUST (CG00014469)**

Winchester Cathedral Trust is seeking funding towards the education and training of a chorister at Pilgrim's School.

The choristership will involve training with the choir, travelling to other places of worship to perform, recording music, travelling abroad and promoting the Music of the Cathedral.

**Total Expenditure:** £13,000 p.a.

**Total Income:** £0

**Shortfall:** £13,000

**APPLICATION ADDRESSED TO:**

Director of Transformation and Governance

**AMOUNT OF REQUEST**

£13,000 p.a. for a period of 5 years

**GRANTS PREVIOUSLY AWARDED BY OTHER EXECUTIVE MEMBERS AND CONSIDERATION GIVEN BY OTHER LOCAL MEMBERS****This budget:**

- 2003 – 5 year funding
- 2008 – 5 year
- 2013 – 4 year

Grants over these years have ranged from between £8,000 and £12,500 p.a.

**COMMENTS OF LOCAL MEMBER**

This is a countywide organisation.

**GENERAL COMMENTS**

**Director of Transformation and Governance:** The County Council has funded the cost of a choristership at the Cathedral over a number of years.

Previous recipients from Hampshire have gone on to win music scholarships and the opportunity in being a Chorister at the Cathedral has helped them enormously with their confidence in performance and their self-esteem. Further funding is recommended.

**RECOMMENDATION**

£13,000 for a period of 5 years (from 2017/18)

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