



# CHEL TENHAM

## BOROUGH COUNCIL

### Notice of a meeting of Cabinet

Tuesday, 29 May 2012  
6.00 pm

Municipal Offices, Promenade, Cheltenham, GL50 9SA

Membership	
<b>Councillors:</b>	Steve Jordan (Leader of the Council), John Rawson (Deputy Leader of the Council and Cabinet Member Finance), Rowena Hay (Cabinet Member Sport and Culture), Peter Jeffries (Cabinet Member Housing and Safety), Andrew McKinlay (Cabinet Member Built Environment), Jon Walklett (Cabinet Member Corporate Services) and Roger Whyborn (Cabinet Member Sustainability)

### Agenda

	<b>SECTION 1 : PROCEDURAL MATTERS</b>	
1.	<b>APOLOGIES</b>	
2.	<b>DECLARATIONS OF INTEREST</b>	
3.	<b>MINUTES OF THE LAST MEETING</b> To approve the minutes of 17 April 2012	(Pages 1 - 4)
4.	<b>PUBLIC QUESTIONS AND PETITIONS</b>	
	<b>SECTION 2 :THE COUNCIL</b>	
	<i>There are no matters referred to the Cabinet by the Council on this occasion</i>	
	<b>SECTION 3 : OVERVIEW AND SCRUTINY COMMITTEES</b>	
	<i>There are no matters referred to the Cabinet by Scrutiny Committees on this occasion</i>	
	<b>SECTION 4 : OTHER COMMITTEES</b>	
	<i>There are no matters referred to the Cabinet by other</i>	

	<i>Committees on this occasion</i>	
	<b>SECTION 5 : REPORTS FROM CABINET MEMBERS AND/OR OFFICERS</b>	
5.	<b>FOOD SAFETY DELIVERY PLAN 2012-13</b> Report of the Cabinet Member Housing and Safety	(Pages 5 - 18)
6.	<b>HEALTH AND SAFETY DELIVERY PLAN 2012-13</b> Report of the Cabinet Member Housing and Safety	(Pages 19 - 28)
7.	<b>PROPOSED LEASE OF THE STANTON ROOMS AND CHURCH PIECE PUBLIC TOILETS TO CHARLTON KINGS PARISH COUNCIL-CONSIDERATION OF REVISED TERMS</b> Report of the Cabinet Member Finance	(Pages 29 - 38)
	<b>SECTION 6 : BRIEFING SESSION</b>	
	<ul style="list-style-type: none"> <li>• Leader and Cabinet Members</li> </ul>	
8.	<b>BRIEFING FROM CABINET MEMBERS</b>	
	<b>SECTION 7 : DECISIONS OF CABINET MEMBERS AND OFFICERS</b>	
	Member decisions taken since the last Cabinet meeting	
	<b>SECTION 8 : ANY OTHER ITEM(S) THAT THE LEADER DETERMINES TO BE URGENT AND REQUIRES A DECISION</b>	

**Contact Officer:** Rosalind Reeves, Democratic Services Manager, 01242 774937  
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## Cabinet

**Tuesday, 17th April, 2012  
6.00 - 6.55 pm**

<b>Attendees</b>	
<b>Councillors:</b>	Steve Jordan (Leader of the Council), John Rawson (Cabinet Member Built Environment), Klara Sudbury (Cabinet Member Housing and Safety), Andrew McKinlay (Cabinet Member Sport and Culture), John Webster (Cabinet Member Finance and Community Development), Roger Whyborn (Cabinet Member Sustainability) and Colin Hay (Cabinet Member Corporate Services)

## Minutes

- 1. APOLOGIES**  
None received.

- 2. DECLARATIONS OF INTEREST**  
There were none.

- 3. MINUTES OF THE LAST MEETING**

**RESOLVED** that the minutes of the meeting held on 13 March be approved and signed as a correct record.

- 4. PUBLIC QUESTIONS AND PETITIONS**  
No public questions or petitions were received.

- 5. PROMOTING CHELTENHAM FUND 2012**  
The Leader of the Council introduced the report which had been circulated with the agenda and explained that the Promoting Cheltenham fund had been introduced in 2011 to support events, projects and initiatives that would stimulate economic and business growth in Cheltenham. Feedback received to date had been positive.

The Leader explained that the funding was to have been allocated in two tranches. However, an overwhelming response had been received with £150k out of £180k being allocated in the first phase. A bid has been developed to use the remaining funds of £28 000 to support the creation of a new tourism website for the town.

The Cabinet Member Sport and Culture added that there were several issues with the current tourism website including poor navigation and inability to provide quick and reliable updates. In addition there was a need to respond to a changing web environment in terms of compatibility with handheld devices and responding to social networking sites. A new website would also provide key

organisations in the town with an access portal. The Cabinet Member referred to questions raised by the Chamber of Commerce, the assessment panel and other partners, the responses to which were laid down in an updated paragraph 3.7 circulated at the meeting.

The Leader proposed an amendment to the end of recommendation 2 of the report to include that “any remaining funds be allocated to the 2012-2013 scheme”. This was supported by members. He also referred to an addition to the criteria of the scheme to provide more flexibility to applicants with the following paragraph to appendix 4 of the report: “We would expect the projects to take place in Cheltenham, though we would consider projects that are delivered outside Cheltenham where there are direct benefits for the borough.”

Members expressed their support for an updated tourism website which would generate business for the town. Encompassing new technology was welcomed in terms of mobile capability, not just for the tourists of Cheltenham but for those living in the town.

The Cabinet Member Sustainability made particular reference to Section 5.4 and encouraged bids in respect of the design, production and marketing of a Cheltenham bag for life which had generated great interest among elected members.

The Leader of the Council referred to the timescales outlined for the new scheme in Appendix 4 of the report and encouraged people to come forward with bids.

### **RESOLVED THAT:**

- 1. The review of projects funded from the 2011 round at appendix 2 be noted.**
- 2. The proposal to use £25,000 from the 2011 Promoting Cheltenham Fund to support the creation of a new tourism website as laid down in appendix 3 be approved and any remaining funds be allocated to the 2012-2013 scheme.**
- 3. The guidelines and process for allocating the 2012 Promoting Cheltenham Funds as laid down in appendix 4 be approved.**

### **6. APPROVAL OF THE DRAFT POLICY FOR CONSULTATION ON MEASURES TO CONTROL STREETSCENE ACTIVITIES IN CHELTENHAM – STREET TRADING, ETC**

The Cabinet Member Housing and Safety introduced the report which sought approval for a revised draft policy on measures to control street scene activities in Cheltenham - Street trading, Objects on the Highway and Charitable Collections for the purpose of consultation. The revision aimed to ensure the policy was fit for purpose and as clear and transparent as possible.

The Cabinet Member outlined the proposed policy changes as laid down in Appendix 4 and explained that there would be a 12 week consultation period. A list of consultees could be found in paragraph 7.2 of the report but she highlighted that this list was not exclusive. She added that Gloucestershire

Association for Voluntary and Community Action (GAVCA) would be included in this list.

Members welcomed the proposed changes to the policy and hoped it would provide clarity and flexibility to traders in the town. The contribution of street trading to the wellbeing of Cheltenham was recognised as too was the importance of smaller niche businesses which brought diversity to the town. Members would welcome feedback from the consultation process.

### **RESOLVED THAT:**

**The draft “Policy on Measures to Control Street Scene Activities in Cheltenham - Street Trading, Objects on the Highway and Charitable Collections” be approved for consultation.**

### **7. QUARTERLY BUDGET MONITORING REPORT**

The Cabinet Member Finance and Community Development updated Members on the council's current financial position for 2011/12.

He explained that the budget monitoring report to the end of August 2012 had projected an overspend of £476 400. The Senior Leadership Team were then instructed to reduce spend on supplies and services to essentials for the remainder of the financial year. The anticipated outturn position would deliver a saving of £302 700 against this revised budget after the Section 151 officer had agreed to carry over projects not completed during the financial year. The outturn figures would be available in June and full Council would then decide how the underspend should be deployed.

The Cabinet Member Finance and Community Development highlighted that Business and Council tax collection rates had held up well despite the current economic difficulties and requested that finance officers make a comparison with similar sized authorities in their next report.

The Cabinet Member Sport and Culture highlighted that under paragraphs 2.10 and 2.11 of the report the underspends relating to the Town Hall and Pittville Pump Rooms was somewhat misleading. He clarified by saying that the underspends were not as a result of cuts to services but to service improvements as they strived to become as commercial an operation as possible and thus minimise public subsidy.

The Cabinet Member Sustainability informed the meeting that in terms of operations the County Council would be cutting the highways budget by £35k. Officers were currently working hard to find savings to bridge this gap but there would be a £10k gap on highway maintenance which should be considered at outturn.

Members commended finance officers on the projected outturn during this very difficult period and also paid tribute to the hard work of the Cabinet Member Finance and Community Development in delivering a revised balanced budget.

As this was his final meeting as Cabinet member for Finance and Community Development Councillor Webster wished to put on record his thanks to the

finance team for their hard work over the last three years. He warned that further tough decisions would have to be made again next year.

**RESOLVED THAT :**

**The contents of this report including the key projected variances to the revised 2011/12 budget and the projected total budget saving of £302,700 be noted.**

**8. BRIEFING FROM CABINET MEMBERS**

The Cabinet Member Corporate Services reported that all data for GO Shared Services had now been loaded and the service was now on track despite early teething problems. The project had been receiving national attention and he wished to commend the cross authority project team.

The Leader and Cabinet Member reiterated their thanks to the efforts made to establish GO and which would produce vital budget savings to protect services in the future.

**9. DECISIONS OF CABINET MEMBERS AND OFFICERS**

The Cabinet Member Finance and Community Development reported that he had made a decision that day to authorise the payment of a grant of £21 900 to Cheltenham Housing Aid Centre (CHAC) to provide an Assertive Outreach Service for 1 year. It also agreed in principle to the payment of a further grant to CHAC for the following 2 years, subject to CHAC complying with terms of the Conditional Offer of Grant agreement during year 1, CHAC's ability to meet any additional grant award criteria the authority requires; and the availability of funding when the outturn report is considered by Cabinet and Full Council in June 2012, having regard to any competing spending priorities.

On behalf of the Cabinet the Leader of the Council wished to thank all officers for their hard work for the Cabinet, the Council and the town. He also expressed his thanks to his Cabinet colleagues for their hard work and paid particular tribute to Councillor Hay who would be taking up the role as Mayor in the new municipal year and Councillor Webster who would be retiring as a councillor at the forthcoming election.

**Chairman**



**Cheltenham Borough Council  
Cabinet – 29<sup>th</sup> May 2012  
Food Safety Delivery Plan**

<b>Accountable member</b>	<b>Councillor Peter Jeffries, Cabinet Deputy Housing and Community Safety</b>
<b>Accountable officer</b>	<b>Sarah Clark, Public &amp; Environmental Health Team Leader</b>
<b>Accountable scrutiny committee</b>	<b>Overview and Scrutiny</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Key Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>The Food Standards Act 1999 requires the Council to produce a Food Service Plan</p> <p>The Food Service Delivery Plan is the Council’s expression of commitment to the delivery of an improving cost effective and efficient regulatory food service.</p> <p>This food service plan is an annual plan giving details of how Cheltenham is going to execute its statutory food safety functions</p> <p>It is a detailed operational plan falling within the Public Protection service delivery of the Wellbeing &amp; Culture Division.</p>
<b>Recommendations</b>	<b>I therefore recommend that Cabinet approve the attached service plan for 2012-2013.</b>

<b>Financial implications</b>	<p>There are no financial implications arising from this report. The Food Service plan will be met within the financial resources detailed in paragraph 4.1 to the plan.</p> <p><b>Contact officer: Sarah Didcote</b> <b>sarah.didcote@cheltenham.gov.uk, 01242 264124</b></p>
<b>Legal implications</b>	<p>It is a statutory requirement to produce this plan on an annual basis.</p> <p><b>Contact officer: Sarah Farooqi</b> <b>sarah.farooqi@tewkesbury.gov.uk, 01684 272693</b></p>
<b>HR implications (including learning and organisational development)</b>	<p>/There are no HR implications arising from this report.</p> <p><b>Contact officer: Donna Sheffield</b> <b>donna.sheffield@cheltenham.gov.uk, 01242 774972</b></p>

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<b>Key risks</b>	<p>The capacity issues experienced in recent years have now been satisfactorily addressed with all food safety posts having been successfully filled.</p> <p>Reactive services will given their inherent nature always contain the potential for an element of risk. An unplanned event (e.g. a food poisoning outbreak) will require the diversion of resources away from scheduled plans. However, this is and will remain the essence of the service we deliver and will be tolerated and monitored throughout the plan with priority given to the appropriate control of high risk issues.</p>
<b>Corporate and community plan Implications</b>	<p>The Food Service Plan supports the council's community objectives:</p> <ul style="list-style-type: none"><li>• Enhancing and protecting our environment;</li><li>• Strengthening our economy; and</li><li>• Strengthening our communities.</li></ul> <p>Our health and safety service contributes to all of these in the overall improvement in the wellbeing of those who live, visit and work in Cheltenham.</p>
<b>Environmental and climate change implications</b>	None.

**1. Background**

- 1.1 The White Paper “The Food Standards Agency – A Force for Change” identified the Food Standards Agency as having a key role overseeing local authority enforcement activities. This plan is required by the Food Standards Agency (FSA) as part of their monitoring and auditing systems.
- 1.2 Service plans are seen to be an important part of the process to ensure national priorities and standards are addressed and delivered locally. Service plans also:
  - ⦿ focus debate on key delivery issues;
  - ⦿ provide an essential link with financial planning;
  - ⦿ set objectives for the future, and identify major issues that cross service boundaries; and
  - ⦿ provide a means of managing performance and making performance comparisons.
- 3.3 The plan follows a standard format provided by the FSA and is required to be submitted to Members for approval

**2. Reasons for recommendations**

- 2.1 It is a statutory requirement to produce a Food Service Plan.

**3. Alternative options considered**

- 3.1 No other alternatives are available as this plan relates to the delivery of a statutory function.

**4. Consultation and feedback**

- 4.1 A copy of the plan is made available on the Council website.

**5. Performance management –monitoring and review**

- 5.1 Performance against the Food Service Plan takes place on a monthly basis with the production of an annual statutory data return.

<b>Report author</b>	<b>Contact officer: Sarah Clark, Public &amp; Environmental Health Team Leader, sarah.clark@cheltenham.gov.uk</b>  <b>01242 775 002</b>
<b>Appendices</b>	None
<b>Background information</b>	Food Service Plan 2012-13





CHELtenham  
BOROUGH COUNCIL

# **FOOD SERVICE DELIVERY PLAN 2012–2013**

## **1. FOOD SERVICE AIMS AND OBJECTIVES**

### **1.1 Aims and objectives**

#### **Aim**

The key food safety function of Cheltenham Borough Council is to ensure that the food sold, offered and stored for sale and entering the Borough is wholesome and fit for human consumption.

#### **Our objectives include:**

The regular control of food premises within the Borough.

The investigation of the safety and fitness of food including all complaints about the operation of businesses within the Borough.

To sample foods within the Borough whilst participating in local and national food sampling programmes.

To ensure we license, approve and register all food premises within the Borough as required by legislation.

To undertake appropriate and proportionate food safety enforcement action within the Borough.

To undertake Home and Originating Authority duties within the Borough.

To promote food safety by way of advice and assistance to all food businesses, citizens and visitors of the Borough.

### **1.2 Links to Council Strategy 2010-2015**

The Council strategy sets out three community objectives:

- Enhancing and protecting our environment;
- Strengthening our economy; and
- Strengthening our communities.

Our food safety service contributes to all three of these objectives in the overall improvement in the wellbeing of those who live, visit and work in Cheltenham.

The work of the team also supports the following outcomes identified in the Corporate Action Plan 2012-13:

- Cheltenham has a strong and sustainable economy
- People are able to lead healthy lifestyles

The cross-cutting objective of ensuring we provide value for money services that effectively meet the needs of our customers is at the core of our food service delivery plan.

## **2. BACKGROUND**

### **2.1 Profile**

Cheltenham is an attractive and vibrant town serving an extensive catchment area in central and eastern Gloucestershire and the South Midlands. It is ranked in the top thirty regional shopping centres in the UK, third in the South West and has the eighteenth highest consumer expenditure in Great Britain.

The Borough is based on the town of Cheltenham and is mainly urban with some areas of surrounding countryside. It covers an area of approximately 4,680 hectares and has a population of over 110,000.

Cheltenham has an ever-increasing wealth of restaurants and eating places. Twice a month it hosts a farmers market offering a valuable opportunity to sample local produce. The town offers a wide range of educational and employment opportunities, a year-round programme of festivals and events plus a strong cultural and sporting profile.

### **2.2 Organisational Structure**

Food safety is within the Public and Environmental Health team of the Public Protection Section of the Wellbeing and Culture Division. The structure is shown in Appendix 1.

### **2.3 Scope of the Food Service**

The Council is not a Unitary Authority and therefore shares its duties under the Food Safety Act with the Trading Standards Department of Gloucestershire County Council. Cheltenham Borough Council aims to provide a full range of services within its remit offering a balanced approach between education and enforcement.

The Borough Council food service is provided by three appointed and authorised officers in accordance with the requirements of the FSA code of practice. These officers are also responsible for infectious disease control along with other environmental health functions in all food premises within the Borough. These activities usually include health and safety inspections, accident investigation, complaint investigation and drainage issues.

Specialist services such as public analyst and food examiner are provided externally by Worcester Scientific Services, Worcester and The Health Protection Agency Food, Water & Environmental Laboratory, Birmingham, respectively.

**Demands on the Food Service**

The Service Delivery Point:

Address	Hours	Contact details
Cheltenham Borough Council Municipal Offices Promenade Cheltenham GL50 9SA	Mon, Tue, Thurs and Fri (09.00-17.00) Wed (09.30- 17.00)	01242 775020 <a href="mailto:env.health@cheltenham.gov.uk">env.health@cheltenham.gov.uk</a>

There is an out of hours emergency service available which addresses the emergency closure of premises, food product withdrawal and outbreaks of food associated disease.

On 31<sup>st</sup> March 2012 there were 946 food businesses on our database - the profile is given in the table below:

	NO. OF PREMISES
PRIMARY PRODUCERS	1
MANUFACTURERS + PACKERS	1
IMPORTERS/EXPORTERS	6
DISTRIBUTORS/TRANSPORTERS	5
RETAILERS	135
RESTAURANTS AND CATERERS	798

As is expected for a town like Cheltenham the hospitality and catering sector predominates, the majority being small or medium sized enterprises.

With such a small team, the programmed food hygiene intervention plan for any given year can be severely disrupted by food poisoning investigations, national food alerts, food sampling and non food related matters such as health and safety accident investigation.

**2.4 Enforcement Policy and Regulatory Reform**

Cheltenham Borough Council has adopted and published a corporate enforcement policy which will form the basis of all enforcement action undertaken by the Food Service.

In recent years there have been a number of reviews conducted that have resulted in a change to the nature of regulation. The emphasis being that the regulatory system as a whole should use comprehensive risk assessment to concentrate resources in the areas that need them most.

In terms of food safety, this means concentrating efforts on those businesses that do not meet the minimum legislative standards, with alternative interventions in those that generally comply. This was further developed in the Regulatory Reform Act 2006 Compliance Code, which encompasses the criteria of the Enforcement Concordat of being transparent, accountable, proportionate and consistent with the additional element of being targeted only at cases in which action is needed.



There is a suite of interventions that focus on outputs and continued improvements in food safety. This allows us to choose the most appropriate action to be taken to drive up levels of compliance of food establishments with food law.

### **3. SERVICE DELIVERY**

#### **3.1 Food Premises Regulation**

The regulation of food premises is undertaken in accordance with the Food Safety Act Code of Practice. All food premises are subject to a detailed assessment based on particular criteria including types of food and method of handling, consumers at risk, level of current compliance in terms of practices, procedures including cleanliness and confidence in management. This numerical calculation is transferred into the categorisation of premises from A to E. Category A premises are inspected a minimum of every 6 months, category E premises every 3 years.

The national performance indicator (NI 184) which looked at the level of broad compliance within food businesses has been discontinued. However, the intention of the food service is still to target resources where they are needed, i.e. at those premises that are not broadly compliant. The driving up of standards year on year must be demonstrated in the delivery of improvements for the community.

This can now be demonstrated through Cheltenham's participation in the national Food Hygiene Rating Scheme, which is a public interface to food hygiene standards in premises that sell food direct to the final consumer. Each food business in the scheme is given a food hygiene rating ranging between 0 (urgent improvement necessary) and 5 (very good) after it has been inspected, and the level of compliance with food safety and hygiene legislation is reflected in the rating - a rating of 3 and above indicates the premises is broadly compliant. The website can be viewed at [www.ratings.food.gov.uk](http://www.ratings.food.gov.uk)

2008/2009 was a baseline year with less than 70% of our food premises being broadly compliant. There followed a year on year increase in this figure, and on 31<sup>st</sup> March 2012, 96.7% of food premises in Cheltenham in the food hygiene rating scheme were broadly compliant, i.e. achieved a rating of 3 or above.

The food safety team aim to inspect all non-compliant food businesses within our area within 28 days of the due date. This includes all newly registered premises as they are deemed non-compliant until the first visit and a risk assessment has been undertaken. All non-compliant category A and B premises, i.e. those that fall significantly short of broad compliance will be visited by the due date. Other categories of premises that are broadly compliant will be addressed by a combination of official controls and other interventions.

Further official control visits are made to premises where there are food safety concerns, in particular where the level of current compliance in food safety practices and procedures fall below satisfactory or there is little or no confidence in management. Other visits to food premises may follow a request for advice, complaint or an alleged food poisoning incident.

Visits are primarily unannounced with evening/weekend inspections undertaken when required to accommodate the needs of some food businesses, e.g. those that do not open during office hours and markets and festivals held at weekends.

In line with current guidance and the necessity to target ever scarce resource at higher risk activities, we operate an alternative enforcement strategy for low risk businesses.

### **3.2 Food Complaints**

Food complaints are investigated in accordance with the FSA Code of Practice.

The number of food complaints fully investigated by the food safety team remains in the region of 20 per year.

### **3.3 Home Authority Principle**

The Council will consult at an appropriate level with the Home and/or Originating Authority for any food business, in accordance with the principles laid down in The Food Safety Act 1990 Code of Practice and Local Authority Co-ordinators of Regulatory Services (LACORS) guidance.

### **3.4 Advice to Businesses**

It is the policy of the Section to provide assistance to local food businesses when requested to help them comply with the legislation and to encourage the use of best practice. This is achieved through a range of activities including:

- Advice given during inspections and other visits to premises
- Provision of advisory leaflets
- Responding to service requests and enquiries

Whilst the resources of the Food Service will always be used in proportion to the risk to public health, every effort will be made to accommodate requests for advisory visits to food premises.

### **3.5 Food Sampling**

The food service participates in the LACORS/HPA coordinated food sampling programmes. In 2011-12 this included the submission of samples from catering and retail premises handling both raw/cooked foods before consumption and ready-to-eat (RTE) foods or only RTE foods, as part of the LGR/HPA Study 45: Pennington response study 3 sampling study.

Foods are also sampled in response to complaints and food poisoning investigations when necessary.

## **3.6 Control & Investigation of Outbreaks & Food Related Infectious Disease**

The measures to be taken to control the spread of infectious diseases are contained in various acts of Parliament and their associated Regulations. This legislation places a duty on local authorities to control the spread of food poisoning and food and water borne diseases.

Annual notifications vary from year to year with a noticeable increase in Norovirus outbreaks in recent years. These outbreaks are often associated with care homes, day nurseries and other similar settings which have a more vulnerable group of clients. Intervention in these outbreaks takes up a significant amount of officer time.

The objectives in respect of this service are:

- To administer and implement our statutory responsibilities relating to the control of infectious disease.
- Investigate all notifications of food poisoning cases and likely sources of infection whether confirmed or not at the earliest opportunity.
- Where a source is identified take appropriate action to ensure risk of spreading is controlled.
- Protect the well-being of individuals at risk by taking action to contain the spread of infection and provide advice and information regarding personal hygiene, food handling and control of infection.
- Exclude food handlers and people working with high-risk groups in consultation with the Consultant for Communicable Disease Control (CCDC).
- A Countywide "Outbreak Control Plan" is operated including standardised food poisoning investigation questionnaires.

## **3.7 Food Alerts**

The Food Standards Agency operates a system to alert the public and food authorities to serious problems concerning food that does not meet food safety requirements.

Food alerts vary in significance and require an appropriate response. Some are of high priority and require immediate action. This may involve contacting and/or visiting food premises and taking immediate action under powers contained in the Food Safety Act 1990. Others are for information only.

All alerts are received directly from the Food Standards Agency via a secure dedicated computer network system and via the Public and Environmental Health Managers mobile phone text messaging service. The Manager will instigate the necessary response and provide the necessary out of hours cover for this service.

Where the Council becomes aware of a serious localised incident or a wider food safety problem, it will notify the Food Standards Agency in accordance with the Code of Practice.

It is estimated that around 100 food alerts requiring various levels of action will be received on an annual basis. It is difficult to estimate the resource required to meet this responsive element of the service as the work associated with individual alerts can vary significantly.

## **3.8 Liaison with Other Organisations**

The Council is committed to ensuring that the enforcement approach it adopts is consistent with other enforcing authorities. This takes place through regular meetings and attendance by the manager at the Gloucestershire Food Safety Group. This group comprises of peer representatives of each of the six District and Borough Councils in the County, the County Council Trading Standards Service and HPA Laboratory Service.

The forum provides a mechanism for discussion of relevant food matters, the provision of training on a county-wide basis, the formulation of policy, documentation and guidance and co-ordinated responses to Government and Central Agencies.

The Council attends the Gloucestershire Public and Environmental Health Forum (previously known as the Consultant in Communicable Disease Committee). By means of this forum, which meets half yearly, members are kept informed about relevant subjects and are able to benefit from the valuable and very necessary liaison between public health and medicine.

A Divisional Veterinary Officer is part of the Forum and is able to brief the group on local and national issues regarding animal welfare, disease control and food safety.

Within the Council, the Food Service is also a consultee for the planning, building control and licensing functions.

## **4. RESOURCES**

### **4.1 Financial Allocation**

The Food Safety budget for the coming year is £184,000 which includes staffing, travel subsistence, I.T. development, legal action and office overheads necessary as part of the food safety enforcement function. Specific Food Safety related insurances. Recharges for I.T. support, Human Resources, accountancy and audit. Corporate insurances, communications, E government and asset management.

The Council always seeks to recover costs following successful legal proceedings wherever possible.

### **4.2 Staffing Allocation**

All food safety officers are appropriately trained and competent to work within this field. Officers are authorised according to their competency and experience. There are 3 FTEs dedicated to the delivery of the food safety service.

The food safety service is led by Sarah Clark who is EHRB registered.

There are two SEHOs and one senior technical officer in the food safety team. Chris Fawcett is EHRB registered and widely experienced in food safety. Louise Boyle joined the team in September 2008 as a newly qualified EHO and has achieved the appropriate competencies in accordance with the FSA code of practice requirements. The senior technical officer is Stephen Edwardson. Stephen is EHRB registered and specialises in food safety enforcement.

Additionally, the Public Protection Heads of Service, Barbara Exley and Yvonne Hope, are EHRB registered and widely experienced in food safety enforcement.

### 4.3 Staff Development Plan

The Council has an annual review system of staff, this process includes training needs. The food safety team holds regular meetings to review and distribute workloads in addition to monthly 1-2-1 meetings for all the team. Any training needs required for new legislation, guidance etc are discussed and actioned at these meetings.

Food safety regulators are required to achieve a minimum of 20 hours of continued professional development every year. The service encourages cascade training as a mechanism to disseminate new guidance and further staff development.

## 5. QUALITY ASSESSMENT

Local and national performance indicators are reviewed annually.

All officers use standard inspection/audit forms.

Customer satisfaction surveys are provided to businesses we deal with in accordance with National Indicator 182 (the percentage of customers satisfied with regulatory services - Environmental Health is one such regulatory service). In 2011-12, 87.2% of customers were satisfied with the food safety service they received.

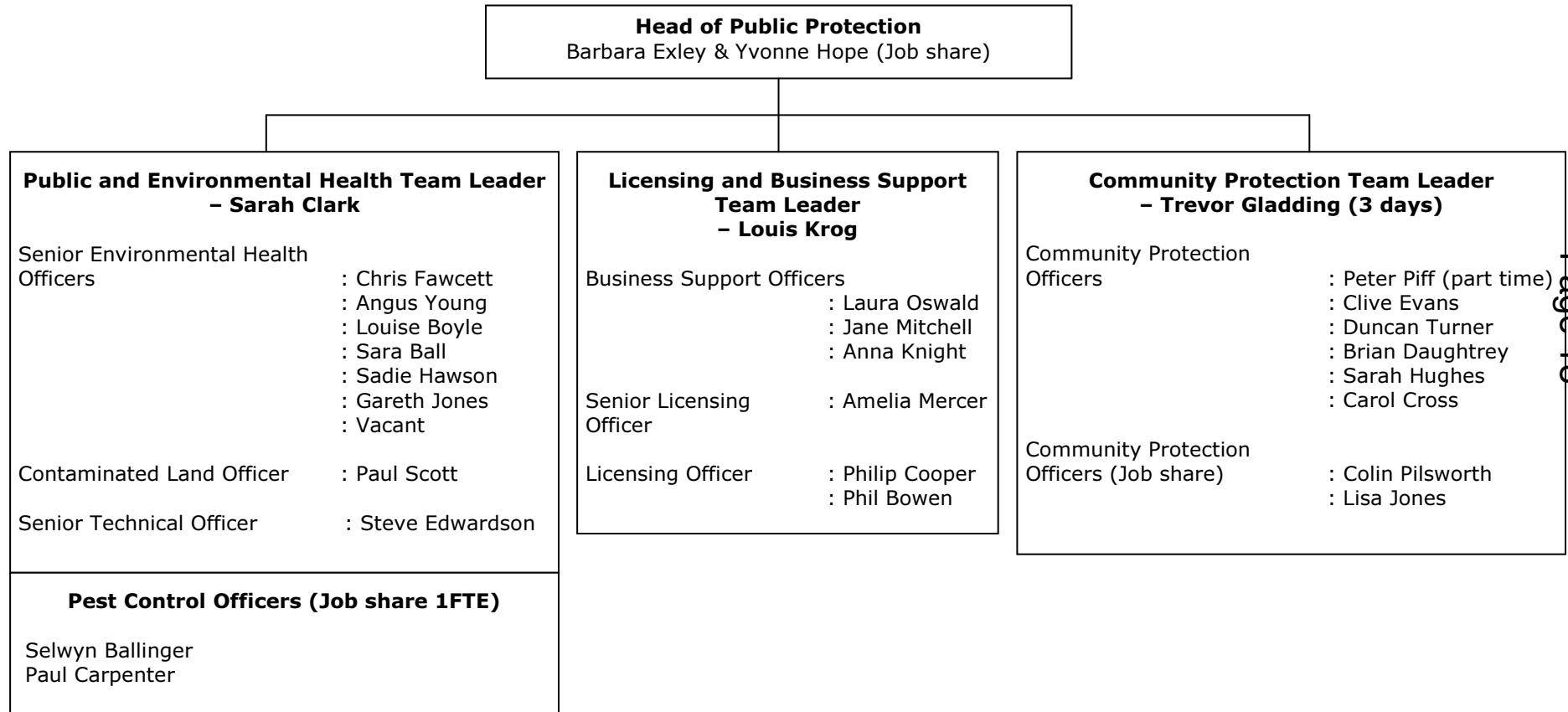
The Uni-Form database (which also forms the Public Register of food premises) is audited on a fortnightly basis for data accuracy before upload to the Food Hygiene Rating Scheme portal.

## 6. REVIEW

Last years progress in food safety includes:

- launch of national food hygiene rating scheme: <http://ratings.food.gov.uk>
- increase in broadly compliant businesses included in the scheme to over 96%
- intervention at *the* majority of premises scheduled for inspection
- prioritisation of visits to non-compliant food businesses
- participation in the Pennington Response 3 national food sampling programmes
- 57 unplanned food visits
- introduction of campylobacter surveillance in the borough

**Appendix 1**



**Cheltenham Borough Council  
Cabinet– 29<sup>th</sup> May 2012  
Health & Safety Delivery Plan**

<b>Accountable member</b>	<b>Councillor Peter Jeffries, Cabinet Deputy Housing and Community Safety</b>
<b>Accountable officer</b>	<b>Sarah Clark, Public &amp; Environmental Health Team Leader</b>
<b>Accountable scrutiny committee</b>	<b>Overview and Scrutiny</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Key Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>The Health &amp; Safety at Work etc Act 1974 requires the Council to produce a Health &amp; Safety Service Delivery Plan.</p> <p>The Health &amp; Safety Service Delivery Plan is the Council’s expression of commitment to the delivery of an improving cost effective and efficient regulatory service.</p> <p>This service plan is an annual plan detailing how Cheltenham is going to undertake its statutory health &amp; safety regulatory functions. It is a detailed operational plan falling within the Public Protection service delivery of the Wellbeing and Culture Division.</p>
<b>Recommendations</b>	<b>I therefore recommend that Cabinet approve the attached service plan for 2012-2013.</b>

<b>Financial implications</b>	<p>There are no financial implications arising from this report. The Plan will be delivered within existing budgetary resources.</p> <p><b>Contact officer: Sarah Didcote</b> <b>sarah.didcote@cheltenham.gov.uk, 01242 262125</b></p>
<b>Legal implications</b>	<p>It is a statutory requirement to produce this plan on an annual basis.</p> <p><b>Contact officer: Sarah Farooqi</b> <b>sarah.farooqi@tewkesbury.gov.uk, 01684 272693</b></p>
<b>HR implications (including learning and organisational development)</b>	<p>There are no HR implications arising from this report.</p> <p><b>Contact officer: Donna Sheffield</b> <b>donna.sheffield@cheltenham.gov.uk, 01242 774972</b></p>

<p><b>Key risks</b></p>	<p>Reactive regulatory services will given their inherent nature always contain the potential for an element of risk. An unplanned event (e.g. a serious injury or fatality) will require the diversion of resources away from scheduled plans. However, this is and will remain the essence of the service we deliver and will be tolerated and monitored throughout the plan with priority given to the appropriate control of high risk issues.</p>
<p><b>Corporate and community plan Implications</b></p>	<p>The Health &amp; Safety Service Plan supports the council's community objectives:</p> <ul style="list-style-type: none"> <li>• Enhancing and protecting our environment;</li> <li>• Strengthening our economy; and</li> <li>• Strengthening our communities.</li> </ul> <p>Our health and safety service contributes to all of these in the overall improvement in the wellbeing of those who live, visit and work in Cheltenham.</p>
<p><b>Environmental and climate change implications</b></p>	<p>None</p>



## 1. Background

- 1.1 Section 18 of the Health and Safety at Work etc Act 1974 (HSWA) puts a duty on Local Authorities (LAs) to make adequate arrangements for enforcement.
- 1.2 The Section 18 Standard sets out the broader requirements for Enforcing Authorities (EAs) when complying with this duty.
- 1.3 Full compliance with this standard is mandatory for all EAs from 31 March 2011. This was achieved here in Cheltenham by the successful introduction of flexible warranting as part of a County wide project.
- 1.4 Service plans are seen to be an important part of the process to ensure national priorities and standards are addressed and delivered locally. Service plans also:
  - ⦿ focus debate on key delivery issues;
  - ⦿ provide an essential link with financial planning;
  - ⦿ set objectives for the future, and identify major issues that cross service boundaries; and
  - ⦿ provide a means of managing performance and making performance comparisons.
- 1.5 The plan is required to be submitted to Members for approval.

## 2. Reasons for recommendations

- 2.1 It is a statutory requirement for Local Authorities to make adequate arrangements for enforcement under the Health and Safety At Work Act 1974.

## 3. Alternative options considered

- 3.1 No alternative options are available due to the statutory nature of this service.

## 4. Consultation and feedback

- 4.1 County and regional initiatives and priorities are discussed with HSE and other LAs in the South West region
- 4.2 A copy of the plan is available on the Council website

## 5. Performance management –monitoring and review

- 5.1 Performance against the Health and Safety Service Plan takes place on a monthly basis with the production of an annual statutory data return.

<b>Report author</b>	<b>Contact officer: Sarah Clark , Public &amp; Environmental Health Team Leader sarah.clark@cheltenham.gov.uk, 01242 77 5002</b>
<b>Appendices</b>	None
<b>Background information</b>	Health & Safety Service Delivery Plan 2012-13





# **HEALTH & SAFETY SERVICE DELIVERY PLAN 2012–2013**

## Service Obligations

The Council has a statutory duty to enforce the provisions of the Health and Safety at Work etc Act 1974, and associated regulations in all premises for which it has enforcement duties under the Health and Safety (Enforcing Authority) Regulations 1998. It also has a duty to adequately discharge its function in accordance with mandatory guidance from the Health and Safety Executive – section 18 standard.

This Service Plan sets out how Cheltenham Borough Council (CBC) will fulfil its statutory duty within the financial year 2012-2013 and details the priorities, aims and objectives for the enforcement of health and safety along with the mechanisms and arrangements for ensuring the effective delivery of the service.

## Section 18 Standard

Section 18 of the Health and Safety at Work etc Act 1974 (HSWA) puts a duty on the Health and Safety Executive (HSE) and Local Authorities (LAs) to make adequate arrangements for enforcement. The Standard sets out the arrangements that LAs should put in place to meet this duty.

In complying with their duties under Section 18, Enforcing Authorities (EAs) are required to follow the HSE Enforcement Policy Statement (EPS) on the purpose, method and principles of enforcement.

The Section 18 Standard adds to the EPS, setting out the broader requirements for EAs when complying with their duty to make 'adequate arrangements for enforcement'.

Full compliance with the standard was mandatory from 1<sup>st</sup> April 2011. This was achieved in Cheltenham by working in partnership with neighbouring authorities and the HSE in the delivery of Work Well Gloucestershire project.

## Service Aims and Priorities

### Overall Aim of the Service

"To work with others to protect people's health and safety by ensuring risks in the changing workplace are managed properly."

### Our key priorities are:

- To manage the risk in high risk, poor performing and/or rogue trader businesses - a targeted approach to risk in line with the Better Regulation agenda
- Investigating major injury incidents and fatalities
- To ensure enforcement decisions are consistent with our Enforcement Policy, the HSE's Enforcement Policy Statement and the Enforcement Management Model - ensures proportionate, consistent, transparent and accountable enforcement
- Train and develop our staff to ensure competence - encourages staff retention/recruitment and ensures credibility with local businesses

## Links to Council Strategy

The Council strategy sets out three community objectives:

- Enhancing and protecting our environment;
- Strengthening our economy; and
- Strengthening our communities.

Our health and safety service contributes to all of these in the overall improvement in the wellbeing of those who live, visit and work in Cheltenham.

A key driver is that we provide value for money services that effectively meet the needs of our customers.

## Scope of the Service

The Health and Safety (Enforcing Authority) Regulations 1998 determine which businesses are enforced by the Council and which are enforced by the Health and Safety Executive (HSE). The Council aims to provide a full range of services offering a balanced approach between education and enforcement for all work places within our enforcement remit. This Service does not cover Health and Safety for the Council itself which is enforced by HSE and does not form part of this plan.

The majority of commercial premises in the Borough are small or medium sized enterprises (SMEs) employing less than 50 staff with retail and office premises accounting for a high percentage. These businesses have fewer resources to carry out in-house monitoring and do not have access to the support and training provided by multi-national companies. Health and Safety Officers may, therefore, find themselves spending a disproportionate amount of time working with smaller businesses than they would with much larger companies.

National, regional and local statistics provide evidence that the topics identified as priorities are those that cause injury and ill health at work and the aim is to concentrate time and effort on these areas where an impact on the reduction of work related accidents and ill health can be shown. The national aim is to deliver a 3% reduction in the incidence of work-related fatal and major injuries, a 6% reduction in the incidence rate of cases of work related ill health and a 9% reduction in the incidence rate of days lost due to work related injuries and ill health nationally.

The estimated economic cost of health and safety ill health incidents (accidents and ill health) in Cheltenham is between £24.7 million and £37.8 million. The estimated cost for accidents in Cheltenham is between £7.6 million and £13.8 million.

## Service Delivery

The Health and Safety function is delivered by Public Protection within the Wellbeing and Culture division which includes two FTEs dedicated to H&S regulation.

Competence is an essential aspect of service delivery and must comply with the Section 18 standard. All regulators undertake the RDNA (regulators development needs analysis tool) which is mirrored in the Council's Learning Gateway which captures their development needs as part of the annual appraisal process.

Officers delivering the service are responsible for the following work areas:

- health and safety regulation, including inspections and requests for service
- investigation of reported accidents, dangerous occurrences and cases of occupational ill health
- advisory and promotional activities
- investigation of complaints relating to premises, practices and procedures
- the responsible authority in relation to public safety for licensing applications

We will deliver our H&S service in accordance with recently reviewed Advice/Guidance to Local Authorities on Targeting Interventions <http://www.hse.gov.uk/lau/lacs/67-2.htm> . This guidance gives national priorities for both proactive and reactive intervention. A proactive intervention of continuing significance for Cheltenham is asbestos management.

## Investigation of Complaints

Complaints received about workplace activities we regulate are dealt with in accordance with the criteria of the Section 18 standard. A complaint is a concern, originating from outside CBC, in relation to a work activity for which we are the enforcing authority, that is sufficiently specific to enable identification of the issue and the dutyholder and/or location and that either:

- has caused or has potential to cause significant harm, or alleges the denial of basic employee welfare facilities, or
- appears to constitute a significant breach of law for which we are the enforcing authority

## Investigation of Injuries, Diseases and Dangerous Occurrences at Work

Over 100 accidents, work related ill health or dangerous occurrences at work are reported to CBC each year under the Reporting of Injuries and Dangerous Occurrences Regulations 1995 (RIDDOR). Reported accidents and incidents are investigated in accordance with LAC 22/13 – Incident Selection Criteria Guidance <http://www.hse.gov.uk/lau/lacs/22-13.htm>

## Liaison with other organisations

The Health and Safety Service actively participates in liaison arrangements with a number of other local authorities, agencies and professional organisations in order to facilitate consistent enforcement, share good practice and reduce duplication of effort.

The service represents and actively participates in the Gloucestershire Health and Safety Group, comprising of peer representatives from each of the six District and Borough Councils in the County and also a local representative from the Health and Safety Executive.

**Service Performance Review**

The following table summarises the interventions undertaken in 2011-2012:

<b>Intervention</b>	<b>Number of businesses reached</b>
Dermatitis	22
Smokefree England	12
Duty to manage asbestos interventions	46
Other interventions eg electrical safety, slips and trips, ladder safety	22
Reactive complaint investigations	20
RIDDOR accident investigations	12

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## Cheltenham Borough Council

**Cabinet – 29 May 2012**

### **Proposed Lease of the Stanton Rooms and Church Piece Public Conveniences to the Charlton Kings Parish Council.**

#### **Consideration of revised lease terms.**

<b>Accountable member</b>	<b>Cabinet Member for Finance - Councillor John Rawson</b>
<b>Accountable officer</b>	<b>Head of Property and Asset Management - David Roberts</b>
<b>Ward(s) affected</b>	<b>Charlton Kings</b>
<b>Key Decision</b>	<b>No</b>
<b>Executive summary</b>	<p>Cabinet was asked at its meeting on 26<sup>th</sup> July 2011, to consider leasing the Stanton Rooms and Church Piece public toilets to the Charlton Kings Parish Council (CKPC), this to allow the CKPC not only to take over the provision of the toilet facilities but also to operate the Stanton Rooms as a community facility and to build a new extension.</p> <p>The decision reached at the meeting was for :</p> <ul style="list-style-type: none"> <li>• The buildings shown edged red on the plan attached be let to Charlton Kings Parish Council.</li> <li>• Authority be delegated to the Head of Property and Asset Management in consultation with the Head of Legal Services, to agree the terms of the Lease, to undertake the proposed works, providing the Head of Property considers the costs to be reasonable and subsequently to conclude the letting.</li> </ul> <p>Since that time the CKPC have sought to revise the terms to those previously discussed, where, in return for the grant of a long term lease of 35 years, they would undertake the majority of the required works with funding from grant aiding bodies.</p> <p>It has also now been established that the proposed office extension and a further minor extension to the rear of the building would fall outside the prospective demised area as was previously reported.</p>
<b>Recommendations</b>	<ul style="list-style-type: none"> <li>• To let the land and buildings as shown edged red on the plan detailed in Appendix 1 of this report to the Charlton Kings Parish Council.</li> <li>• Authority be delegated to the Head of Property and Asset Management in consultation with the Head of Legal Services to agree the terms of the new lease, the principal heads of terms for which are detailed in the body of this report, and the Head of Property and Asset Management to conclude the letting.</li> </ul>

<p><b>Financial implications</b></p>	<p>The costs of repairs to the Stanton Rooms roof are yet to be determined by CBC. These costs will be financed from the Property Repairs and Maintenance budget.</p> <p>The costs of creating a new office along with and reconfiguration and extension to the toilet block room are also yet to be fully determined but will be financed by Charlton Kings Parish Council, who will seek external funding.</p> <p>Savings from the closure of Stanton Rooms could deliver £4,800 in a full financial year represented by expenditure savings of £10,400 and lost income of £5,600.</p> <p>The savings from the closure of the Church Piece public toilet facility have already been taken in the 2011/12 budget process as part of the global savings on closure of public toilets generally through the Bridging the Gap process.</p> <p><b>Contact officer: Andrew Powers</b></p> <p><b>e-mail <a href="mailto:andrew.powers@cheltenham.gov.uk">andrew.powers@cheltenham.gov.uk</a></b></p> <p><b>Tel no: 01242 775221</b></p>
<p><b>Legal implications</b></p>	<p>Under s123 of the Local Government Act 1972 the Council has an obligation to obtain the best consideration reasonably obtainable when granting leases for more than 7 years.</p> <p>Generally, business tenants have a statutory right to compensation at the end of the lease for improvements they have effected to the property. However, the obligation imposed on the tenant by the proposed lease to carry out the proposed works will operate to avoid the payment of such compensation as far as the law allows.</p> <p>Part of the proposed office extension will fall on land which is public highway, and the Tenant will have to bear the responsibility of obtaining a stopping up order. There are also third party rights over the land concerned, and these will have to be released.</p> <p><b>Contact officer: Rose Gemmell</b></p> <p><b>e-mail <a href="mailto:rose.gemmell@tewkesbury.gov.uk">rose.gemmell@tewkesbury.gov.uk</a> Tel 01684 272014</b></p>
<p><b>HR implications (including learning and organisational development)</b></p>	<p>None</p>
<p><b>Key risks</b></p>	<p>Grant funding not achieved by CKPC for proposed extensions. However, this will not leave Cheltenham Borough Council worse off financially as the rent would become due.</p> <p>If the rent becomes due the CKPC could apply for 'Third Sector' relief.</p>

<b>Corporate and community plan Implications</b>	The capital receipt can be used to fund future capital expenditure, which will help to deliver corporate and community plan objectives.
<b>Environmental and climate change implications</b>	The proposed improvements to the building should make it more energy efficient. Also, as it will be a local “hub”, access by car users should be reduced. Both of these aspects will reduce carbon emissions.

## 1 Background

1.1 The Stanton Rooms were declared surplus to CBC in April 2009 and ran at a loss of approximately £4,200 pa in that year.

1.2 An Options Appraisal and subsequent Cabinet Report in 2011, identified that CKPC were the most suitable party to take over the running of the Stanton Rooms and to take occupation of the building, for the following reasons:

- There is ongoing political support for this initiative, both locally in Charlton Kings and from CBC, Gloucestershire County Council, Youth Groups, the local Police Service and the Highways Agency.
- The intention is to continue to run the facility as a Community Hub, but providing an additional extensive ‘one stop shop’ facility.
- Through their business plan CKPC’s objectives and intentions with regard to the Stanton Rooms align with CBC’s objectives (CBC’s five year Corporate Strategy Framework 2010 – 2015).
- Through their business plan, titled ‘Securing a Sustainable Hub’ they are able to demonstrate these objectives and how they will be actioned, the main focus being on ‘Strengthening our Communities’ and ‘Enhancing and Protecting Our Environment’.
- In addition following the CBC’s decision to close the Charlton Kings public conveniences, CKPC have taken these on to ensure this public facility remains.
- CKPC is presently acting as interim managers of the entire facility
- Under a ‘Tenancy at Will’ - a short term interim agreement whilst the main lease terms are being finalised. This has kept the facility open for the community and protected the income generated by the users, which would otherwise have been lost to other facilities, making the Stanton Rooms more difficult to re-open.
- CBC continues to contribute towards the costs of running and maintaining the public conveniences until a longer lease is secured. Securing the longer lease with the CKPC will further reduce CBC’s outgoings and liabilities in relation to the building.
- A Cabinet Report dated 26<sup>th</sup> July 2011, and resulting decision, gave the Head of Property and Asset Management delegated authority to negotiate and finalise terms for the CKPC to occupy the Stanton Rooms. However, due to the changes to the demised area and discussion about more beneficial lease terms for both parties, this matter now needs to be referred back to Cabinet.

## 2. Reasons for recommendations

2.1 The proposed new lease terms and altered demised area would:-

- Help support the CKPC in achieving their goals and objectives in relation to the building and their aims for the Community they serve.
- Help the CKPC to secure funding for their project by aligning the lease terms to those

sought by funding bodies.

- Allow the building to be extended, providing an increased floor area for additional services to be provided and also provide a modernised public toilet facility of long term benefit for both parties. Further improvements to the rest of the building are also being proposed.
- Protect the property asset in terms of value (Capital Value and Opportunity Value) by ensuring, through the terms of the lease that CBC is not handed back an obsolete building at the end of the term granted.
- Continues to encourage the CKPC to invest in the property throughout the lease term, to keep it structurally sound.

**3. Alternative options considered**

3.1 This proposal is the alternative option proposed by and acceptable to the CKPC and is to supersede the previous report approved by Cabinet in July 2011.

**4. Consultation and Feedback**

4.1 Ward Councillors were consulted in July 2011 in respect of the Stanton Rooms and supported the principle of CKPC having a future involvement in the Rooms. There was also consultation between Councillor John Rawson and his Cabinet colleagues due to CKPC taking on the interim manager’s role. There was considerable political will for the Rooms to be let to CKPC to allow their continued community use.

4.2 Consultation with the present Ward Councillors ((Helena McCloskey and Rob Reid) in relation to the revised heads of terms for the proposed lease have taken place in recent weeks

4.3 Councillor Roger Whyborn and former Councillor John Webster have been involved in the discussions around the re-provision of public toilets and are aware of the proposed agreement with CKPC.

4.4 The CKPC have discussed their proposals with the County Council and Youth Service providers, Highways and the Police Service, who will all be able to benefit from being allowed to have drop in facilities stationed at the Stanton Rooms, meeting room usage or hall hire depending on their needs. This project is well supported.

**5. Property Lease information – Proposed Heads of Terms**

Rent	£6,000 pa based on comparable evidence (excludes the area for the proposed extensions).
Fitting out period and rent free period	Due to the proposed extensions and various other improvements this is likely to involve considerable costs, the likely result of which is the above rent would not become payable during the duration of the term, subject to the works being undertaken.
Rent Reviews	Every five years
Landlords works	Landlord undertakes to repair/ replace the roof (making it water tight) and to guarantee those works for a term of 10 years.
Lease length	35 years (lease to commence ASAP)

1954 protection	Yes.
Assignment	No (absolute restriction)
Sub-letting	No (absolute restriction)
Repairing obligations	Full repairing and insuring (internal and external parts with the exception of the roof for the first 10 years of the term). CBC to remove from its insurance schedule.
Permitted use	Parish Council Offices and related functions to include (but not limited to) a meeting facility, offices, public toilet facilities, a drop in centre, computer/information suite, and the provision of youth services. Also an establishment to encourage social cohesion and provide a Community Hub.
Alterations	Alterations with landlords consent, not to be unreasonably withheld
Rates and utilities	Tenant liable to pay all rates and utility bills
Programme of works	<p>It is intended that the Parish Council undertake a 'Schedule of Works'. The works are to be undertaken to offset the rental liability (works in lieu of rent). Should the program of works fail to be undertaken by the given timescales the rent will become due. Agreed elements of the development (in –line with an agreed 'Schedule of Works') should be completed prior to each of the rent review periods.</p> <p>Prior to the lease commencement, the CKPC will be required to:-</p> <ul style="list-style-type: none"> <li>• Supply a detailed proposal (Schedule of Works) outlining all intended works to include internal improvements and the proposed extension. This initial 'Schedule' to be attached to the lease.</li> <li>• Advise on timescales to be set for the works as outlined in the 'Schedule' to be approved by the landlord. Where requested detailed plans to be provided.</li> <li>• Approved contractors only to undertake the works. Details to be provided to CBC for their records. Details should also be included on how and who will manage and monitor the works.</li> </ul> <p>Years 0 – 5</p> <ul style="list-style-type: none"> <li>• Submit a planning permission for the proposed extension</li> <li>• Achieve landlords written consent for the works to be undertaken</li> <li>• Seek a stopping up order for a section of public highway within the extended site.</li> <li>• Undertake any necessary consultation in regards to the proposed extension</li> <li>• Secure funding to start works</li> </ul>

	<p>Years 6 – 10</p> <ul style="list-style-type: none"> <li>• Update ‘Schedule of Works’, to be approved by the landlord. If landlord does not approve changes in writing the landlord reserves the right to charge the market rent.</li> <li>• Start to build the extension</li> <li>• Complete any other works in line with the approved/ agreed ‘Schedule of Works’.</li> </ul> <p>Years 11 – 15</p> <ul style="list-style-type: none"> <li>• Update ‘schedule of works’, to be approved by the landlord. If landlord does not approve changes in writing rent will become payable.</li> <li>• Complete any other works in line with the approved/ agreed ‘Schedule of Works’.</li> </ul> <p>Years 16 – to the end of the term</p> <ul style="list-style-type: none"> <li>• Repeat previous 5 year obligation.</li> <li>• Update expenditure by the Parish Council to be offset against rent due.</li> </ul> <p>The ‘Schedule of Work’ to be completed by the Parish Council 3 months prior to the rent review. CBC to approve the Schedule of Work not later than one month prior to the rent review date.</p> <p>In line with the current proposal it is thought that no rent will become due for the entire 35 year term due to the value of the proposed improvements. However, this needs to be continually monitored (at the rent reviews) to ensure that Cheltenham Borough Council obtains value for money.</p>
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**6 Former Heads of Terms of Lease as previously approved by Cabinet on 12 July 2011**

- 6.1 The lease term then proposed was to have been for 99 years, at nil rent
- 6.2 There would have been a relatively restricted user clause to only allow the use of the buildings as public toilets, community rooms, and as a Parish office.

**7 Performance Management – monitoring and review**

- 7.1 This will be facilitated by the terms within the new Lease and the proposed Schedule of Works

<b>Report Author</b>	<p><b>Norman Ashworth, Senior Estates Surveyor</b></p> <p><b>norman.ashworth@cheltenham.gov.uk</b></p> <p><b>Tel 01242 264109</b></p>
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<b>Appendices</b>	<u>Appendix 1</u> Risk Assessment  <u>Appendix 2</u> Site Plan showing additional areas to be included within the area to be demised shaded yellow, and the enlarged area to be demised edged in red.
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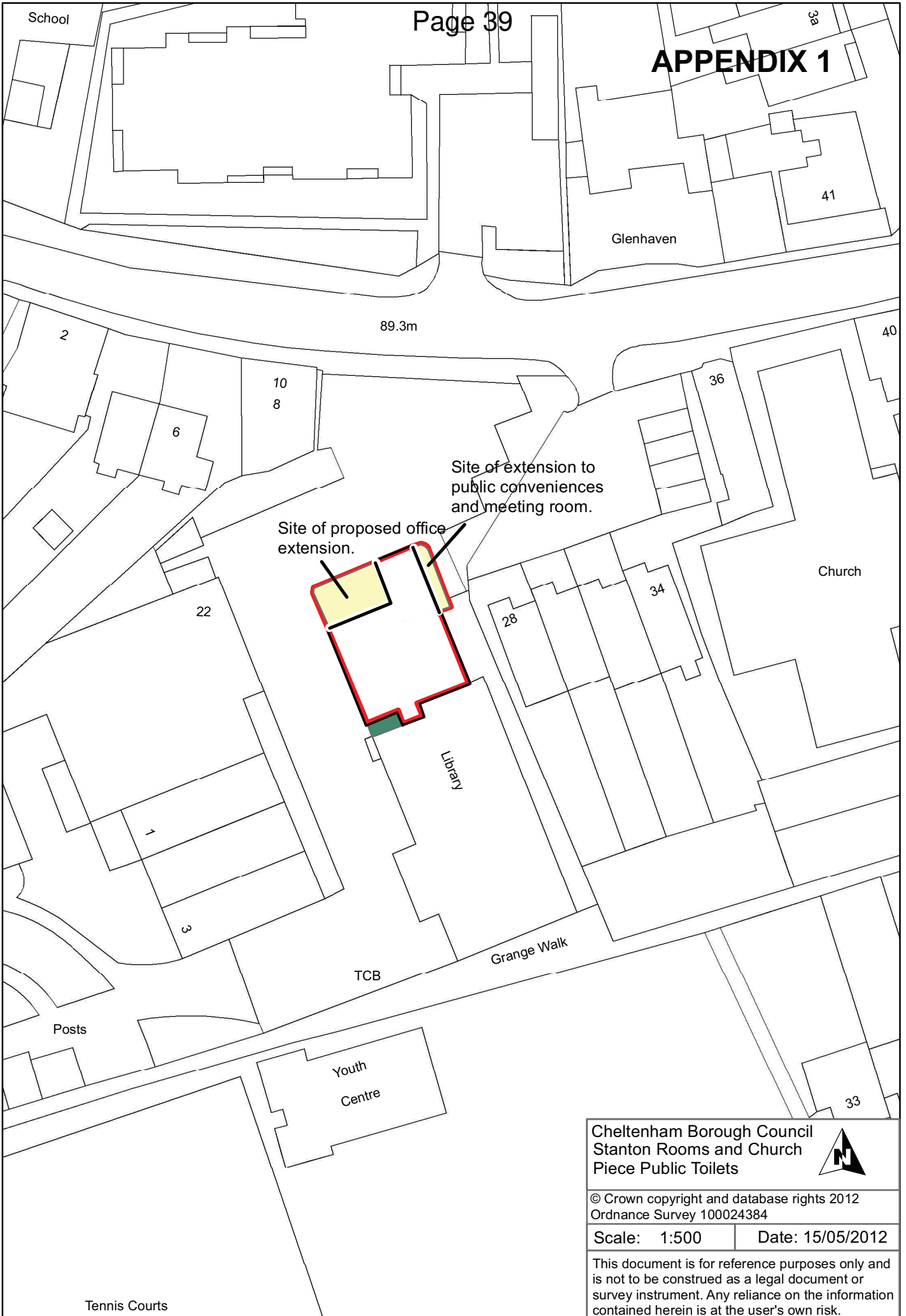
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The risk			Original risk score (impact x likelihood)				Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-4	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If funding is not obtained by the CPKC for either the proposed extensions or the proposed internal improvement works, then CKPC could apply for assistance under the Third Sector Policy.			3	2	6	Accept	Constant monitoring throughout lease term			

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APPENDIX 1



Cheltenham Borough Council  
 Stanton Rooms and Church  
 Piece Public Toilets



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 Ordnance Survey 100024384

Scale: 1:500	Date: 15/05/2012
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