



CHELTENHAM

BOROUGH COUNCIL

Notice of a meeting of Overview & Scrutiny Committee

Monday, 18 February 2013
6.00 pm
Pittville Room - Municipal Offices

Membership	
Councillors:	Duncan Smith (Chair), Klara Sudbury (Vice-Chair), Nigel Britter, Barbara Driver, Colin Hay, Helena McCloskey, Ian Bickerton, Andrew Wall, Jo Teakle, Diane Hibbert and Roger Whyborn

The Council has a substitution process and any substitutions will be announced at the meeting

Agenda

1.	APOLOGIES	
2.	DECLARATIONS OF INTEREST	
3.	MINUTES OF THE LAST MEETING Agree minutes of the last meeting held on 23 January 2013	(Pages 1 - 18)
4.	PUBLIC QUESTIONS, CALLS FOR ACTIONS AND PETITIONS	
5.	MATTERS REFERRED TO COMMITTEE	
6.	FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED Gloucestershire Police and Crime Panel 6 February 2013 – feedback from Councillor McCloskey. Gloucestershire Health, Community and Care Overview and Scrutiny Committee 8 February – feedback from Councillor Sudbury	
7.	DRAFT CORPORATE STRATEGY 2013/14 Report of the Strategy and Engagement Manager	(Pages 19 - 42)
8.	FINAL REPORT OF THE SCRUTINY TASK GROUP ON SEX TRADE IN CHELTENHAM The report of the scrutiny task group – sex trade in Cheltenham will be introduced by the chair of the task group, Councillor Barbara Driver. The O&S committee are	(Pages 43 - 58)

		asked to satisfy themselves that the terms of reference have been met and endorse the recommendations before forwarding them to Council on 22 February.	
9.		<p>UPDATES FROM SCRUTINY TASK GROUPS Review latest summary of scrutiny task groups.</p> <p>Receive an update from the Scrutiny Task Group UBICO regarding a special meeting of the group held on Wednesday 6 February to consider suspension of waste and recycling collections 18 to 25 January 2013.</p> <p>Receive an update from the Scrutiny Task Group regarding the provision of services for young people</p>	(Pages 59 - 74)
10.		<p>REVIEW OF SCRUTINY WORKPLAN Consider a scrutiny registration form for Town Centre Deprivation proposed by Councillor Barbara Driver</p>	(Pages 75 - 82)
11.		<p>DRAFT REPORT TO CABINET ON RICKSHAW CALL IN To approve the draft report to Cabinet from Overview and Scrutiny regarding the Call in of the Rickshaw decision (to follow)</p>	
12.		<p>DATE OF NEXT MEETING Date of next meeting: Monday 18 March 2013</p>	

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Overview & Scrutiny Committee

Wednesday, 23rd January, 2013

6.00 - 9.35 pm

Attendees	
Councillors:	Duncan Smith (Chair), Klara Sudbury (Vice-Chair), Nigel Britter, Barbara Driver, Rob Garnham (substitute), Colin Hay, Helena McCloskey, Ian Bickerton, Jo Teakle and Diane Hibbert
Also in attendance:	Andrew North, Councillor Jon Walklett, Councillor Steve Jordan, Louis Krog, Councillor Peter Jeffries, Gary Spencer, Councillor Andrew Chard, Councillor Tim Harman, Councillor Diggory Seacome, David Halkyard, Pat Pratley and Mike Redman

Minutes

1. APOLOGIES

Apologies were received from Councillor Andrew Wall and Councillor Rob Garnham was attending as his substitute. Councillor Penny Hall, as a signatory of the call-in request had also given her apologies that she could not be in attendance at the meeting.

2. DECLARATIONS OF INTEREST

Councillor Garnham declared a personal and prejudicial interest in agenda item 7 as the company he worked for was engaged in promoting land at one of the potential development sites in the JCS area and would leave the room for this item.

Councillor Driver declared a personal but non-prejudicial interest in agenda item 8 as she resided in the same area as the applicant Mr Meyer.

3. MINUTES OF THE LAST MEETING

The minutes of the last meeting of 10 January 2013 were approved as a correct record.

4. PUBLIC QUESTIONS, CALLS FOR ACTIONS AND PETITIONS

A number of public questions had been received and the questions and responses are set out below.

1.	Question from Helen Wells, Chairman of Save the Countryside to the Chair of O&S, Councillor Duncan Smith (asked by Alistair Cameron in her absence)
	As the public has not had access to your consultants' work on Joint Core Strategy housing figures, can you tell us whether, as NPPF clause 50 says, the <u>current</u> and future demographic trends were factored in? In other words, were the emerging local 2011 Census results given due importance, particularly in relation to average household sizes, and will the committee be reviewing the consultants' work when the remaining

	local Census results become available in February?
	Response from the Chair of O&S, Councillor Duncan Smith
	<p>The consultant's report was published alongside the O&S agenda and was available to the public at the same time as members of O&S committee.</p> <p>The consultants identify the need to ensure that the emerging census data and future relevant datasets are be taken into consideration in the JCS.</p>
2.	Question from Alice Ross, a member of Save the Countryside to the Chair of O&S, Councillor Duncan Smith (asked by Alistair Cameron in her absence)
	Can you confirm that the JCS Scenario A figure of 16 200 homes is contained <u>within</u> whatever total JCS housing figure your consultants have recommended and would it be sensible and desirable for these homes to form the first phase of JCS development as this would encourage continuing urban regeneration - and building of affordable homes where they are most needed - and allow a future assessment of whether or when urban sprawl into the Green Belt would become necessary?
	Response from the Chair of O&S
	<p>The consultants were not asked to recommend a total housing figure – that is outside the scope of their report.</p> <p>The JCS will include proposals for a phased release of sites that meet the needs of the local communities.</p>
3.	Question from Kit Braunholtz to the Chair of O&S, Councillor Duncan Smith
	Does the JCS O&S group take the view that we take, that the sensible figure for the required number of new houses that should be planned for at this time should be towards the bottom end of the forecast range, in a plan, monitor & review process taking into account that there is even greater uncertainty than usual about the likely economic future of this country (and of this region) in the coming twenty years? This uncertainty arises from the wide discrepancies between different forecasts by different forecasters, but many authoritative forecasters - including the Governor of the Bank of England - forecast a long period of continued depression or even recession. Indeed , even the "man in the street" must be very dubious about the optimistic forecasts from bodies such as the Local Enterprise Partnership, in view of what has happened - or rather NOT happened - in the Japanese economy in the last twenty five years, and more especially in view of what HAS happened more recently in Europe, notably in Greece, and in Eire and Spain following housing booms, not to mention the rapidly increasing competition from Asian countries - especially China - in our export markets.
	Response from the Chair of O&S
	The working group did not make any conclusions as to required numbers. It did however accept the consultants comments that the changing pattern of household formation and additional census data should be used to inform the assessment of housing requirements.

	<p>In a supplementary question Mr Braunholtz asked; In the light of the extremely uncertain future that I described in my written question, do you really consider it “prudent” for the JCS to set a goal for new dwellings in the period 2011-2031 at the upper end of the possible outcomes of housing need, thus implying that the JCS Councils consider the danger of possible under provision of dwellings is far greater than the danger of irreparable damage to their environment arising from setting too high a target? Do you not consider it would be possible to deal with housing underprovision, if indeed this turns out to become a likely outcome, by modifying the strategy at an appropriate time, and thus avoiding both dangers? Do you not think this would be a “sound” policy which could be justified by statistical evidence together with common sense to a Planning Inspector?</p> <p>Councillor Smith said he was in a difficult situation as Chair of O&S as he was not in a position to answer this question and he referred it to Councillor Tim Harman as chair of the working group. Councillor Harman said the task group would wait to see the outcome of further work on the JCS. The task group had been thorough in their work and he hoped that would reassure members of the public.</p>
<p>4.</p>	<p>Question from Kit Braunholtz to the Chair of O&S, Councillor Duncan Smith</p>
	<p>Does the JCS O&S group take into account the fact that the requirement for a "five year land bank" in each authority will depend on the total forecast for the twenty year period, and therefore a higher forecast will result in a larger requirement for the five-year land bank? Such an increased requirement would of course make it harder for local planning authorities to resist planning applications for development on sites which they might have preferred to remain undeveloped (such as the former "White Land" in Leckhampton).</p>
	<p>Response from the Chair of O&S</p>
	<p>The working group did not resolve anything in relation to this matter.</p> <p>In a supplementary question Mr Braunholtz asked; Are you aware that, whereas the graph shown in para 10.7 of the Cambridge report is alleged to show that 75% of the growth in number of households (2011-2031) is due to increase in population, the result of assuming a continued Average Household Size of 2.3 in the JCS area and a population increase of 44,000 as generally agreed would by itself require only $44000 / 2.3 = 19000$ extra dwellings, far less than 75% of 28,500?</p> <p>In response Councillor Smith said he wasn't aware of that and thanked the questioner for bringing it to his attention.</p>
<p>5.</p>	<p>Question from Margaret White to the Chair of O&S, Councillor Duncan Smith</p>
	<p>Does the JCS O&S group recommend - in view of the considerations above - that a cautious figure should be adopted in the first place for the number of extra houses to be planned for, and that this should be reviewed periodically (perhaps every five years) in view of what has actually happened? Phasing of proposed strategic developments would be difficult if the 5 year supply could not be demonstrated without strategic sites on open countryside forcing us into a planning by appeal in</p>

	the first part of the plan period.
	Response from the Chair of O&S
	<p>The working group did not recommend anything in relation to this matter.</p> <p>In a supplementary question, Ms White asked; Can I ask the Lib/Dem Council, whether in agreeing to the greater than 20% increase in housing growth in the JCS area, over the next 20 years, they believe they are adhering to the main points of the Lib/Dem Manifesto, against which they were elected, which states as major item no 1: To resist urban sprawl while securing new development, economic growth and jobs – and sufficient units of social housing for local people – targeted on ‘brownland’ sites within the existing urban area while continuing to protect significant urban green spaces.</p> <p>The present proposal immediately endanger the green belt and green spaces, creating an immediate free for all from developers.</p> <p>In response, Councillor Duncan Smith said that as a Conservative member he could not speak on behalf of the Lib Dems and said he would refer the question to the Leader and ask him to provide a written response to the questioner.</p>
6.	Question from Dr. Elizabeth Pimley to the Chair of O&S, Councillor Duncan Smith
	Does the JCS O&S group recognise that the "historic " trend in AHS in England in the census record - a decrease of about 0.2 per decade - which applied during the period 1961 to 1991 - had already dropped to a decrease of only 0.1 for the 1991 - 2001 decade BEFORE the recession that started in about 2008? And that therefore the flat-lining observed during the decade 2001 to 2011 of the AHS at 2.4 was not purely attributable to the recession but was at least partly due to changing patterns of household formation?
	Response from the Chair of O&S
	The working group was happy to support the conclusions of the consultants in relation of changing patterns of household formation and average household size.
7.	Question from Margaret White to the Chair of O&S, Councillor Duncan Smith
	Does the JCS O&S group take into account that there is now a strong demand for the Government to encourage and help older people living alone to live together in shared accommodation? This policy would, if implemented, lead to a reduction in under-occupation and therefore increasing availability for family housing using the existing housing stock (as well as helping to reduce loneliness in old age and reducing pressure on social services).
	Response from the Chair of O&S
	This was not discussed by the working group as changes to government policy were not within its remit.

5. MATTERS REFERRED TO COMMITTEE

A call-in request had been received and was dealt with under agenda item 8.

6. FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED

Councillor McCloskey updated the committee on a meeting of the Gloucestershire Police and Crime Panel she had attended on 14 January 2013. The purpose of the meeting was to endorse the appointment of the new Chief Constable, Suzette Davenport. At the end of a long and difficult meeting, Ms Davenport was duly endorsed, however the Panel expressed concerns over the process of the appointment itself for the following reasons:

- The extremely tight timescale between the interviews and Panel meeting had meant that the Panel had very little time to absorb the complex paperwork
- The Commissioner had announced the appointment of the new chief constable to the media prior to the Panel meeting
- The Panel had only learnt of the announcement and the IPCC investigation of Ms Davenport from the media.

She advised the panel made the following resolution:

“The Police and Crime Panel accept the recommendation of the Police and Crime Commissioner for the appointment of Suzette Davenport as Gloucestershire's Chief Constable, subject to her categorical assurances regarding the IPCC investigation. However, the Police and Crime Panel must record our serious concerns over the appointment process undertaken by the Commissioner's office. We believe that the issue of the IPCC investigation was not properly considered. Specifically, interview panel members did not have sufficient information to balance the candidate's performance against the risks to Gloucestershire Constabulary.”

She advised that the next meeting of the Panel was due to take place on 6 February 2013 when they would be asked to endorse the Commissioner's budget. The Commissioner has asked the public, businesses and other local organisations to comment on whether the precept should be increased.

Members expressed concern that the new Chief Constable was under investigation and asked how the panel would validate her reassurances to the panel that she would be found completely innocent. What powers would the panel or the Police and Crime Commissioner have under the terms of the contract if that was not the case as this could have considerable repercussions for Gloucestershire.

Councillor McCloskey pointed out that the panel had no decision-making powers but they could veto decisions. In this case it would be a decision for the Police and Crime Commissioner.

7. FINAL REPORT OF THE SCRUTINY TASK GROUP ON HOUSEHOLD FORMATION RATES

The chair reminded the committee that their remit was to receive the report of the scrutiny task group and ensure that the task group had completed the task set by Council and met their terms of reference. It was not within the remit of the committee to get into the detail of the contentious points but he would allow

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time for members to ask questions. The consultant from the Cambridge Centre for Housing and Planning Research (CCHPR) was on the conference phone so would be able to listen to the debate and respond to any technical questions.

The chair invited Councillor Tim Harman, as the chair of the scrutiny task group - Joint Core Strategy and Liaison Working Group on household formation rates, to introduce their final report and recommendations.

In his introduction, Councillor Harman thanked the members, the two co-opted members from Gloucester City and Tewkesbury Borough Council and officers for their contribution to this review. He referred to the background to this review set out in section 2 of the task report and he stressed the importance of a local authority ensuring that housing requirement figures set out in their local plan are soundly rooted in a robust evidence base. The project brief set for the working group had challenging timescales but they had maximised the time available. They had considered a final report from the Cambridge Centre for Housing and Planning Research (CCHPR) on 14 January 2013 which had examined a whole range of issues including the important factors of changes with regard to young people and an ageing population and the economic climate. The working group concluded that there were no material errors in the way in which the DCLG household representative rates had been applied and they didn't find any significant reason for deviating from them hence their recommendations set out in 9.1. He considered the working group had produced a sound report and the recommendations would support the council in ensuring it had the sound evidence base that was needed. He informed members that Councillor Bickerton, as a member of the working group, had not supported their report and presented some alternative evidence on household size predictions which he wished to present to the committee.

Councillor Bickerton said he was happy with the work undertaken and it had provided lots of valid data but he did not consider that the work was complete. He referred to the graph on JCS District Average Household Size Compared to National Trend he had produced that had been circulated at the start of the meeting. At the task group meeting on 14 January he had presented an earlier version of this graph which had resulted in an action to verify some of the data used by CCHPR. Since then he had been in discussion with the Office of National Statistics and Neil McDonald from CCHPR had assisted him in correcting some of the earlier district figures he had used to produce the graph presented at the task group meeting. This had resulted in the revised figures in the graph he had circulated to the committee tonight. This supported his view that there was still more work to be done and he disagreed with the conclusions of the consultant regarding the impact of the ageing effect on household size. He wished this graph to go forward as a minority report to the task group report as permitted under the Council's constitution.

The chair referred to the additional paper which had been circulated at the start of the meeting from Neil McDonald which provided some notes on Councillor Bickerton's graph on household size presented at the task group meeting and highlighted some errors in the data used. With regard to the revised graph circulated at this meeting, Neil McDonald advised that Councillor Bickerton appeared to have used rounded figures which indicated that average household size in England and Wales had been flat between 1991 and 2011. If the unrounded figures were used, the average household size was closer to 2.45 in

1991 and 2.37 in 2011 which demonstrated a fall in household size of around 3.5%.

Councillor Teakle, as a member of the working group, thanked CCHPR for a clear and accessible report and she encouraged the public to read it. She was pleased to see the acknowledgement in 14.1 b of the conclusions that if there was no change in household size between 2011 and 2031 around a third fewer extra households will be formed in the JCS area. She asked if the consultant could explain the statement in 14.1 c. and why it was unlikely that household size would remain static.

In response, Neil McDonald advised that there were three key drivers of household size. These were the household formation rate – the tendency of groups to form households (currently younger people were tending to stay longer with their parents); the ageing effect (i.e. the tendency for the average household size to fall if the proportion of older people in the population grows, as older people tended to live in small households); and marital status (a relatively small factor). Over the next 20 years, there was likely to be a faster increase in the older population in the JCS area than in the last 10 years. This would cause the 'ageing effect' to be much stronger. As a consequence it seemed highly improbable that, even if there was no economic recovery, there would be a sufficiently strong continuation in the trend for single people not to form households to counter the ageing effect. For that to happen that trend would need to go further than observed so far (rather than moving back towards the previous trend). A continue fall in household size therefore seemed highly likely.

Councillor Teakle responded that even if there was an economic recovery, she considered there were a number of other factors which may keep young people at home and they would not suddenly move into the housing market. She also questioned why household size did not appear to have been affected by the ageing population in the last 10 years. She wished to highlight the recommendation in 9.1.2 of the task group report which recognised the need for a sensitivity analysis. The report also referred to phasing development. Whilst accepting the officer advice that the council needs to have a five-year plan to satisfy the planning inspectorate and encourage developers to provide the necessary investment for initial infrastructure, she stressed the importance of phasing development to match economic recovery.

Councillor Bickerton suggested that the 2011 Census data appeared to demonstrate that the over 65 population had decreased in the last 10 years and therefore this needed to be re-examined.

The chair advised the committee that they should not prolong the work of the task group but instead should bring any matters to the attention of the JCS project which they felt needed further consideration going forward. He referred members to the terms of reference set for the working group and asked the committee to consider whether they had been met. The chair of the working group concluded that they had effectively discharged their obligations in the time given and any other matters could be taken forward by the working group.

Resolved that

- 1. The minority report submitted by Councillor Bickerton be noted**
- 2. The recommendations of the task group be endorsed and their recommendations should be forwarded to the JCS joint member steering group together with the minority report.**

8. CALL-IN LICENSING OF RICKSHAWS IN CHELTENHAM

The committee was asked to consider a call-in request regarding a decision made at Cabinet on 11 December 2012 regarding the licensing of rickshaws. As this was the first call-in to come to this committee, the chair explained how he intended to run the procedures.

Councillor Garnham, as one of the four members who had signed the call-in request, was invited to put the case for the call-in. Councillor Garnham felt that the council should be encouraging people like Mr Meyer who wanted to set up small businesses in the town however this was not the reason for the call-in. The reason he gave was that the Cabinet decision to defer any decision to an unknown date in the future, was not fair to the applicant and he should be given a yes or no answer. There appeared to be examples in London and Hereford of both unlicensed and licenced rickshaws working effectively with no significant safety problems. He considered the decision was not proportionate, there had been insufficient consultation and no presumption in favour of openness for the reasons set out in the call-in request.

In response to a question from a member, the Democratic Services Manager, advised that the witness questions circulated with the agenda had been drawn up based on the reasons given for the call-in and in consultation with the chair. They had been circulated to lead members of this committee and the signatories of the call-in request for comment. As a result additional questions had been incorporated before circulating them to witnesses to assist them in their preparation for this meeting.

The chair invited the Cabinet Member Housing and Safety to respond to the questions circulated to him in advance of the meeting and suggested members may wish to ask additional questions. Before answering the questions, the Cabinet Member referred members to the background set out in section 1.3 of the Cabinet report of 11 December 2012. He also advised members that nothing that the Cabinet or officers had done would stop Mr Meyer operating rickshaws in Cheltenham on an unlicensed basis. The issue in question was purely a licensing one..

Does the Cabinet Member think it is an acceptable outcome to defer the decision to an unspecified date in the future?

In response, the Cabinet Member considered that it was acceptable and the decision was proportionate to the desired outcome. Licensing was concerned with public safety and the Cabinet had considered it from a public safety angle and concluded that safety considerations would not be satisfied by trying to shoehorn the operation of rickshaws into the existing safety regulations.

Can you explain the reasons for the delays in dealing with this matter?

The Cabinet Member noted that this committee had delayed the consideration of this call-in and similar sorts of delays happened in the Cabinet decision-making process. The first delay was due to changes to the council's Constitution in May 2012. Previously a draft licensing policy would have been considered by the Licensing Committee and then forwarded to Council for approval. The change in the Constitution required the draft policy to be considered by Cabinet in consultation with the Licensing Committee and then forwarded to Council by Cabinet for approval. Following the borough council elections there had been no Executive meetings in May and this together with the change in Cabinet Members and summer recess may have caused some delay. He emphasised that this was part of the nature of Cabinet reporting and reminded members that this issue had been the subject of three Cabinet reports over a period of time including a public consultation period. He personally had tried to speed up the process by shortening the consultation period with the agreement of all parties.

The City of Westminster has more rickshaws in operation than the whole of the rest of the UK. In total, during 2011, there were upwards of two million journeys and there were just 8 collisions involving rickshaws. No serious injuries resulted and no passengers were injured. Were you aware of that and if so given that experience why do you still have concerns about the safety of rickshaws if operated in Cheltenham?

The Cabinet Member advised that following the receipt of responses from the consultation regarding safety issues, he had done some personal research on safety issues and had been horrified by what he had discovered. In London, the Metropolitan police, had to resort to an ancient Act of Parliament to deal with the large volume of unlicensed rickshaws. As a result of this operation many of the operators had been stopped, fined or their vehicles impounded. They also found that many of the rickshaws in the town had been illegally adapted to run on car batteries. He also questioned the figure of only eight collisions involving rickshaws as this did not take into account accidents involving bicycles or pedestrians and therefore was not a true reflection of their safety.

The chair asked how the Cabinet Member had applied his research to the operation of rickshaws in Cheltenham? Was his main concern that there would be a significant number of accidents or that a large amount of police time may be spent in monitoring the safety of rickshaws?

The Cabinet Member considered that the differential in London was that the rickshaws were unlicensed and therefore were not being endorsed by the council as safe to carry passengers. In Edinburgh, rickshaws had been dealt with under street trading licences and in Edinburgh there had been two fatal accidents, one where someone had fallen out of a rickshaw and another where a female passenger had broken her neck when her scarf had got tangled in the rickshaw's wheels. It would be a huge piece of work to pin down the safety information from all the research across the country and therefore it came down to making a judgement call. He had also referred to the report by the Transport Research Laboratory (TRL) which had highlighted safety related issues relating to rickshaws. His decision was based on the fact that there was evidence of lots of accidents and problems regarding rickshaws. If the council were to license rickshaws the public perception would be that the council were endorsing their safety. In his view he was not in a position to reduce the safety risks associated with rickshaws sufficiently to give such an endorsement.

How may rickshaws had been requested in Mr Meyer's application and if the Cabinet Member had not asked this question how was he able to quantify the risk and make an informed decision?

The Cabinet Member advised that there had been no specified number in Mr Meyer's enquiry and subsequently he had received another two enquiries from other people. He advised that if the council were to license rickshaws under the Hackney Carriage regulations then they would not be able to restrict the numbers in any way and therefore the resulting number of rickshaws could grow exponentially.

Members questioned whether it would be preferable to go ahead and license rickshaws in some way rather than allow them to operate unlicensed way which research showed had been dangerous in London? Why hadn't the Cabinet Member looked at how rickshaws are being operated in Hereford where they appeared to be operating safely? Surely licensing rickshaws would give the council a degree of control over rickshaw operation which they would not have if they were forced to operated in an unlicensed way?

The Cabinet Member suggested that it was an easy assumption to make that any form of licensing was better than unlicensed operations. However in order to mitigate the safety risks, the policy for rickshaws would have to be very restrictive. The situation in Hereford was very different as they were not being operated as taxis. His understanding in this case was that the council was being asked to license rickshaws as a Hackney Carriage License. The licensing process was concerned with enhancing public safety. As the council was not in a position to enhance the safety of rickshaws, the decision had been taken to defer the decision until the necessary legislation was in place. Whatever was happening in other councils, the provision of a licensed rickshaw service in Cheltenham would provide the public with a choice of opting for a quality standard or going for an unlicensed provider.

(At this point Mr Meyer clarified that his request had been for a rickshaw license and he had not made any specific reference to a Hackney Carriage License)

Was it right that people trying to run a business should expect a response from the council in a reasonable time to allow them to plan their future operations particularly if the business was seasonal? Could the process have been speeded up by setting up a Cabinet Member working group to consider common practice and adopt the best practice available at this time? What steps did the Cabinet Member take to drive the process forward in a reasonable time scale?

In response the Cabinet Member referred to his previous response highlighting that there had been three reports and a consultation period. There had been a period of three months between the application and the first Cabinet report with an election in the middle of this period. He reminded members that licensing was a statutory process and a search making any changes was a long process. He would love to have been in a position to license rickshaws but he could not afford to put the council in a position which was open to legal challenge. Therefore it was right to defer any decision until the government had put the necessary legislation in place.

He added that capacity of officers was limited and resources were lean. The work plan for the licensing team was scheduled in advance and resources committed accordingly and the rickshaw issue had come from left field. Being a new Cabinet Member had not caused any delays and in fact he had made himself very available for attending meetings on this matter. The pace of moving it forward had been very much governed by the need to gather and carefully consider all the available information.

If the Cabinet had made a decision to adopt the policy could there have been a risk to the council, the public or the operator that the government could then change the legislation regarding safety standards. Could the decision be considered to be proportional based on this risk?

The Cabinet Member advised that after receiving the second report on this issue, Cabinet had decided that the existing policy could become unworkable if there was an attempt to change it to reduce the safety risks associated with rickshaws so in that sense the decision was proportional to the risk.

Paragraph 1.3 of the Cabinet report of the 11 December, appeared to suggest that in September the Cabinet had been ready to instruct officers to produce a draft policy. If the consultation had not thrown up a few safety issues would the Cabinet have proceeded to adopt a policy?

The Cabinet Member advised that he was not in a position to answer this hypothetical question.

Had the Cabinet Member experienced rickshaw travel as part of his research? Member commented that he had travelled in a rickshaw recently in India and felt perfectly safe despite the crowded traffic conditions?

The Cabinet Member said he had not travelled in a rickshaw.

Louis Krog , the Business Support and Licensing Team Leader

The chair invited Louis Krog to respond to questions notified by the committee and any additional ones members wish to ask.

The officer wished to clarify a few points at the start. Firstly the Hackney Carriage licensing legislation that applied in London was different to that applied in Cheltenham and other towns outside London. He explained that if there was a desire to operate licensed rickshaws in Cheltenham then the council must first formulate a policy for dealing with applications for licences. This contrasted with operating non-motorised rickshaws on a private hire basis where the council would have no control under the current legislation.

What professional advice did you give to Cabinet Members regarding the operation of rickshaws within other boroughs?

Initially he had referred members to the experiences in London and Edinburgh and subsequently further research in a lot of other towns. This initial desktop exercise had made it very clear to officers that there was no uniform approach to the operation of rickshaws. It was a complicated area to deal with but they

had looked at the existing policy and procedures regarding Hackney Carriage licensing and incorporated some changes which had resulted in the draft policy presented to Cabinet.

Did you refer the Cabinet to Hereford Council who appear to have been operating licensed rickshaws since 2006.

Officers did not ignore the experiences of Hereford regarding safety. Regarding the licensing of rickshaws, it would not have been a helpful comparison since the operation in Hereford consisted of rickshaws that made no charge and had no fixed route.

What advice did you give regarding safety?

He had provided some advice in the June report to Cabinet on safety standards. During the consultation, it became apparent that a lot of the feedback was concerned with safety issues and therefore the focus for the December Cabinet report was on safety matters.

The report from the TRL had provided further information on safety issues. The report had suggested that the basic safety of rickshaws could not be enhanced, for example it was not possible to fit guards. The report concluded that rickshaws were reasonably safe if operated in a reasonable way and regularly inspected.

Do you have any firm dates for when the decision on the “*outcome of the taxi and private hire licensing law reform review by the Law Commission*” - will actually be published? Is it likely to be 2013 or 2014 or even later?

In response he said that government were very aware of the need to update the ancient legislation in order to deal effectively with rickshaws. The Law Commission had indicated that they were fairly confident that the legislation would be in place by late 2014 or early 2015.

Why was Cheltenham not leading the way on this issue and what was plan B. if the legislation was further delayed?

That was not for officers to decide.

In June 2012 Cabinet approved for the purpose of consultation a draft policy in respect of the licensing of rickshaws in the borough. Were you happy with the safety requirements set out in that draft policy? In your professional capacity was it the best policy you could recommend which brought together best practice and would it have been workable?

The safety standards set out in the draft policy were fairly standard and based on those for two or three wheeled bicycles. In the absence of anything more specific for rickshaws this was the approach that most councils had adopted. The function of the policy was to provide a method for determining whether a subsequent application was lawful. The policy would stipulate what type of vehicle the council was prepared to licence. The current adopted policy for Hackney Carriages excludes rickshaws and therefore they could not be licensed under that policy.

He confirmed that in the absence of a policy the only option for rickshaw operators was to run them unlicensed. The council could not impose any requirements on unlicensed operators and would not be in a position to check whether they were adequately insured.

He advised members that a Court of Appeal had ruled that rickshaws could only be licensed as a Hackney carriage in so far as them standing or plying for public hire and anybody operating in such a way without a hackney carriage licence would be committing an offence?.

In the December Cabinet report were you recommending to Cabinet that they license rickshaws and adopt the draft policy?

It was for Cabinet to decide whether they wished to approve the licensing of rickshaws. If they chose to do so then officers were recommending the safety standards in the draft policy be adopted by Council.

Are other councils wrong to license rickshaws and are we in the Cheltenham making too big an issue of it?

In his professional opinion the current legislation was not able to deal effectively with rickshaws and all councils were struggling with this. The government had recognized the increasing numbers of rickshaws and therefore the need to make the legislation workable to accommodate this increase in numbers. The current law forces councils to make the existing legislation work in order to protect the public and support the operators. Some councils have chosen to operate under the existing legislation and some have opted to wait until new legislation is put in place.

Could we license rickshaws under street trading legislation?

In theory this would be possible, but the problem with the street trading licensing policy was that it did not promote safety issues and therefore would offer inadequate protection to the public. It was not intended for that purpose and would stretch the street trading legislation too far. Following the Court of Appeal ruling that rickshaws should be licensed as Hackney Carriages, he had not included this as an option for Cabinet to consider.

What negotiations did you have with the applicant to look at how rickshaws might operate in Cheltenham and therefore how best to move the issue forward? Did you consider a fixed route for rickshaws in Cheltenham as was operating in Hereford?

Officers had an initial conversation with the applicant in March and following that there were ongoing discussions and many e-mails were exchanged. He acknowledged that relationships with Mr Meyer had gone sour and the issue had been the subject of complaints which have been dealt with under the council's complaint procedure. Recently there had been a meeting with the Cabinet Member, the applicant and the licensing officer's line manager.

The initial draft policy did propose an area for the ranking up of rickshaws which could also be used for spot checks but this was not well received by the

potential operators and therefore had not been included in the subsequent policy presented to Cabinet.

When questioned, the officer said he had sympathy for the applicant regarding the delays but he assured members that there was no undue delay by officers in dealing with the application. Asked whether he advised the applicant in March that there was no chance of his licence being approved in time for the summer season, the officer said he did advise Mr Meyer in an e-mail that it was unlikely that it would be completed within three months.

Is it true that the responses to the consultation regarding safety mostly came from taxi drivers and no major safety issues were raised by the police or the Road Safety Unit at the County Council?

There had been about 10 to 12 respondents to the consultation who had raised issues of safety. The response from the police was to refer to the experiences of rickshaws operating in Westminster. There had also been a comprehensive response from rickshaw operators which had been taken into account and a number of changes were made to the draft policy as a result of their comments.

The call-in request suggests that one of the grounds for call-in was that the decision should only have been taken following taking the professional advice of officers. Did you give clear advice to the Cabinet member and was it your advice that councils should adopt a policy? Did you have a personal opinion?

The officer advised that he kept the Cabinet Member aware of developments at the time and he had had many discussions with Councillor Jeffries who had regularly come into the office to discuss the matter. Members needed to bear in mind that it was necessary to follow due process and it could be a lengthy procedure to get a report signed off. The officer referred to the recommendations in the report to Cabinet on 11 December 2012. He had given clear advice to Cabinet on the draft policy but it was for Cabinet to agree the principle of licensing rickshaws first. His role as an officer was to give professional advice and not a personal opinion?

Hereford Licensing Manager

The licensing manager from Hereford had been unable to attend the meeting tonight due to unfavourable weather conditions. She had submitted a written response to all the questions and members had the opportunity to read this during an earlier brief adjournment. Members agreed that it was a very good report and answered all their questions and wished to pass on their thanks to the officer concerned.

The applicant Mr James Meyer

The chair invited Mr James Meyer to address the committee regarding his experiences.

Mr Meyer informed the committee that this was his first experience of local government and he had found it a demotivating and upsetting experience. His reason for submitting an application for rickshaws was that he felt it would be a

good thing for Cheltenham. He did not see it as a serious moneymaking exercise, he simply wanted to cover his costs. He had experienced a great deal of obstructiveness, albeit that this may not have been intentional, and he was appalled that it had taken 10 months to reach a stage where the decision had been taken to defer the decision. In practical terms he considered his application had been turned down and it was misleading and frankly dishonest to say it had been deferred. Officers had advised that the Law Commission would be reporting in 2013/2014 but in his experience this was much more likely to be 2017/18.

He referred several times to the 10 month delay and he did not consider that the Cabinet Member or the licensing officer had justified this delay in their earlier responses to the committee.

Regarding his relationship with the licensing officer, he acknowledged that the officer had been very thorough and there had been numerous attempts for them to work together. He considered that any help that he tried to give to the licensing officer was put down and dismissed and he was given the impression that it was rather improper for the licensing officer to be talking to the applicant for any length of time. This had created an adversarial relationship.

The reason given for the deferral was that the Hackney Carriage licencing policy was inappropriate for rickshaws. He acknowledged it may not be ideal but other local authorities have managed to use it successfully and Hereford was a good example. There was an important difference between theoretical concerns and practical application. Westminster's experience demonstrated this with only eight minor accidents reported and no passengers injured. He understood there were theoretical safety concerns about rickshaws and the vehicles could be seen as flimsy but in practice it had proved a safe experience. He considered the safety concerns raised by the Cabinet Member were just a smokescreen for the delay and despite all the meetings there was no evidence which set out what and when particular safety concerns had been discussed and the outcome of those discussions.

When first making his application, he had allocated 4 months and thought this was not an unreasonable estimate. There was a lead time of three months for rickshaw supply and at that time he had been given every indication that it would be possible to secure a licence in that sort of time frame. He had now missed one summer season and with the further delay he would now miss the following season. His requirement was that he would be in a position to launch a licensed rickshaw operation by April/May this year and he considered it would be a safe service if sensibly licensed. At the time of its initial application he had one rickshaw and he had now purchased an additional three.

A member commented that he had not been comfortable with some of the language Mr Meyer had used and he had focused unduly on the delay in his response to committee. He asked Mr Meyer whether he was open to considering any restrictions? Mr Meyer responded that yes he was open to this and had wanted all along to discuss the matter with officers and find a way round any problems. He felt he had been kept at arm's length and this was inappropriate.

Another member asked Mr Meyer whether everyone agreed with him that rickshaws would be good Cheltenham. In response he said there were fairly few people who had not rather liked the idea and overall 90% were positive and many thought it would be fun.

The chair invited the Cabinet Member to respond to the evidence he had heard.

The Cabinet Member wished to emphasise that there had been lots of meetings and correspondence with Mr Meyer. In his personal dealings with the applicant, he had found him to be obstructive and unwilling to listen but there had been lots of opportunities for discussion.

The chair referred members to paragraph 14.13 in the council's Constitution which set out their options for dealing with the call-in now that they had considered all the facts and heard the evidence.

In the discussion that followed members questioned whether the decision not to adopt a policy should have been referred to Council in the same way that Council would have been requested to adopt the draft policy if it had been approved by Cabinet. They asked whether it would be possible for Council to demand that Cabinet formulate a policy on this issue for their approval.

The Chief Executive advised that the Cabinet decision was that they should not instigate a process for getting a policy drawn up and approved and this was not a decision that required Council approval. This was confirmed by a solicitor from One Legal who was present at the meeting. He advised that the function regulations set out in the council's Constitution determine what decisions can be taken by Cabinet and which by Council. In this case Council would approve a licencing policy recommended to it by Cabinet but there would be no requirement for a referral to Council if Cabinet decided to defer taking any decision. There would also be nothing to prevent a member raising a motion at Council on this matter.

After hearing the evidence, a member thought there were a number of issues which led him to conclude that a decision should be referred back to Cabinet. The delay had happened and that could not be changed however he was of the opinion that had there been more opportunities to negotiate with the applicant a solution may have been found.

Councillor Sudbury wished it noted that she didn't feel the grounds for the call-in had been properly considered and these should be discussed by the committee before agreeing their next action. The chair noted her concerns but wished the committee to continue to consider its options set out in 14.13.

Members concluded that the matter should be referred back to Cabinet to have a look at their decision to defer. The committee were not recommending that the Cabinet should adopt the draft policy but they were recommending that they should revisit the decision to defer and possibly whether a 'yes' or 'no' answer to the applicant would be preferable. This appeared to fall under option 14.13 (c).

They agreed that this committee should forward a report to Cabinet in February if possible regarding this call-in and this would be drafted by the chair in

consultation with the members of the committee. If Cabinet wish to then refer a policy to Council, this could be done in March and if a policy was agreed then the Licensing Committee would then be positioned to consider an application soon after.

Resolved that the matter would be referred back to Cabinet with a request that they review the decision to defer.

9. DATE OF NEXT MEETING

The next meeting of the committee would be held at 6 pm on Monday 18 February 2013.

Duncan Smith
Chairman

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Information/Discussion Paper

Overview and Scrutiny Committee 18 February 2013

Development of the corporate strategy action plan 2013-14

This note contains the information to keep Members informed of matters relating to the work of the Committee, but where no decisions from Members are needed

1. Why has this come to scrutiny?

- 1.1 The corporate strategy action plan for 2013-14 is being prepared and is due to go to Council for approval on 25 March 2013. To ensure that the views of elected members are captured in the process, the draft strategy is being considered by the Overview and Scrutiny Committee. The draft action plans are attached as appendix A.

2. What do we want the corporate strategy to do?

- 2.1 The Corporate strategy sets out the following:
- The overall context for the year ahead in terms of challenges and opportunities;
 - The outcomes that we will be working towards;
 - The council's priority commissioning reviews and projects to deliver the outcomes and how these will be resourced;
 - The milestones, indicators and risks by which progress will be measured.

3. How we have prepared the draft strategy

- 3.1 The Senior Leadership Team and Cabinet members have discussed the following:
- The significant resource that will be required to deliver the reviews and projects that we are already committed to means that we need to prioritise and push back or delay projects where there is no compelling need nor potential to deliver savings.
 - The corporate strategy needs to be specific and realistic in what the council can achieve given this resource challenge. We will therefore need to identify proposed resource requirements.
 - The commitment to market-test built environment should be slipped back to 2014-15.
 - There are other projects that will have a draw on resources; such as plans to commemorate the First World War Centenary and the war memorial enhancement which will have an impact on the capacity of the council to deliver.

3.2 In the light of the concerns about capacity and resources, the following directors have

taken a formal role in preparing the draft action plans and have met accordingly with project leads and liaised with cabinet leads.

Outcomes	Lead
Cheltenham has a clean and well-maintained environment.	Jane Griffiths
Cheltenham's natural and built environment is enhanced and protected.	Grahame Lewis
Carbon emissions are reduced and Cheltenham is able to adapt to the impacts of climate change.	Jane Griffiths
Cheltenham has a strong and sustainable economy	Grahame Lewis
Communities feel safe and are safe.	Grahame Lewis
People have access to decent and affordable housing.	Jane Griffiths
People are able to lead healthy lifestyles.	Pat Pratley
Our residents enjoy a strong sense of community and involved in resolving local issues.	Pat Pratley
Arts and culture are used as a means to strengthen communities, strengthen the economy and enhance and protect our environment.	Pat Pratley
We will meet our 'Bridging the Gap' targets for cashable savings and increased income	Pat Pratley

3.3 As part of this, Senior Leadership team on 29 January met to review the prospective resource requirements required to deliver the 2013-14 corporate strategy and existing "business as usual" requirements. Particular pinch points were noted for Urban Design, the JCS team and Go Shared Services. SLT were asked to revisit the 'pinch points' identified in the document and take forward action as appropriate.

4. Proposed improvement actions 2013-14

Outcomes	improvement actions
Cheltenham has a clean and well-maintained environment.	<ul style="list-style-type: none"> ▪ We will progress the implementation of a joint waste committee ▪ We will increase recycling rates and reductions in residual waste
Cheltenham's natural and built environment is enhanced and protected.	<ul style="list-style-type: none"> ▪ We will undertake a commissioning review of our Green Environment services ▪ We will undertake a Commissioning Review of our Building Control Service (currently a 10 year shared service agreement with Tewkesbury BC which commenced November 1st 2009, though there is a 5 year review which will be carried out in 2014). ▪ We will move towards the adoption of the Joint Core Strategy (JCS) ▪ We will commence preparation of the Cheltenham Plan
Carbon emissions are reduced and Cheltenham is able to adapt to the impacts of climate change.	<ul style="list-style-type: none"> ▪ We will implement the recommendations of the November 2012 cabinet report, setting out how we will meet the 30% carbon reduction target by 2015 and our aspiration to reduce carbon emissions by 40% by 2020 ▪ We will develop ways of monitoring the impact of commissioned and retained services on climate change
Cheltenham has a strong and sustainable economy	<ul style="list-style-type: none"> ▪ We will work with GFirst, our local enterprise partnership, to promote sustainable economic growth in Cheltenham. ▪ We will implement the preferred option for the residual parking service ▪ We will continue to support Cheltenham Development Task Force
Communities feel safe and are safe.	<ul style="list-style-type: none"> ▪ We will continue to work in partnership to reduce incidents of anti-social behaviour and the harm it can

Outcomes	Improvement actions
	<ul style="list-style-type: none"> ▪ cause to communities. ▪ We will work in partnership to tackle high profile crime in Cheltenham ▪ We will protect the health and well-being of citizens, businesses and visitors and maintain a high level of consumer confidence in food businesses. ▪ We will undertake a commissioning review of our Public Protection Service (licensing, environmental health, community safety)
People have access to decent and affordable housing.	<ul style="list-style-type: none"> ▪ We will prepare our services and communities for welfare reforms that will impact on our communities from April 2013 onwards ▪ We will implement the preferred option emerging from the housing options commissioning review ▪ We will implement the preferred option following a commissioning review of private sector housing ▪ We will enable the delivery of more affordable housing ▪ We will work with CBH to deliver the HRA capital programme ▪ We will work with CBH to deliver enhanced Services to our tenants ▪ We will work with CBH to ensure that resources are made available to deliver support services for older people via the Supporting People Programme.
People are able to lead healthy lifestyles.	<ul style="list-style-type: none"> ▪ We will implement the preferred option for our leisure and culture services ▪ We will conclude a sports facilities strategy for CBC-owned sports facilities and a feasibility study for the Prince of Wales stadium
Our residents enjoy a strong sense of community and involved in resolving local issues.	<ul style="list-style-type: none"> ▪ We will use asset-based community development and opportunities set out in the localism act to inspire more people to get actively involved in their communities ▪ We will work in partnership to deliver the second year of the government's troubled families programme, called Families First. ▪ <i>Potential review of CBC governance structures following outcome of Council Motion on 8 February.</i>
Arts and culture are used as a means to strengthen communities, strengthen the economy and enhance and protect our environment.	<ul style="list-style-type: none"> ▪ We will implement the preferred option for our leisure and culture services ▪ We will re-open the Art Gallery and Museum ▪ We will conclude the Town Hall feasibility study ▪ We will conclude the box office procurement exercise & implement the new system
We will meet our 'Bridging the Gap' targets for cashable savings and increased income	<ul style="list-style-type: none"> ▪ We will implement the shared ICT service with the Forest of Dean District Council ▪ We will prepare for a commissioning review of the revenues and benefits services in 2015/16 ▪ We will implement the 'Bridging the Gap' programme and budget strategy for meeting the MTFS funding gap ▪ We will deliver the Future Council programme for residual council services ▪ We will agree an Accommodation Strategy and Asset Management Plan

- 5.1** Comments from Scrutiny will be addressed in the revised draft corporate strategy action plan which will go to Cabinet on 12 March before the final version goes to Council on 26 March for final approval.

Background Papers

Contact Officer

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Accountability

Leader of the Council

Attachments

Appendix A –Draft Corporate Strategy Action
plan 2013-14

Appendix A – Draft action plans for 2013-14

Enhancing and protecting our environment			
Cheltenham is a place with a clean and well-maintained environment where waste is minimised and recycling, reusing and composting is promoted			
Who is accountable for this outcome			
Cabinet lead:	Cabinet Member Sustainability		
Commissioner lead:	Jane Griffiths		
Provider lead:	Ubico		
What are the risks to the delivery of this outcome and where are they captured?			
<p>Although most people understand the need to re-use and recycle there is a need to continue to raise awareness amongst those who do not recycle. The costs of landfill are escalating and it is important to minimize the level of residual waste. However as customer expectations, to recycle a wider variety of materials, rise this could impact on both costs and quality. There is a greater pressure on manufacturers and retailers to take on responsibility for the consequences of their packaging which may result in some cherry picking of lucrative recycling streams making collection costs more expensive for those streams that are left for the council to collect. There is also pressure from the recycling industry for better quality recycle. Social changes relating to more houses in multiple occupation may result in a greater incidence of incorrectly presented waste which impacts on street cleanliness and anti social behaviour.</p>			
How the council commissions this outcome to secure longer-term delivery of this outcome, deliver improved value for money and to address risks			
<p>The council agreed in 2011 to establish a joint local authority company with Cotswold District Council to deliver the following services:</p> <ul style="list-style-type: none"> Waste collection, kerbside recycling collections, organic waste collections, servicing of neighbourhood recycling sites, operation of the Swindon Road recycling centre, street cleaning, public toilet cleaning, grounds maintenance, grounds maintenance of Cheiltenham Borough Homes, fleet management and maintenance. <p>The council agreed in 2012 to establish a joint waste committee with Gloucestershire County Council, Forest of Dean DC and Cotswold DC. Although the borough council will retain a number of decisions such as budget levels the committee will consider the strategic outcomes for waste and recycling and the better co-ordination and alignment of waste collection and disposal activities across the partner councils.</p>			
What are our planned improvement actions in 2013-14 to deliver this outcome and to address risks?			
Strategic project	Key milestones	Dates	Lead
We will progress the implementation of a joint waste committee	Agree the business plan for the JWC	July 2013	Jane Griffiths, Director of commissioning
	Review performance of the joint waste committee and JMU and identify any issues members have with the way in which it is operating.	November 2013	
We will increase recycling rates and reductions in residual waste	Business case produced for the viability of mixed plastic recycling Review of bring site facilities Review of bulky waste collections Ongoing awareness campaigns	October 2012	JWC/JMU (Scott Williams)

How will we know what difference we have made in 2013-14				
Type of Indicator	Measured by this indicator	Baseline (March 2011)	March 2014 Target	Lead
<p>Delivery partner indicators - measuring activity that a delivery partner is responsible for</p>	<ul style="list-style-type: none"> Residual household waste per head Percentage of household waste recycled and composted Percentage of collections completed on schedule (of total collections) Improved street and environmental cleanliness (levels of litter, detritus, graffiti and fly posting) Percentage of assisted collections completed on schedule (of total collections) Percentage of service complaints received (of total collections) 	<p>590kg 34.4%</p>	<p>465kg 46%</p> <p>99%</p> <p>6%</p> <p>99.5%</p> <p>0.5%</p>	<p>Managing Director, Ubico</p>

Enhancing and protecting our environment

Cheltenham is able to balance new development with enhancing and protecting the natural and built environment

Who is accountable for this outcome

Cabinet lead: Cabinet Member Sustainability / Cabinet Member Built Environment
 Commissioner lead: Grahame Lewis
 Provider lead: Mike Redman

What are the risks to the delivery of this outcome and where are they captured?

CR33 - If the council does not keep the momentum going with regards to the JCS The policy vacuum left by the abolition of the RSS and the resultant delay in projections and framework could result in inappropriate development.

How the council commissions this outcome to secure longer-term delivery of this outcome, deliver improved value for money and to address risks

Following a commissioning review, the council agreed in 2011 to continue providing built environment services through its in-house provider. These services are as follows: Building Control (shared with Tewkesbury), Strategic Land Use, Development Management, Urban Design and Heritage and Conservation. The in-house service will be tested against the market in 2014.

What are our planned improvement actions in 2013-14 to deliver this outcome and to address risks?

Commissioning Reviews	Key milestones	Dates	Lead
We will undertake a commissioning review of our Green Environment services	<ul style="list-style-type: none"> Commence commissioning review process, formalise Member engagement and carry out initial scoping. Begin consultation with relevant stakeholders. Formulate draft proposals about most appropriate organisational fit for retained activities and report to Cabinet. Implement preferred option 	June 2013 July 2013 Oct 2013 March 2014	Grahame Lewis.
We will undertake a Commissioning Review of our Building Control Service (currently a 10 year shared-service agreement with Tewkesbury BC which commenced November 1st 2009, though there is a 5 year review which will be carried out in 2014).	<ul style="list-style-type: none"> Commence commissioning review process, formalise Member engagement and carry out initial scoping. Commence consultation with internal and external customers and assess the internal and external appetite for developing alternative delivery models. Formulate proposals and finalise report to cabinet. Implementation of recommendations. 	April 2013 July / August 2013 November 2013 April to November 2014	Grahame Lewis.

Strategic Projects		Key milestones		Dates	Lead
Joint Core Strategy (JCS) and Cheltenham Local Plan	<ul style="list-style-type: none"> Agree and publish JCS preferred option for new housing and employment land allocations to 2031 for consultation Preferred option consultation Secretary of State decision Adopt JCS as the strategic level of the Cheltenham Local Plan 	<ul style="list-style-type: none"> June 2013 July/Aug 2013 July 2014 August 2014 	Mike Redman, Director Built Environment		
Cheltenham Plan	<ul style="list-style-type: none"> Consultation on scope of Cheltenham Plan Public consultation on draft Cheltenham Plan (non-statutory) Public consultation on proposed submission plan - Examination and adoption 	<ul style="list-style-type: none"> Summer 2013 Spring 2014 Autumn/Winter 2014 Summer 2015 	Tracey Crews, Head of Planning		
How will we know what difference we have made in 2013-14					
Type of Indicator	Measured by this indicator	Baseline (March 2011)	March 2014 Target	Lead	
Service indicators – measuring activity that we are directly responsible for and that we will be accountable for	Number of applications: Received / Determined / Approved / Refused / Appealed	1590 / 1346 / 1295 / 57 / 29	1800 / 1600 / 1500 / 60 / 30	Mike Redman, Director Built Environment	
	Average number of days to process an application from receipt to issuing of decision	65 days	60 days	Mike Redman, Director Built Environment	
	Number / percentage of planning appeals allowed	42%	35%	Mike Redman, Director Built Environment	
	Number of projects implemented as a result of working with local interest groups on street redesign projects	1	2	Wliff Tomaney, Urban Design Manager	

Enhancing and protecting our environment

Carbon emissions are reduced and Cheltenham is able to adapt to the impacts of climate change.

Who is accountable for this outcome

Cabinet Member Sustainability
 Commissioner lead: Jane Griffiths
 Provider lead Dave Roberts, Head of Property Services

What are the risks to the delivery of this outcome and where are they captured?

- If the council does not implement the actions identified in the climate change adaptation risk assessments there is a risk that resources will not be used to best effect, which could impact on financial, environmental and service decisions and affect service delivery. (Corporate risk CR29)
- If carbon emissions are not reduced then the council could face higher energy and fuel bills, fail to deliver one of its corporate objectives and experience a negative impact on its reputation locally. (Identified in cabinet report dated 13/11/12)
- No funding set aside specifically for carbon reduction or climate change adaptation projects

How the council commissions this outcome to secure longer-term delivery of this outcome, deliver improved value for money and to address risks

The council will continue to set the strategic framework for this outcome.

What are our planned improvement actions in 2013-14 to deliver this outcome and to address risks?

Strategic Project	Key milestones	Dates	Lead
We will implement the recommendations of the November 2012 cabinet report, setting out how we will meet the 30% carbon reduction target by 2015 and our aspiration to reduce carbon emissions by 40% by 2020	<ul style="list-style-type: none"> • Explore the potential for Smart metering to help in bridging the gap • Continue to explore other initiatives to deliver financial and carbon savings • Start to look in more detail at the case for installing a biomass boiler at Leisure@ as a potential replacement for the combined heat and power unit on expiry of the lease in 2015 	30.11.13 Ongoing 31.03.14	Dave Roberts, Head of Property Services
We will develop ways of monitoring the impact of commissioned and retained services on climate change	Mechanism in place for effectively performance managing services	30.06.13	Jane Griffiths, Director Commissioning
How will we know what difference we have made in 2013-14			
Type of Indicator	Measured by this indicator	Baseline (March 2011)	March 2014 Target
Service indicators – measuring activity that we are directly responsible for and that we will be accountable for	Reduction in CO2 emissions from energy use, fuel use Gas and electricity consumption Water use – we will begin to monitor this in 2013/14 on a quarterly basis	5,114 tonnes CO ₂ e (2005/06) 11,762,474 (March 2012)	30% reduction (1,534 tonnes) by 2015
			Gill Morris, Climate Change and Sustainability Officer

Strengthening our economy

Cheltenham has a strong and sustainable economy

Who is accountable for this outcome

Cabinet lead: Leader of the Council
 Commissioner lead: Grahame Lewis
 Provider lead: Mike Redman / Jeremy Williamson

What are the risks to the delivery of this outcome and where are they captured?

There is a risk that cuts to our funding reduce our ability to promote and sustain Cheltenham's economic growth; not being committed to an economic growth agenda could lead to a loss of investment in the town, with a resultant impact on the people's jobs and lives, and the desirability of the town as business/tourism destination. In addition, with the introduction of business rates retention, the council finances are now more directly linked to economic growth in the town.

CR45 - If sites identified within former Civic pride programme do not generate sufficient net receipts then the wider aspirations e.g. public realm will not be deliverable

How the council commissions this outcome to secure longer-term delivery of this outcome, deliver improved value for money and to address risks

The council will continue to directly provide an economic development function but has already commissioned Cheltenham Development Task Force to take the lead in bringing forward plans for the revitalisation of our town centre. The council will also work in partnership with businesses and their representative bodies who make-up Cheltenham Business Partnership, Cheltenham Chamber of Commerce and the Gloucestershire Local Enterprise Partnership to deliver this outcome.

What are our planned improvement actions in 2013-14 to deliver this outcome and to address risks?

Commissioning Review	Key milestones	Dates	Lead
We will implement the preferred option for the residual parking service	<ul style="list-style-type: none"> Organisational structure and mechanism agreed by Cabinet January 2013. Ensure implementation and seamless transition to new enforcement arrangements of CBC car parks. On-going monitoring and review. 	Jan 2013 March 2013 Dec 2013	Grahame Lewis
Strategic projects	Key milestones	Dates	Lead
We will work with GFirst, our local enterprise partnership, to promote sustainable economic growth in Cheltenham.	<ul style="list-style-type: none"> Commence business support service provided by Gloucestershire Enterprises Ltd. Work with LEP, Chamber of Commerce and Cheltenham Business Partnership to ensure we maximise economic benefits for Cheltenham 		Martin Quantock Business Partnership Manager
We will continue to support Cheltenham Development Task Force	<ul style="list-style-type: none"> Carry out a review CDTF business plan and assess performance and report findings to the CDTF Board and then to Cabinet. Consider planning application for North Place/Portland Street Work with developers to enable them to start construction work on the Brewery / High Street site Work with developers to enable them to bring forward planning applications for the Albion Street block Work with GCC over implementation Local Sustainable Transport Fund including: <ul style="list-style-type: none"> Pedestrian way-finding 	August 2013 April 2013 March 2014 October 2013	Jeremy Williamson

	<ul style="list-style-type: none"> • Cycle routes • Junction improvements • Modal shift • Boots Corner • Work with a range of partners to enable a programme of public realm improvements to be carried out including <ul style="list-style-type: none"> • Promenade phase 3 • Pedestrianised Promenade • St Mary's churchyard 	<p>April 2013 March 2014 March 2014</p>		
How will we know what difference we have made in 2013-14				
Type of Indicator	Measured by this indicator	Baseline (March 2011)	March 2014 Target	Lead
Community-based indicators measuring activity that a range of partners will contribute to and that we are not directly accountable for.	Unemployment levels - claimant rate % of young people not in education, employment or training	3.3% (January 2012) 5.7% (January 2012)		Richard Gibson, Strategy and Engagement Manager
	Occupancy rate in town centre			Martin Quantock Business Partnership Manager

Strengthening our communities.	
Communities feel safe and are safe.	
Who is accountable for this outcome	
Cabinet lead:	Cabinet Member Housing, Safety and Community Development
Commissioner lead:	Grahame Lewis
Provider lead	Sonia Phillips
What are the risks to the delivery of this outcome and where are they captured?	
If we do not align our resources behind supporting local policing activities and community safety activities set out in the Police and Crime Commissioners' Police and Crime Plan, then we may not maximise our impact on reducing crime and making our communities feel safe.	
How the council commissions this outcome to secure longer-term delivery of this outcome, deliver improved value for money and to address risks	
The council will continue to directly provide a range of services that support this outcome including the work of the Public Protection Team who lead on licensing, environmental health, promoting community safety and tackling anti-social behaviour. The council is also committed to working in partnership with the Gloucestershire Police and Crime Commissioner who will be in post from November 15 th and a wide range of other agencies to support delivery of this outcome.	
What are our planned improvement actions in 2013-14 to deliver this outcome and to address risks?	
Commissioning Review	Key milestones
We will continue to work in partnership to reduce incidents of anti-social behaviour and the harm it can cause to communities.	We will develop our framework for dealing with anti-social behaviour to reflect in proposed national changes to tools and powers.
We will explore how best the council can work in partnership to tackle high profile crime in Cheltenham	We will work with the new Police & Crime Commissioner to ensure that we gain their support for enhancing partnership working in Cheltenham to tackle crime.
We will protect the health and well-being of citizens, businesses and visitors and maintain a high level of consumer confidence in food businesses.	We will deliver a programme of statutory inspections of licensed premises We will undertake an inspection programme of high risk food businesses to ensure food safety compliance
We will undertake a commissioning review of our Public Protection Service (licensing, environmental health, community safety)	Agree scope of review Determine needs & outcomes. Engage with Members. Agreement by cabinet to the next steps for the commissioning exercise.
	Dates
	31.3.14
	31.3.14
	31.3.14
	Lead
	Trevor Gladding
	Barbara Exley\Yvonne Hope/Jane Griffiths
	Barbara Exley\Yvonne Hope

How will we know what difference we have made in 2013-14

Type of indicator	Measured by this indicator	Baseline (2010-11)	March 2014 Target	Lead
<p>Community-based indicators measuring activity that a range of partners will contribute to and that we are not directly accountable for.</p>	<p>% of licensed premise inspections undertaken</p> <p>% of food premises, which are broadly compliant with Food Safety Legislation</p> <p>% of food businesses included in the Food Hygiene Rating Scheme</p> <p>Number of sampling visits undertaken</p> <p>% of work related mandatory incidents and accidents investigated in accordance with the HSE's incident selection criteria</p> <p>Total volume of recorded crime per annum</p> <p>Number of anti-social behaviour incidents</p> <p>Serious acquisitive crime incidents</p> <p>Domestic burglary incidents</p> <p>Incidents of recorded violence in the Town Centre (Friday & Sat eve.)</p> <p>Incidents and repeat incidents of domestic abuse</p>	<p>10,187</p> <p>7024</p> <p>2406</p> <p>1251</p> <p>295</p> <p>207 incidents and 79 repeat incidents (38.16%).</p>		<p>Richard Gibson, Strategy and Engagement Manager</p>

Strengthening our communities.			
People have access to decent and affordable housing.			
Who is accountable for this outcome			
Cabinet lead:	Cabinet Member Housing, Safety and Community Development		
Commissioner lead:	Jane Griffiths		
Provider lead	Martin Stacy/Mike Redman /Cheltenham Borough Homes		
What are the risks to the delivery of this outcome and where are they captured?			
Welfare reform will impact on families and individuals' ability to sustain their own home and this risk is being managed through CBH, Housing Options team, CCP (our housing advice provider) and the housing benefits team. The lack of affordable housing within the borough and the limit on available sites will also impact on people's ability to access decent and affordable housing. This risk is well known and is something which is currently being considered through the development of the joint core strategy and the Cheltenham Plan. As fuel prices continue to rise, and with the continuing economic conditions more and more families are falling into fuel poverty which impacts on the elderly and vulnerable. The supporting people funding is reducing and new contracts are being let which may impact on the way in which services are delivered.			
How the council commissions this outcome to secure longer-term delivery of this outcome, deliver improved value for money and to address risks			
The council has an arms-length relationship with Cheltenham Borough Homes that manages council properties on its behalf and the council through its HRA business plan is able to invest in service improvements which benefit council tenants and address some of the known risks. The duty to provide housing advice is delivered through contracts with County Community Projects and CHAC. The council is a partner in the supporting people partnership which looks on a county wide basis on how it can deliver housing related to support to a range of vulnerable and elderly residents.			
What are our planned improvement actions in 2013-14 to deliver this outcome and to address risks?			
Commissioning reviews	Key milestones	Dates	Lead
We will implement the preferred option emerging from the housing options commissioning review	Report to cabinet on the preferred option and implementation plan	June 2013	Grahame Lewis
We will implement the preferred option following a commissioning review of private sector housing	Implement the preferred option Report to cabinet Implement the preferred option	March 2014 March 2014 Oct 2014	Grahame Lewis
Strategic Projects	Key milestones	Dates	Lead
We will prepare our services and communities for welfare reforms that will impact on our communities from April 2013 onwards	Develop a co-ordinated response to welfare reforms through existing and new networks ensuring clear communication to those impacted by the change Monitor how the HRA funding investment being put into CBH for welfare reform is meeting the outcomes To ensure a smooth transition to the new direct access for rough sleeping contract	March 2014 March 2014 April 2013	Martin Stacy, Housing and Communities Manager Martin Stacy, Housing and Communities Manager Martin Stacy, Housing and Communities Manager
We will enable the delivery of more affordable housing	Garage Sites (14 units) Work commences – garage sites St Pauls Phase 2 (59 units – 35 private sale + 24 CBH owned units) Work commences	April 2013 January 2014	Paul Stephenson (CBH) Paul Stephenson (CBH)

We will work with CBH to deliver the HRA capital programme	PV panels on roofs - £1.3m investment	September 2013	Chris Williams (CBH)
	Non traditional stock upgrade - £260k investment	March 2014	Chris Williams (CBH)
	Neighbourhood Works - £515k investment	March 2014	Chris Williams (CBH)
	Internal communal improvements - £100k investment	March 2014	Chris Williams (CBH)
We will work with CBH to deliver enhanced Services to our tenants	Delivery of enhanced services to tenants over the next three years with focus on the following areas:- <ul style="list-style-type: none"> • Welfare Reform • Vulnerable people • Partnerships and Communities 	April 2013 onwards	Kathie Pearce (CBH)
We will work with CBH to ensure that resources are made available to deliver support services for older people	CBH to be commissioned through supporting people programme to deliver housing support services for older people	March 2014	Martin Stacy, Housing and Communities Manager

How will we know what difference we have made in 2013-14

Type of indicator	Measured by this indicator	Baseline (2011-12)	March 2014 Target	Lead
Service indicators – measuring activity that we are directly responsible for and that we will be accountable for.	The number of households living in Temporary Accommodation	13 as at Dec 2012	20	Martin Stacy, Housing & Communities Manager
	The number of homelessness acceptances	45 (estimate 2011/12)	45	Martin Stacy, Housing & Communities Manager
	Number of disabled persons able to stay in their own home	100	100	Mark Nelson, Enforcement Manager
	Number of empty dwellings bought back into use as a direct result of council action	85	85	Mark Nelson, Enforcement Manager
	Number of private sector dwellings made safe as direct result of council action	220	220	Mark Nelson, Enforcement Manager
Community-based indicators measuring activity that a range of partners will contribute to and that we are not directly accountable for.	Gross housing completions	2010-11: Gross completions - 150 Net completions - 136 Affordable completions - 23	126	Mike Redman, Director Built Environment
			25 bed spaces (YMCA)	

Strengthening our communities.		
People are able to lead healthy lifestyles.		
Who is accountable for this outcome		
Cabinet lead:	Cabinet Member Sport and Culture	
Commissioner lead:	Pat Pratley	
Provider lead	Sonia Phillips	
What are the risks to the delivery of this outcome and where are they captured?		
<p>Leisure and Culture Commissioning Review – Risks are included within the business case for the establishment of a new trust. The most significant risks are:</p> <ul style="list-style-type: none"> • If the review fails to engage fully or successfully with all stakeholders across the council, opportunities may be missed, e.g. for gaining community support • If the business plans for the new trust are too optimistic then it may not be possible to deliver them • If there is insufficient internal capacity or if other factors lengthen timescales then realisation of benefits may be delayed. <p>If the Council does not have a developed Sports Strategy & Feasibility Study for the POW :</p> <ul style="list-style-type: none"> • Cheltenham will be void of a strategic plan & vision for its sports provision & the future commercial & sporting potential for facilities will not be maximised. • The facilities will be unable to attract external funding sources which will result in the need for increased property maintenance budgets \ capital investment by the Council. • Future capital investment will be without adequate planning & may result in a decline in condition of facilities 		
How the council commissions this outcome to secure longer-term delivery of this outcome, deliver improved value for money and to address risks		
<p>In December 2012, the council agreed the establishment of a new charitable trust (subject to the outcome of a procurement process) as its preferred option for the delivery of its leisure and culture services which include the Art Gallery and Museum, Town Hall and Pittville Pump Room.</p>		
What are our planned improvement actions in 2013-14 to deliver this outcome and to address risks?		
Commissioning reviews	Key milestones	Dates
We will implement the preferred option for our leisure and culture services	Subject to the outcome of a procurement process, create a new charitable trust to operate our leisure and culture services from 2014-15.	End March 2014
We will conclude a sports facilities strategy for CBC-owned sports facilities and a feasibility study for the Prince of Wales stadium	We will have a developed Sports Strategy & POW feasibility Study for approval by Cabinet	July 2013
		Pat Pratley, Executive Director
		Sonia Phillips

How will we know what difference we have made in 2013-14			
Type of indicator	Measured by this indicator	Baseline (2011-12)	March 2014 Target
Service indicators – measuring activity that we are directly responsible for and that we will be accountable for.	Attendances during the annual Summer of Sport initiative	10,000 attendances in 2011	10,200
	Overall football at leisure@	294500	307000
	Attendance free under 16 swim	49700	53000
	Attendance at Active Life (50+) sessions	35000	59000
	Number of GP referrals	250	420
	Universal card holders	750	950
	Universal Membership	50	100
			Lead
			Craig Mortiboys, Healthy Communities Partnership Manager
			Stephen Petherick, Commercial Manager

Strengthening our communities.		
Our residents enjoy a strong sense of community and involved in resolving local issues.		
Who is accountable for this outcome		
Cabinet lead:	Cabinet Member Housing, Safety and Community Development	
Commissioner lead:	Pat Pratley	
Provider lead	Jane Griffiths	
What are the risks to the delivery of this outcome and where are they captured?		
Families First (these risks are included within the Inspiring Families business case).		
<ul style="list-style-type: none"> The up scaling of the project based on national directives will present capacity uncertainties Any additional funding cuts to participating organisations may restrict their ability to respond to requests for support either in providing trusted individuals or additional services for the family plan The IF project has been based on equality and joint ownership working arrangements. Should any single agency be seen to dominate the established collective working approach may be compromised The funding available within the set time scales may be insufficient to enact effect and sustain change for some families 		
Uncertainty around capacity required to support parish councils or community organisations if they decide that they want to undertake neighbourhood plans.		
How the council commissions this outcome to secure longer-term delivery of this outcome, deliver improved value for money and to address risks		
<ul style="list-style-type: none"> We will use the opportunities presented in the Localism Act to empower local people and to ensure that we use community engagement to support commissioning exercises. We will engage in neighbourhood management in order to address issues of local concern and to strengthen communities. 		
What are our planned improvement actions in 2013-14 to deliver this outcome and to address risks?		
Strategic projects	Key milestones	Dates
We will use asset-based community development and opportunities set out in the Localism Act to inspire more people to get actively involved in their communities	<ul style="list-style-type: none"> Implement the lottery-funded Big Local project in the St. Peters and the Moors area Support delivery of asset-based projects in The Elms and Springbank Ensure parish councils and neighbourhood groups are involved at the earliest stage in the development of the Cheltenham Plan. Provide communities wishing to undertake neighbourhood plans with advice, information and support. 	March 2014
	Richard Gibson, Strategy and Engagement Manager Helen Down, Participation Team Leader / Claire Cullen – Jones, Strategic Land Use Officer	
We will work in partnership to deliver the second year of the government's troubled families programme, called Families First.	Inspiring Families project to gain consent of 150 Families to be part of the programme.	March 2014
	Inspiring Families to have started working with 100 Families on their single family plan	March 2014
	Review of delivery in Cheltenham and submission of revised proposals to secure third year funding	December 2013
		Tracy Brown, Partnerships Team Leader

Potential review of CBC governance structures and neighbourhood management / community governance structures following outcome of Council Motion on 8 February.			
How will we know what difference we have made in 2013-14			
Type of indicator	Measured by this indicator	Baseline (year)	March 2014 Target
Community-based indicators measuring activity that a range of partners will contribute to and that we are not directly accountable for.	Number of VCS organisations supported by GAVCA	18 (Sept 2011)	25
	Percentage of identified 'troubled families' who no longer meet the criteria	0	30%
	Number of residents directly engaged with three asset-based community projects: Springbank The Elms Big Local	end of 2012-13 ? ? 0	100 100 100

Enhancing the provision of arts and culture.

Arts and culture are used as a means to strengthen communities, strengthen the economy and enhance and protect our environment.

Who is accountable for this outcome

Cabinet Member Sport and Culture

Commissioner lead:

Pat Pratley

Provider lead

Sonia Phillips

What are the risks to the delivery of this outcome and where are they captured?

Leisure and Culture Commissioning Review – Risks are included within the business case for the establishment of a new trust. The most significant risks are:

- If the review fails to engage fully or successfully with all stakeholders across the council, opportunities may be missed, e.g. for gaining community support
- If the business plans for the new trust are too optimistic then it may not be possible to deliver them
- If there is insufficient internal capacity or if other factors lengthen timescales then realisation of benefits may be delayed.

How the council commissions this outcome to secure longer-term delivery of this outcome, deliver improved value for money and to address risks

In December 2012, the council agreed the establishment of a new charitable trust (subject to the outcome of a procurement process) as its preferred option for the delivery of its leisure and culture services which include the Art Gallery and Museum, Town Hall and Pittville Pump Room.

What are our planned improvement actions in 2013-14 to deliver this outcome and to address risks?

Commissioning Reviews		Key milestones	Dates	Lead
We will implement the preferred option for our leisure and culture services		Subject to the outcome of a procurement process, create a new charitable trust to operate our leisure and culture services from 2014-15.	End March 2014	Pat Pratley, Executive Director
Strategic Projects		Key milestones	Dates	Lead
We will re-open the Art Gallery and Museum		We will complete the recanting & reoccupation programmes in readiness for a 'soft-opening'	31.7.13	Jane Lillystone, Museum, Arts and Tourism Manager
		We will host the Open West Exhibition	31.8.13 – 22.09.13	
		We will hold an official opening ceremony	04.10.13 - 31.12.13	
		We will host the Colin Reed Exhibition	04.10.13 - 05.01.14	
We will conclude the Town Hall feasibility study		We will have a developed feasibility study for the Town Hall for approval by Cabinet	July 2013	Gary Nejrup. Entertainment & Business Manager
We will conclude the box office procurement exercise & implement the new system		We will award the box office contract	01.04.013	Gary Nejrup, Entertainment & Business Manager
		We will work with the new service provider to implement the new box office	01.08.13	

How will we know what difference we have made in 2013-14				
Type of indicator	Measured by this indicator	Baseline (2011/12)	March 2014 Target	Lead
Service indicators – measuring activity that we are directly responsible for and that we will be accountable for.	AGM – Footfall figures (partial year)	39,067 (visitor figures to the AG&M for the last full opening – equivalent period)	57,500	Jane Lillystone, Museum, Arts and Tourism Manager
AGM = Art Gallery and Museum	TH/PPR – ticket sales	£74,800		
	TH/PPR – hire income generated	£359,000		
	TH/PPR – Catering Commission	£109,400		
	TH/PPR – Total income	£543,200		
TH/PPR = Town Hall and Pittville Pump Room	TH/PPR – Web Site Visits	120,000		Gary Nejrup, Entertainment & business manager

Delivering value for money services			
We will meet our 'Bridging the Gap' targets for cashable savings and increased income			
Who is accountable for this outcome			
Cabinet lead:	Cabinet Member Corporate Services, Cabinet Member Finance and Community Development, Cabinet member Built Environment		
Commissioner lead:	Pat Pratley		
Provider lead	Mark Sheldon		
What are the risks to the delivery of this outcome and where are they captured?			
CR3 - If the council is unable to come up with long term solutions which bridge the gap in the medium term financial strategy then it will find it increasingly difficult to prepare budgets year on year without making unplanned cuts in service provision			
How the council commissions this outcome to secure longer-term delivery of this outcome, deliver improved value for money and to address risks			
The council has commissioned Go Shared Services to deliver its financial, human resources, payroll and procurement services. It has also agreed to enter into a shared services arrangement with Forest of Dean District Council for the delivery of its ICT services			
What are our planned improvement actions in 2013-14 to deliver this outcome and to address risks?			
Commissioning Reviews	Key milestones	Dates	Lead
We will implement the shared ICT service with the Forest of Dean District Council	<ul style="list-style-type: none"> • TUPE CBC staff to FOD on 1/4/13 • Implement year 1 of the ICT infrastructure upgrade strategy for CBC and align technologies with FOD (18mth implementation programme) • Implement reciprocal business continuity arrangements for ICT disaster recovery with FOD • Implement a restructuring within the revenue and benefits teams to deliver BtG savings target of £88,000 for 2013/14. • Implement the new county wide council tax discount scheme for 2013/14 and design a local council tax discount scheme for 2014/15 for consultation in the summer of 2013 and approval by council in December 2013. • Support the transition to the 'universal credit' benefits system for new claimants in October 2013 to be administered by DWP and to determine the impact on the residual benefit service. 	01/04/13 31/03/14 31/5/13 30/06/13 31/12/2013 31/03/14	Mark Sheldon Mark Sheldon
Strategic Projects	Key milestones	Dates	Lead
We will implement the 'Bridging the Gap' programme and budget strategy for meeting the MTFs funding gap	<ul style="list-style-type: none"> • Develop the budget strategy for 2014/15 for approval by Cabinet • Identify BtG programme savings / income to meet funding gap target for 2014/15 and develop further the budget strategy for closing the MTFs funding gap. • Support the management of the Gloucestershire business rates pool for 2013/14, determine whether to pool in 2014/15 and evaluate the impact on the MTFs of business rates retention. • Work stream 1 – identify through management restructuring / efficiency measures savings to meet a target for 2013/14 of £150k resulting from the loss of on street parking enforcement and to evaluate the impact on the retained organisation. 	31/10/13 28/02/14 31/02/14	Mark Sheldon Grahame Lewis
We will deliver the Future Council programme for residual council services		01/04/13	Grahame Lewis

	<ul style="list-style-type: none"> Work stream 2 –report to council proposing the new senior management structure to deliver savings of £200k/yr 	31/12/13	Chief Executive
We will agree an Accommodation Strategy	<ul style="list-style-type: none"> Develop the business case, including funding strategy, for the relocation of the council's offices. Negotiate and agree partner commitment to an alternative office location. Complete the marketing exercise of the Municipal Offices for redevelopment Determine the business ICT requirement / strategy for new offices Determine space requirements to support the 'future council' and assess future business needs, including meeting and front of house requirements, in relocated offices. Agree a vision and roadmap for the rationalisation of information / data storage to support an office relocation based on reduced physical storage space Develop a car parking strategy to inform the Asset Management Plan Develop and approve an Asset Management Plan which captures the aspirations for the council's property portfolio. Develop and approve a funding strategy to support the AMP 	30/06/13 30/06/13 31/03/14 31/03/14 31/03/14 31/03/14	Grahame Lewis Jeremy Williamson David Roberts, Matt Thomas David Roberts Mark Sheldon
We will agree an Asset Management Plan	<ul style="list-style-type: none"> Develop a car parking strategy to inform the Asset Management Plan Develop and approve an Asset Management Plan which captures the aspirations for the council's property portfolio. Develop and approve a funding strategy to support the AMP 	30/06/13 30/09/13 28/02/14	Jeremy Williamson David Roberts Mark Sheldon
How will we know what difference we have made in 2013-14			
Type of indicator	Measured by this indicator	Baseline (year)	March 2014 Target
Service indicators – measuring activity that we are directly responsible for and that we will be accountable for	<ul style="list-style-type: none"> Deliver BtG programme savings / income targets for 2013/14 No. days lost due to sickness absence % staff appraisals completed <ul style="list-style-type: none"> number of stage 3 complaints number of complaints forwarded to the LGO. number of FoI internal reviews 	2013/14 2012/13 2012/13	<ul style="list-style-type: none"> £1.358m 7dys per FTE 100% Reduce
Delivery partner indicators - measuring activity that a delivery partner is responsible for yet we remain accountable for	<ul style="list-style-type: none"> GO - user satisfaction survey - % of users that are satisfied or highly satisfied with service GO – deliver savings target for shared service 	TBC 2013/14	<ul style="list-style-type: none"> Mark Sheldon Director of Resources Julie McCarthy – Operations Manger - GO Jan Bridges, HR Learning & Development Manager – GO Karen Watson, customer relations manager

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SCRUTINY TASK GROUP REPORT

SEX TRADE IN CHELTENHAM

JANUARY 2013

1. INTRODUCTION

- 1.1 The issue of the sex trade in Cheltenham, particularly the illegal trade of sexually exploited young or otherwise vulnerable people, was first raised in a motion at Council on 25th June 2012 by Councillor Barbara Driver. Referring to recent exposés in both the national and international press that seem to highlight Cheltenham as a 'hotspot' of activity, the motion called on the Council to take action to address these issues. After a good debate it was decided to request Overview and Scrutiny to investigate the matter further and report back to Council on their findings. Members were invited to join a scrutiny task group to look at this issue, the terms of reference for which are laid out in full at 2.2. The group was tasked with working with partners to determine if trafficking and sexual exploitation of the vulnerable is a problem on the scale suggested by these news reports, and if so recommend actions that the Council could take to assist in the prevention of these crimes, the protection of their victims and the prosecution of their perpetrators.
- 1.2 This report sets out the findings and recommendations arising from the scrutiny review by the scrutiny task group.

2. MEMBERSHIP AND TERMS OF REFERENCE

2.1 Membership of the task group:

- Councillor Barbara Driver (Chair)
- Councillor Andrew Chard
- Councillor Paul Massey
- Councillor Anne Regan
- Councillor Diggory Seacome

2.2 Terms of Reference agreed by the Overview and Scrutiny Committee

- Gain an understanding of the work currently being done by partnerships and the police to address this issue and to establish the extent of the issue in Cheltenham
- Examine how CBC contributes to this work and review whether this is the most effective way that CBC can assist in tackling the issue.
- Examine whether there is anything that needs to be done within Licensing regime to combat this issue
- Examine whether there is anything that needs to be done in respect of the night time economy to combat the sex trade
- Establish a council strategy to identify current working and responsibilities and to guide the council in it's future role in working with partners to address this issue

3. METHOD OF APPROACH

3.1 The task group met on 4 occasions to gather evidence on current practices and the potential need for further action on trafficking for sexual exploitation from the following:

- Detective Chief Inspector Richard Cooper – Deputy Head of Public Protection Bureau
- Detective Inspector Sue Bradshaw : Public Protection Bureau
- Ian Godfrey – Children in Care Service Manager (U16) : Gloucestershire County Council
- Lynne Speak – Operations Manager for Youth Support Services (16+) : Gloucestershire County Council
- Amanda Wilsdon : Gloucestershire Domestic Violence Support and Advocacy Project (GDVSAP)
- Chris Brierley - reporter : BBC Radio Gloucestershire

3.2 We were supported in the review by the following officers:

- Andrew North – Chief Executive : Sponsor for the task group
- Rosalind Reeves – Democratic Services Manager : Facilitator for the task group
- Sidgorée Nelson – Gloucester County Council : Additional support to the task group

3.3 The task group reviewed a variety of evidence including:

- Gloucestershire Constabulary's approach to policing trafficking and sexual exploitation in Gloucestershire and their professional opinion on the scale of these problems in Cheltenham and Gloucestershire as a whole.
- The Public Protection Bureau's multi-agency approach to dealing with prostitution, child protection and trafficking and any special measures they put in place during the Cheltenham Festival race week regarding the licensed and unlicensed sex trade.
- Information on the County Council's Children in Care Service for those under 16 including professional opinion on the scale of trafficking and child sexual exploitation issues in Cheltenham and Gloucestershire.
- Information on the County Council's targeted Youth Support Service for those over 16 and the professional view on the scale of the trafficking and child sexual exploitation problems in Cheltenham and Gloucestershire as a whole.
- A presentation on People Trafficking and Child Sexual Exploitation and supporting question and answer session delivered by GDVSAP that provided information on the national context of trafficking and child sexual exploitation as well as local activities around this issue.
- Excerpts from reports on the sex trade and trafficking for sexual exploitation broadcast on BBC Radio Gloucestershire in 2009. They included interviews with a working girl in Gloucestershire, a punter, and importantly, a victim of trafficking.
- The Dispatches programme '*The Hunt for Britain's Sex Traffickers*' originally broadcast in 2010 that first raised the issue of trafficking for sexual exploitation within Cheltenham.

4.4 Members would like to thank all those, including partner agencies that contributed towards the success of the task group by providing evidence on their activities and suggesting constructive ways to continue addressing issues of trafficking and sexual exploitation in Cheltenham. Members would also like to thank the officers who attended meetings and contributed to the review.

4. OUR FINDINGS

4.1 **What do we mean by trafficking and sexual exploitation?**

4.1.1 This is defined “as the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation.” – Protocol to Prevent, Suppress and Punish Trafficking in Persons, United Nations

4.1.2 Sexual exploitation is just one type of trafficking, however the Home Affairs Select Committee believes that 98% of those trafficked into the United Kingdom are trafficked for sexual purposes.

4.2 What did Gloucestershire Police and Public Protection Bureau tell us?

4.2.1 Cheltenham does not have a dedicated team in the form of a vice squad. Strategically, the multi-agency Public Protection Bureau takes the lead on prostitution, child protection and trafficking, but that day-to-day policing of prostitution is conducted by local officers with local knowledge operating locally.

4.2.2 There is no red light district in Cheltenham and most prostitution in the town was said to happen in residential buildings within 1 mile of the town centre. The police response depends on the level of harm each incident is judged to cause, with evidence of drugs, anti-social behaviour, coercion and violence classed as high in harm. Responses are commonly tactics of disruption that vary in strength and pro-activeness depending on the level of harm. Within the last 2 years there had been 11 search warrants executed in relation to suspected brothels.

4.2.3 The starting point for the police is to treat prostitutes as potential victims of exploitation. Only rarely are trafficked or exploited women discovered in Cheltenham, and national and regional comparisons with similar towns appear to show that there is no significant problem to be concerned by. This does not correspond to the media perception of the town, but the police suggested this to be a consequence of the intelligence of prostitution in Cheltenham being good and leading to some highly visible operations.

4.2.4 The police informed the task group that while there is undoubtedly participation by vulnerable young people in the unlicensed sex trade, that this is not a highly visible issue and that evidence suggests it is not a high level of participation.

4.2.5 The police estimated that less than a low percentage of women participating in the trade in Cheltenham are doing so unwillingly due to violent coercion, but that a higher percentage would at one time have been coerced into the trade before reaching Cheltenham.

4.2.6 The police told us that they had seen no evidence of a link between the licensed and unlicensed sex trade.

4.2.7 The Gloucestershire Public Protection Bureau reinforced the message of good intelligence leading to proactive, highly visible policing. They felt that good support for women wanting to move away from the sex trade was also important as typically this could take up to 7 years.

4.2.8 The task group were keen to find out if seasonal events such as ‘race week’ leads to vulnerable young people being targeted for sex. They were informed that the evidence suggests that generally only willing prostitutes move into the area to meet increased demand and that this is not an organised activity. The police would rely on intelligence from other forces to alert them to any organised gangs moving into the town for the event.

4.2.9 The response to ‘race week’ was described as being a mixture of raising awareness, coupled with increased officer presence on the racecourse and checks on licensed premises. .

4.3 Overall what we have learned through the evidence gathering process

4.3.1 The main thrust of evidence heard suggests that to the best of our knowledge, Cheltenham faces no more prevalent a problem of trafficking and sexual exploitation of the vulnerable than any other similar town. This evidence was welcomed by the task group, however it should be noted that all partners working to combat these crimes recognise that our collective knowledge of the scale and extent of these issues in Cheltenham, and indeed the County, is imperfect. An intelligence-led area of policing and of social care intervention, this is due to a variety of factors including victims being reluctant or unable to come forward, and as such there is very much a shared feeling that

the stone remains unturned when it comes to identifying the true extent of these issues.

- 4.3.2** We understand that there is still more to learn as we turn the stone over. But what is already clearly understood by the task group and partners is the sheer horror of these crimes, the devastating effects they can have on victims, and the absolute need to continue to recognise them as organisational priorities and act accordingly. Child sexual exploitation is a particularly heinous example, and one that the task group recognises is receiving the attention it deserves.

4.4 Who does what?

For a full run-down of all the agencies involved in the fight against trafficking and sexual exploitation, and what they are responsible for, please see appendix 2. What we would like to highlight here, is how impressed we have been by the level of work and commitment between partners across the County to address these problems. This is typified by the 2009 creation of the multi-agency Public Protection Bureau in 2009 to lead strategically on issues of prostitution, child protection and trafficking, and demonstrated by new protocols and procedures being put in place to make sure that the early signs of child sexual exploitation are detected.

4.5 Issues with current practices

Helping victims and prosecuting criminals

- 4.5.1** Crimes of trafficking and sexual exploitation are difficult to prosecute. The message from the Police and the Public Protection Bureau is that victims are often understandably too traumatised, distrustful of authority, or scared of their abusers to help build a solid case to present to the Crown Prosecution Service before their limited time in protective custody ends.
- 4.5.2** This message was supported by evidence from GDVSAP, who expressed frustration at the small window of time in which they have to offer emotional support to victims of trafficking or sexual exploitation. The group learned about the National Referral Mechanism and that good practice dictates that adult victims of trafficking need to be moved out of Cheltenham almost immediately after they request help, to keep them safe from their traffickers. They felt it would be good if there was somewhere for the victims of trafficking to stay for a couple of days in Cheltenham.
- 4.5.3** That being the case, all three organisations brought up the idea of some kind of emergency accommodation resource, recognised safe, that would allow the police time to gather the evidence they need for prosecution in a non-threatening environment, and allow the voluntary sector to support victims more effectively. This was an idea the task group was happy to explore further.
- 4.5.4** Officers approached Cheltenham Borough Homes on our behalf. They were supportive of the proposal but felt that there needed to be a clearer assessment of the need before this could be considered in any detail. They suggested that the option of using existing refuges in Gloucestershire should be explored.

Raising awareness of the warning signs of exploitation

- 4.5.5** The importance of raising awareness of sexual exploitation was mentioned by each organisation and individual that gave evidence to the task group. Sexual exploitation along with other sexual offences have a history of being under-reported, and as we heard, this is often because victims cannot or will not report abuse themselves.
- 4.5.6** Whatever the reason: be it lack of English; fear of the Police; fear of their exploiter; fear of the consequences for their family; or even emotional attachment to their exploiter, this makes it all the more important that professionals that might come into contact with victims, and ordinary members of the public be aware of what sexual exploitation is and what the signs of it may be. It is important to note that children and young people often do not even realise that they are being abused.
- 4.5.7** The importance of this kind of awareness-raising is particularly striking when it comes to child sexual exploitation. The task group was pleased to hear about the overwhelmingly positive youth response to educational efforts such as the play 'Chelsea's Choice', designed to raise awareness

of child sexual exploitation amongst young people in years 8 & 9 in Gloucestershire's schools. However, it also heard evidence from both the County Council's Children in Care Services and Youth Support Services about the vulnerability of the young to exploitation.

- 4.5.8** It was stressed that children in care and those otherwise in contact with social services are not safe from exploitation, and that sometimes social workers become concerned by the adults in the lives of young people once they have established relationships with them. Similarly, in talking about the Youth Support Service on offer to children and young people in the County, it was recognised that as a service targeted at the most vulnerable, it often comes into contact with vulnerable children at potential risk of abuse.
- 4.5.9** The social workers and youth workers of these services are then in a good position to spot the signs of exploitation and take action; but only if they are equipped with the tools to do so. Responding to this need, the task group was pleased to hear that all social workers and youth workers are being trained to spot exploitation through use of a new multi-agency screening tool as part of the GSCB's new responsibility to provide training on safeguarding and welfare.
- 4.5.10** It agrees with these professionals that more needs to be done to raise awareness of sexual exploitation and its warning signs amongst those who work with children and young people in non-social care and youth work settings, and ordinary members of the public. The task group is happy to assist with this as it can.

4.6 The extent of the problem

- 4.6.1** This review was kick-started by reports in the press that painted a picture of Cheltenham as a 'hotspot' for trafficking and sexual exploitation. The task group is pleased to note that what evidence we have available seems not to support this suggestion.
- 4.6.2** In their session before the group, both the Police and Public Protection Bureau challenged this view, stating that rarely are trafficked or exploited people discovered in Cheltenham. They estimate that a low percentage of participants in the sex trade in Cheltenham are unwillingly, and in comparing Cheltenham with similar national and regional towns, it was suggested that the media perception of Cheltenham was perhaps a consequence of the Constabulary having launched several highly visible operations in the last few years.
- 4.6.3** We support the Police's decision to be open and public when taking actions such as Operation Pentameter, Pentameter 2 and ad hoc raids to address exploitation, as they demonstrate to the public and potential criminals that where exploitation is suspected it will be acted upon. However we recognise that such public action can increase the public perception of the town as a 'hotspot' of exploitation and it is important to balance raising awareness with unnecessarily damaging the reputation of the town.

4.7 Gaps in our knowledge and the drive to improve

- 4.7.1** Despite this evidence, over the course of this review, the difficulty in establishing a truly robust understanding of the extent of trafficking and sexual exploitation in Cheltenham has been made clear. However, given what we do know locally; international research which seems to suggest that trafficking is the second largest illegal trade in the world and the fastest growing international crime; and the apparent national increase in child exploitation, it is important those organisations (including CBC) with a statutory duty of care towards the vulnerable remain vigilant and continue to enhance our toolkits and be aware of good practice on these issues.
- 4.7.2** We know that as there will always be users of exploitative sexual services willing to overlook the damage their desires are doing to victims; there will always be perpetrators of trafficking and sexual exploitation willing to prey on the vulnerable in order to satisfy that demand. Considering the vast sums of money that can be earned from a single victim, estimated at between £26-52,000 per annum by the Home Affairs Select Committee, this is unsurprising.
- 4.7.3** As we know the market exists and is not going away, and as we know that there is crime going on that we do not know about, the task group believes that the only way to prevent, protect and prosecute is by increasing our efforts at actively searching out these crimes. Several pieces of work are now ongoing to increase our intelligence, for example the scoping analysis of child

sexual exploitation in Gloucestershire currently being undertaken by the Police on behalf of the Gloucestershire Safeguarding Children's Board (GSCB). More still needs to be done.

5. OUTCOMES REGARDING TERMS OF REFERENCE SET FOR THE REVIEW

- 5.1** When the O&S committee receives our report, we understand that part of their role is to review whether the task group has achieved the original objectives set by that committee. Therefore we feel it is important to set out what we have achieved regarding each of those objectives.
- 5.2** **Gain an understanding of the work currently being done by partnerships and the police to address this issue and to establish the extent of the issue in Cheltenham**
- 5.3** This was the initial focus of the review as the task group wished to establish at an early stage whether there was a real problem in Cheltenham with sexual exploitation or whether it was simply a matter of perception. Either way it was important for the task group to review the evidence and form an opinion. If there was a problem, then the task group could then go on to consider how it could be tackled and if it was purely a problem of perception then through documenting their findings the task group hoped to give reassurance to the public that Cheltenham was a safe place to live or visit. Broadly speaking the task group established that it was not a significant issue in the town but there was no room for complacency.
- 5.4** **Examine how CBC contributes to this work and review whether this is the most effective way that CBC can assist in tackling the issue.**
- 5.5** At the start of this review, officers from Public Protection were keen to stress to the task group, the limited powers that they had to act on this issue as it was very much police and county led.
- 5.6** The most effective way that CBC can contribute to tackling this issue is by working in partnership with other agencies. The task group noted the council worked in partnership on safeguarding issues and can play a key role in promotion and raising awareness. This will include working with voluntary agencies such as CCP who care for homeless young people.
- 5.7** **Examine whether there is anything that needs to be done within Licensing regime to combat this issue**
- 5.8** CBC as a licensing authority have the power to grant licences for sex establishments such as sex shops, sex cinemas and sexual entertainment venues (such as lap dancing, strip tease and pole dancing clubs). In 2010, the Council adopted special legislation to specifically regulate sexual entertainment venues that, in the past, have been able to rely on temporary licences to host sexual entertainment. As a result of the adoption of the new legislation, premises could no longer rely on temporary licences. Furthermore, whereas before sexual entertainment could be held for up to four days using a temporary licence, the new legislation narrowed that period down to one 24 hour period per month. Any premises wishing to offer sexual entertainment for a period exceeding the 24 which were not licensed. This would be a matter for the police.
- 5.9** The focus for CBC licensing officers is in visiting premises where sexual entertainment is held to ensure it is conducted in an appropriate manner or, where the premises is licensed, to ensuring conditions of the licences are being met. In this they work in partnership with the police and are particularly visible during race week and establishments have been closed down if they break the terms of their license. In this role, the council follows statutory and local procedures. The police also told the working group that they had seen no evidence of a link between the licensed and unlicensed sex trade. Sue Bradshaw from the Gloucestershire Public Protection Bureau commented that there was a good working relationship with the council in carrying out stringent checks on any licensing applications regarding the sex establishments.
- 5.10** CBC have no powers to visit brothels or unlicensed establishments where there might be concerns regarding sexual exploitation as the council had no right of entry to domestic premises which were not licensed. This would be a matter for the police.

- 5.11** On that basis the task group did not feel there was anything more that could be done within the Licensing regime. However they would request that licensing officers along with other relevant officers should be on the look out for signs of unlicensed activity and report any suspicions to the police.
- 5.12 Examine whether there is anything that needs to be done in respect of the night time economy to combat the sex trade**
- 5.13** The task group recognized that the sex trade is part of the night-time economy and it may be fuelled by drugs and alcohol. However the scope of this review was not to deal with prostitution per se but sexual exploitation. Whilst acknowledging that alcohol and drugs supplied as part of the night-time economy may be a contributory factor to people seeking prostitutes, we saw no evidence that the night-time economy has any close links with sexual exploitation in private establishments.
- 5.14** For this reason the task group did not identify any specific actions in respect of the night-time economy although it may provide potential outlets for promoting awareness and information.
- 5.15 Establish a council strategy to identify current working and responsibilities and to guide the council in it's future role in working with partners to address this issue**
- 5.16** As mentioned previously, combating sexual exploitation is not a primary role for the council and therefore the task group does not think it necessary to establish a council strategy. However working in partnership to address the issue is very important and we would expect the council to be clear of its role and responsibilities and contribute to the overall action plan of all the partnerships it is involved in.
- 5.17** In summary we feel that all the objectives set have been addressed during the course of the review.

6. CONSULTATION AND FEEDBACK

- 6.1** In undertaking its assessment of current practices and drawing up recommendations for future actions, the task group consulted widely with partners and other organisations working in the areas of trafficking and sexual exploitation. (Consultees are listed in full in **3.1**).
- 6.2** We involved the Cabinet Member Housing and Safety and he attended one of our meetings. We are pleased to see that he recognises the importance of this issue and has already worked with officers and the Gloucestershire Safeguarding Forum to set up a safeguarding seminar for members on 4 February 2013. This supports our second recommendation and we would encourage all members to attend.
- 6.3** Its findings and recommendations will be presented to the next convenient meeting of the Overview and Scrutiny Committee and then go on to Council for further consideration.
- 6.4** Members have already verbally fed back to all those who contributed towards the success of the task group, however all will be sent a copy of the report and invited to the meeting of the Overview and Scrutiny Committee at which this report will be considered.

7. RECOMMENDATIONS

- 7.1** Taking all these findings into consideration, the task group would like to make some recommendations to Council. We recommend:
- i. That the council should work with the Police, Public Protection Bureau and voluntary organisations to identify emergency facilities where vulnerable people can be housed safely for a short period. This will allow for victims to receive appropriate emotional support from trained professionals whilst also allowing the Police a sufficient period of time to interview them and build a case for prosecution.

- ii. That all Councillors should attend awareness sessions on safeguarding issues, particularly to learn about the warning signs that children, young people and vulnerable adults often exhibit if they are being abused or exploited. As community representatives with local knowledge and local intelligence, Councillors are in a good position to contribute towards this agenda.
- iii. That the council assist the Police and Public Protection Bureau in producing, promoting and distributing information to those who may be at risk of sexual exploitation or already be victims of it, to let them know where they can go for help and assistance. The task group recognises the challenges involved in making this information accessible to those who are fearful of authority or many not speak English as a first language.
- iv. That the council support the work of the Public Protection Bureau in raising awareness of prostitution and potential sexual exploitation. One issue focuses around making hoteliers more aware of the potential for their premises to be used for prostitution and exploitation purposes, and in response the task group recommends that the council use its links to the Cheltenham Hoteliers Associate to raise awareness of this issue, particularly in relevant periods such as the run up to 'race week' .
- v. That a greater focus should be placed on producing high quality quantitative data on the scale and nuance of sexual exploitation in Cheltenham, and Gloucestershire as a whole. The task group recognises that the Police are already taking steps to address this issue, however as an intelligence-led area of policing, the importance of understanding the true scale of the issues we face so that we can work together with as partners to coordinate appropriate levels of response, cannot be underestimated.
- vi. That Gloucestershire's new Police and Crime Commissioner and new Police and Crime Panel are sent a copy of this review and its recommendation to make them aware that issues of human trafficking and sexual exploitation remain an area of concern and focus to Cheltenham Borough Council.

8. TAKING FORWARD THE RECOMMENDATIONS FROM SCRUTINY

- 8.1 In taking forward these recommendations, it is important to recognise that issues relating to human trafficking and sexual exploitation cannot be addressed by Cheltenham Borough Council alone. These are multi-agency issues that require partners to work together to achieve the best outcomes for the people of Cheltenham. As such, the Borough Council will be looking to partners to take forward these recommendations where appropriate.
- 8.2 7.1 i: the possibility of using vacant Cheltenham Borough Homes properties for this purpose has already been investigated. The initial response has been positive, and we learned that there are already properties for victims of domestic violence that could be made more widely available for this purpose. However more work needs to be done around establishing the true numerical need for such a resource, and also to investigate potential funding sources. The task group believes that in order for the council to progress this request further, the Police and Public Protection Bureau need to provide this information but we feel the council can take a lead on facilitating these discussions..
- 8.3 7.1 ii: the new multi-agency 'working together protocol' developed for use in Gloucestershire to help all social and youth workers learn the signs of abuse and exploitation could be a possible source of training material for any awareness raising training for our councillors. However, the task group recognises that officers are in the best position to determine how such training is delivered.
- 8.4 7.1 iii: the importance of preventative and protective actions to combat trafficking and sexual exploitation is seen in both the national and local contexts. As such, the task group would like to see swift action on this recommendation.

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- 8.5** 7.1 iv: the task group recognises that officers are in the best position to determine how a communication such as this on behalf of the Council be worded. The group does note however, that the Cheltenham Festival is coming up fast.
- 8.6** 7.1 vi: this is straightforward and should be actioned without delay following Council.
- 8.7** The task group expects to report its findings and recommendations to the next appropriate meeting of the Overview and Scrutiny Committee before taking the report to Council for debate. Assuming that our recommendations are accepted by Cabinet, the task group asks to be kept informed of any developments, and also believes that a review of the implementation of the recommendations should be conducted six months after being accepted by Cabinet.

Report author	Contact officer: Rosalind Reeves, Democratic Services Manager Rosalind.reeves@cheltenham.gov.uk, 01242 77 4937 Sidgorée Nelson: Democratic Services, Gloucestershire County Council
Appendices	1. Terms of Reference agreed by O&S committee 2. Organisational roles of responsibilities regarding sex trafficking and safeguarding children and vulnerable adults
Background information	Minutes of the Council meeting on 25 June 2012

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SCRUTINY REVIEW – ONE PAGE STRATEGY

FOR COMPLETION BY THE OVERVIEW AND SCRUTINY COMMITTEE	
Broad topic area	Sex Trade in Cheltenham
Specific topic area	Sex trade and exploitation of young women and vulnerable people arising from people smuggling and the sex trade in Cheltenham.
Ambitions for the review	<ul style="list-style-type: none"> • Gain an understanding of the work currently being done by partnerships and the police to address this issue and to establish the extent of the issue in Cheltenham • Examine how CBC contributes to this work and review whether this is the most effective way that CBC can assist in tackling the issue. • Examine whether there is anything that needs to be done within Licensing regime to combat this issue • Examine whether there is anything that needs to be done in respect of the night time economy to combat the sex trade • Establish a council strategy to identify current working and responsibilities and to guide the council in it's future role in working with partners to address this issue (not extensive could be a 2 page summary)
Outcomes	A safer environment in Cheltenham
How long should the review take?	Report to Council in December
Recommendations to reported to:	Council via O&S committee
Membership:	Councillors Chard, Driver, Seacome, Regan and Massey
Sponsoring officer	Andrew North
Facilitator	Rosalind Reeves

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Roles and Responsibilities regarding sex trafficking and safeguarding children and vulnerable adults

Introduction

An early meeting of the task group suggested it would be good for them to have a better understanding of the roles and responsibilities of the various agencies involved in the sex trafficking and protection issues. This summary was produced from some initial research over the web and circulated to relevant officers for comment before being presented to members.

LA - children's social care

LA children's social care has a general duty to safeguard and promote the welfare of all children in need in their area, regardless of their immigration status. They have responsibilities for unaccompanied children, as well as those who arrive in the UK with their parents and for whom there are concerns regarding their safety and welfare.

Local authority children missing education teams

In England, local authorities have a statutory duty to identify children missing from education. The named contact or team responsible for identifying children missing from education should be competent and confident to respond to children who may have been trafficked.

Education services

Children trafficked into the country may be registered at a school for a term or longer, before being moved to another part of the UK or abroad. This pattern of registration and de-registration may be an indicator that a child has been trafficked.

Health services – Gloucestershire Primary Trust

Trafficked children may be seen at the full range of health settings. Professionals should be alert to potential signs of abuse and trafficking including inconsistencies in addresses, any deliberate vagueness with children or carers being unable to give details of next of kin, names, telephone numbers or other personal details.

Youth offending teams

Staff working in Youth Offending Teams may encounter trafficked children who have been charged with criminal offences. A child's reluctance to disclose the real circumstances in which he or she arrived in the country will have implications for a number of youth criminal justice processes. Parenting and carer assessments may be difficult as adults presenting as carers may be implicated in the trafficking process and would not be acting in the best interests of the child.

Police

Under section 46 of the Children Act 1989, when the police are concerned that unless they take action the child is likely to suffer significant harm, they may use their powers to either remove a child to a safe place or prevent the child's removal from a safe place, for example a hospital. There are a number of specialist teams, which are separate from the child abuse investigation teams, in police services across the UK that have expertise in

dealing with trafficking cases. There are also joint intelligence teams in key locations across the country comprising immigration, police and other agencies which help to identify child protection concerns. Police services should take all necessary steps to ensure that children at risk of being trafficked do not fall through the gap between operational teams.

Crown Prosecution Service

The CPS policy guidance *Safeguarding Children: Guidance on children as victims and witnesses* provides detailed practical and legal guidance to prosecutors dealing with cases that involve children and young people as victims and witnesses.

UK Borders Agency (UKBA)

UKBA is an executive agency of the Home Office which has assumed responsibility for managing immigration control in the UK. It may be the first official agency to have contact with child victims of trafficking. Its interventions may be triggered by the particular circumstances of the case or by international intelligence about trafficking. UKBA is likely to be a source of referrals to child welfare agencies.

The immigration officer's role, alongside considering the eligibility of the child for entry into the UK, is to be alert to the need to keep children safe from harm. They should ensure that immigration processes and decisions made in respect of children take into account their individual situation, views and welfare.

UK Human Trafficking Centre (UKHTC)

The UKHTC was established in October 2006, following a proposal from ACPO. It comprises staff from various disciplines bringing a multi-agency approach to the Centre's response to trafficking both into and within the UK.

It aims to improve and co-ordinate the law enforcement response to human trafficking, working closely with its partners in delivering a diverse set of programmes. A number of these will be targeted campaigns on preventing and reducing human trafficking and improving knowledge and understanding of the problem through best practice and training. A key element in the UKHTC's approach to preventing and reducing human trafficking is to ensure that victims are adequately safeguarded and protected from harm.

Specific to Gloucestershire

Gloucestershire Public Protection Bureau

The Gloucestershire Public Protection Bureau (GPPB) was formed on 20th April 2009 to make Gloucestershire a safer place by working in partnership to reduce harm to both individuals and communities. The launch of the Bureau was a significant step towards enhancing partnership working and the essential sharing of information. There are specific portfolio dealing with child protection and Prostitution and Human Trafficking

They work in partnership with the following agencies and their success depends on multi agency cop-operation.

- Gloucestershire Probation Service
- Gloucestershire Safeguarding Team
- Gloucestershire Primary Trust
- CPS
- HM Prison Service
- Strategic Coordinator for Domestic Abuse and Sexual Violence
- The Independent Domestic Violence Advisory Service (IDVA)
- Gloucestershire Domestic Abuse Support Service (GDASS)

Role of Cheltenham Borough Council

Cheltenham Borough Council recognises that it has a duty of care towards all children and vulnerable adults who are involved in the services it provides, and that it has a responsibility to safeguard the well-being of such children and adults.

The council has a [safeguarding children and vulnerable adults policy](#).

In terms of vulnerable adults, the council works within the [Gloucestershire Multi Agency Safeguarding Adult Policy and Procedures](#).

Links with the licensed sex industry and other venues

The Council has a statutory duty to control the “sex industry” in its district in the interest of public safety, maintaining law and order and to, in so far as it is possible, ensure that issues highlighted in this review do not occur.

As a district council, CBC has no statutory duties or powers in relation to trafficking however it can contribute to dealing with issues relating to the sex industry in partnership with other agencies.

CBC, as Licensing Authority, does have the powers to regulate and control sex shops, sex cinemas and sexual entertainment venues.

It does so by way of policies (for example, the Council considers it inappropriate to licence a sexual entertainment venue in the vicinity of residential areas, schools or near shops used by or directed to families or children) and through strict conditions (for example a normal sex establishment licence is subject to 36 standard conditions).

For other premises not specifically licensed as sex establishments, the Council already consults with, inter alia, the Gloucestershire Children Safeguarding Board on all new and variation applications thereby giving them opportunity to make representations where they consider it necessary in the interest of promoting the licensing objectives (i.e. the prevention of crime and disorder, prevention of public nuisance, public safety and the protection of children from harm).

Gloucestershire Domestic Violence Support and Advocacy Project (GDVSAP)

Amanda Wilson heads up a countywide project to raise awareness of trafficking and grooming and attends a quarterly national forum. She works closely with the Police and the Public Protection Bureau. She recently ran a film event in October and gave a

presentation to the Cheltenham Safeguarding forum. She would be happy to come and talk to the scrutiny task group.

Gloucestershire Action for Refugees and Asylum Seekers (GARAS)

Gloucestershire Safeguarding Children Board (GSCB)

GSCB is a key statutory mechanism for agreeing how the partner agencies co-operate to safeguard and promote the welfare of children and young people in Gloucestershire, and for ensuring the effectiveness of what they do. Their website [Gloucestershire Safeguarding Children Board](#) (GSCB). provides a valuable resource of information, advice and guidance on all child protection and safeguarding matters.

Cheltenham Safeguarding Forum

CBC and CCP set up the forum in partnership in 2011 and as a result of its popularity it meets bi monthly. The purpose of the forum is for front line workers from different sectors to come together to discuss all aspects of safeguarding. The forum invites speakers to update the forum on current issues and help resolve issues identified by the forum. The forum also gives workers the opportunity to share best practice and communicate concerns to relevant groups.

October 2012

List of all scrutiny task groups and other appointments related to Overview and Scrutiny

Overview and Scrutiny	Purpose	Agreed nominations/membership Chairs in bold	Target for reporting recs	Update
Budget scrutiny working group	The working group's role is to develop the budget process, support the development of Members' scrutiny role and to consider ideas from Members for reducing the budget gap.	Cllrs Coleman, Harman, Wall, Hibbert, Massey, Sudbury Cllr Prince (sub) Cabinet Member Finance to attend by invitation.	Recommendations regarding the budget for 2013/14 will be input to the budget process	The group intends to focus on the potential big savings from major projects that form part of the MTFs. They have already looked at the leisure and culture review and the ICT review in their January meeting. They have invited the Chief Executive and the Leader to their meeting on 9 April to outline their vision for the next year and they will also be having an update on the Bridging the gap.
Community Governance review (STG)	Council in December 2011 agreed to set up a cross party working group to review the Parish Council boundaries ahead of the PC elections in 2014.	Cllrs Barbara Driver and Klara Sudbury and 3 Parish Council members. Member chair not appointed.	The O&S committee reported to Council in December following receipt of the task group report in November.	O&S did not support the recommendations from the task group when they reviewed them in November and made alternative recommendations to Council. The task group will be reconvened in January 2014 when the scope and terms of reference will be redefined. The Leader is being consulted on how he wishes to carry out the review.
JCS and Planning Liason Group (STG)	To provide a vehicle with which to engage with elected members on strategic development management issues in light of the changes to the planning framework.	Cllrs Bickerton, Harman, Wall, Godwin, McCloskey and Teakle.	A series of meetings have been arranged to meet the target of agreeing their final report on 14 January 2013.	The task group forwarded their final report on household formation rates to the JCS joint member steering group on 31 January 2013. The original terms of reference set by O&S in July still stand and the group will need to consider their approach in completing the rest of this work.
Event Submissions task group (STG)	Review and make recommendations for the process for organisers of events to submit proposals.	Cllrs Regan, Hall, Britter, Hibbert and Seacombe and Councillor Sudbury.	Report to O&S in January and then Cabinet on 12 March.	The Cabinet received the final report on 5 February 2013. Cabinet considered the task group report and asked the Cabinet Member Housing and Safety to bring back a report to a future Cabinet regarding the implementation of the recommendations before they could approve them. The Events Consultative Group approach recommended by the task group is already being piloted.
Youth provision (STG)	A potential STG to review CBC investment in CCP to develop resilience in VCS Youth provision and assess the impact of the GCC grant allocations	Cllr Anne Regan, Chris Coleman, Suzanne Williams, Rob Reid, Jo Teakle and Barbara Driver	ongoing	An update has been provided to O&S on 18 February 2013
ICT review (STG)	A potential to review ICT services and resilience. Is the infrastructure sufficiently robust, is a shared ICT the right approach and do we have the right delivery model in place.	Cllrs Andrew Chard, Andrew Wall, Simon Wheeler and Colin Hay.	Report to O&S in March and then Cabinet if necessary.	Recommendations all accepted by Cabinet. Most being picked up by ICT commissioning review. Democratic Services have written to members regarding ICT support as agreed in one of the recommendations in the report. A further remit has been set to review the ICT virus outbreak and this is now in progress and the task group expected to meet by the end of February.
UBICO (STG)	To review the service post implementation of UBICO and benefits realisation.	Cllrs Jacky Fletcher, Suzanne Williams, Tim Harman, Andrew Chard, Charlie Stewart and Pat Thornton	Report recommendations to O&S in March then Cabinet on 16 April.	Trade waste will be subject to review in January together with a customer service session before they start drafting their final report. A special meeting has been convened to review waste and recycling operations during the recent bad weather.
Sex trade in Cheltenham (STG)	Council at its meeting on 25 June referred this matter to O&S with a view to bringing back a report to Council in December.	Cllrs Chard, Driver, Regan, Seacombe and Massey	Report to O&S in February then Council	Reporting to O&S on 18 February
Allotments (STG)	Review allotment strategy Identify lessons learnt from Weaver's Field.	Cllrs Regan, Smith, McCloskey, Britter, Stewart and Hay	O&S in January followed by Council then Cabinet.	The task group's report was endorsed by O&S in January then the group are keen that their report should be considered by Council in February.
Grass verge cutting (STG)	Review grass cutting policy and operational issues.	Cllrs Hall, Fletcher and Britter.	O&S in November followed by Cabinet in December.	Recommendations approved by Cabinet in December.
Shared Services	Councillor Smith suggested that a review should be carried out of the joint services with One Legal and the Chief Executive suggested that it may be worth looking at Building Control as this also a shared service with Tewkesbury Borough	tba		Councillor Smith to work with officers to produce a one-page strategy which can then be considered by the O&S committee for inclusion in the workplan when resources become available.
Deprivation	Councillor Driver suggested a review should be carried out of small pockets in the town which may suffer from deprivation but may not get the consideration that the more obvious deprived areas get.	tba		Councillor Driver has worked with officers to produce a one-page strategy which will be considered by the O&S committee for inclusion in the workplan when resources become available.



SCRUTINY TASK GROUP UPDATE

Overview and Scrutiny Committee 18 February 2013

Suspension of refuse & recycling collections (18 January – 25 January)

The Ubico scrutiny task group agreed to hold an urgent meeting to better understand the rationale behind the decision to suspend refuse & recycling collections in Cheltenham between 18 January and 25 January 2013 due to the inclement weather. They felt that it was important to hold a timely meeting and report back to this committee so that members of the public and councillors could be assured that the council was concerned about the impact the service disruption had on individuals and communities. Some of the findings will be pertinent to the full report which will be presented to this committee at a later date but the task group felt it was important to brief the committee on this specific aspect of the review at this time.

During the meeting the task group heard from the managing director and waste and recycling manager of Ubico who both presented the issues relating to undertaking collections during snow and ice. The task group also heard from a driver whose lorry had skidded on the ice and one of his loaders' nearly crushed by a car which had lost control on the ice. The task group also questioned the director of commissioning and the cabinet member sustainability about the decision making process.

1. TASK GROUP CONCERNS

- 1.1 The task group on hearing the evidence from Ubico fully understood the decision to suspend services when there was snow on the ground. Their concern however was around the decision made on the Wednesday to suspend the service for the full week and on the catch up arrangements.
- 1.2 Members understood that the decision was based on evidence at the time and was done to provide a clear message to the public but it had the opposite effect and angered many residents who, in areas where roads were clear, could see no justification for the continued suspension of collections.
- 1.3 Members also felt that more could be done to catch up where collections had been missed and with fortnightly collections recognised that it creates difficulties for residents.
- 1.4 The main concern of the task group related to communication during the period. Members felt that there had been an over reliance on the use of the website and that it should be recognised that a large proportion of the elderly population of Cheltenham did not have a computer or access to the internet. They also felt that messages such as "double collections" were confusing and also that the lack

of clarity where catch up collections were taking place caused confusion with residents who may have taken their refuse back into their premises.

2. SUGGESTIONS OF THE TASK GROUP

- 2.1 Members were prepared to accept that a full review of the issue would be considered by the Cabinet Member Working Group which had been tasked with reviewing the decision making process and formulating 'lessons learnt' and as such did not feel it appropriate to make any recommendations at this stage. They did, however, decide to make the following suggestions for consideration of the Cabinet Member Working Group. The Cabinet Member Sustainability was happy for the working group to consider this and any other suggestions of the task group.
- 2.2 The Cabinet Member Working Group should collate their report and recommendations in a timely manner and this should be forwarded for consideration by the overview and scrutiny committee , following which we recommend that it should go to full council for debate before the end of April
- 2.3 As with School closures, information regarding the suspension of refuse and recycling collections should be communicated to the public via local radio. Officers assured members that local radio stations were advised of any such decisions as a matter of course but the council was somewhat powerless as to whether individual stations decided to run the story. The suggestion was that the Cabinet Member Working Group could re-evaluate the current procedure and to task the Communications Team with investigating whether it would be possible, in these circumstances, to pay for air time.
- 2.4 Members felt strongly that residents were less interested in getting a clear message from the council, especially if this was that all collections were suspended, than they were in seeing collections continue wherever possible. They accepted that either approach i.e. full suspension or part collections where possible, would result in some residents being frustrated but felt that it was more important for the council to be seen as doing something rather than nothing.

Report author	Councillor Andrew Chard, Chair of the scrutiny task group Contact officer: Saira Malin, Democracy Officer saira.malin @cheltenham.gov.uk 01242 775153
Appendices	A. Rationale behind the operational decisions B. Timeline of events and decisions taken C. Refuse & Recycling Operations in Snow/Icy Conditions D. Ubico Snow/Ice procedure E. Severe Weather Arrangements policy F. The relevant section of the SLA between Ubico and CBC
Background information	N/A

RATIONALE BEHIND THE OPERATIONAL DECISIONS

- 1.1 The council and Ubico have a number of operational and policy documents that they refer to during periods of ice and snow,;
- Refuse & Recycling Operations in Snow/Icy Conditions (Appendix C)
 - Ubico Snow/Ice procedure (Appendix D)
 - Severe Weather Arrangements policy (Appendix E)
 - The relevant section of the SLA between Ubico and CBC (Appendix F)
- 1.2 The SLA indicates that Ubico's Managing Director, or his nominee, must inform the Council's Strategic Client Officer immediately when they become aware of any serious problem affecting the Borough's waste and recycling collections service. The Strategic Client Officer and the Managing Director, or his nominee, will agree on how the Company should deal with the problem. This may be by attempting to make collections with all vehicles, making collections in limited areas or postponing the service. Once the decision is made, the Strategic Client Officer is responsible for informing the relevant council officers and members. Should the operational situation change, which it may do several times in a short period of time under such circumstances, the Managing Director or his nominee must inform the Strategic Client Officer immediately.
- 1.3 In the event of a single day's collections being missed, this must be caught up by the following Saturday. Should multiple days of disruption occur, the Managing Director, Strategic Client Officer, Director of Commissioning and Portfolio Holder will agree if emergency waste collection services are necessary and in which locations.
- 1.4 Ubico's policy, Refuse & Recycling Operations in Snow/Icy Conditions, gives guidance to help decide whether operations should be suspended, and who makes that decision.
- 1.5 The duty supervisor or officer will make a decision based on the best information available to them at the time. The Snow/Ice Procedure outlines nine actions steps to be taken in making this decision and step one outlines the information sources the supervisor should consider when making their decision.
- 1.6 Once a decision has been taken, the supervisor must inform the senior management of the decision and the current situation. The senior manager will then liaise with the Strategic Client Officer at the council and they will consider all the information available to them and agree whether service delivery should continue or be suspended in whole or part.

TIMELINE OF EVENTS AND DECISIONS TAKEN

- 1.1 Staff had been monitoring forecasts all week as snow was predicted any time from 3am on 18 January 2013. As a result of the predictions, a meeting was held on 17 January 2013 to ensure that the Ubico Waste and Recycling management team, which included the Strategic Client Officer from the council, were familiar with the snow and ice procedure and understood their role and the requirements of them should the inclement weather affect collection services.
- 1.2 On Friday 18 January 2013, after snow had started to settle and crews had begun to report hazardous conditions for loaders and vehicles, supervisors had undertaken on-site inspections to assess the situation. Conditions were found by the supervisors to be unsafe to operate in and crews were instructed to return to the depot and the Strategic Client Officer was informed of the situation. As snow clearance was not yet taking place and there were no other duties to which the staff could be safely diverted, the collection crews were sent home and told that their hours would be banked and used to catch up with missed collections on the Monday (21 January). Residents were advised that the days missed collections would be made on Monday 21 January if weather conditions had improved over the weekend. This was communicated to residents via the website.
- 1.3 Conditions did not improve over the weekend and on Monday 21 January supervisors and the Waste and Recycling Manager assessed conditions as being unsafe. Whilst main access roads were clear, the pavements of those roads remained in too poor condition for collections to be undertaken safely. The Strategic Client Officer was contacted and it was agreed that the service would be suspended in full for the day. Throughout the day Ubico had received calls from customer facing officers at the council asking for a clear message regarding when collections would resume and what catch-up plan would be implemented. It was not deemed possible to provide such a message at this time given that an update from the Met Office suggested that another weather system which would bring more snowfall was expected overnight and as a result an amber weather warning issued.
- 1.4 Inspections on Tuesday 22 January 2013 identified that conditions on pavements and side roads remained icy and too dangerous to undertake full collections. The Strategic Client Officer was consulted with a view to Ubico sending out crews to main roads only. Given that it would be impossible to service anything other than arterial roads, it was decided that this option would only serve to confuse residents and as such it was reported that there would be no waste or recycling collections that day in Cheltenham. Calls were again received from customer facing staff requesting that a clear decision be taken when collections would be resumed and again, it was not possible to do so given that an amber warning for more snowfall was in place from 13:45 on 22 January until 09:00 on 21 January. In addition to this it was forecast to be cold and icy throughout Wednesday and Thursday with a switch to milder conditions on Friday and rain over the weekend.
- 1.5 On Wednesday 23 January 2013, following snowfall over night and as a result of the continuing freezing weather and the requirement of the council to provide a

- clear message to resident, Cheltenham Borough Council and Ubico decided to cancel all collections for the rest of the week. Residents were advised, via the website, that those that had missed collections from Friday 18 January to Friday 25 January would receive a 'double collection' a fortnight later on their scheduled collection date. On this date, a Q&A sheet was circulated to all Councillors by email which aimed to aid them in dealing with any residents' queries or concerns.
- 1.6 However, on Thursday 24 January 2013 it was clear to supervisors and managers that the predicted low temperatures of the night before had not materialised and in fact a thaw was underway. Side roads and some pavements looked significantly better and considered safely passable, with care and main roads and their pavements, where footfall was highest, had returned to normal conditions. However, outlying and higher areas were still found to be dangerous and impassable. Crews were brought in to begin catch-up collections. One refuse collection vehicle was able to collect from the main roads, whilst smaller, caged vehicles were utilised in other areas off the main highways as these were the only safe option. It was reported that work to clear some of the black bag side waste would start in areas of the borough where routes had improved.
- 1.7 Crews were asked to clear black bag waste from alongside bins, starting in areas where waste had potentially been at the kerbside for the longest. The Council asked that priority also be given to areas with high levels of HMO's, terraced properties (where large amounts of waste cannot be stored off the highway) and hotspot areas where problems with large amounts of excess black bag waste existed under normal circumstances. The RCV and caged vehicles continued to collect black bag waste throughout Thursday, Friday and Saturday.



Refuse & Recycling Operations in Snow / Icy Conditions

Following significant inclement winter weather, it may be necessary to consider suspending collection operations to ensure the safety of members of the public, employees and property.

To ensure a consistent approach by Ubico the following should be used as a guide to help decide whether operations should be suspended. Due to the different types of terrain encountered between urban and rural areas and operational differences (i.e. stop – start in urban areas, more people and traffic, manual handling considerations) the decision taken may be different for each area or contract; however the means of decision making will be consistent.

Conditions when it may be necessary to suspend operations.

If the road conditions across the district, or certain areas of the district, are such that to send out large collection vehicles would create an additional hazard and a threat to personal safety (e.g. in bad snow or ice on untreated roads or treated traffic routes with high volumes of traffic). If road conditions are passable, but snow or ice on footpaths etc. create an unacceptable hazard to loaders.

Who Decides

The duty supervisor / officer will make a decision based upon the best information available to them at the time. Consultation should take place with other supervisors, local health and safety reps and employees. The operators of the landfill sites, recycling facility and composting facility should also be consulted to confirm they are able to receive waste and materials collected. The decision to continue or suspend collections should be based on information gained through a combination of;

- Physical inspection of the local road networks
- Reports from Gloucestershire Highways or Police (note – collections should not be made from treated roads if when doing so they cause traffic congestion)
- Reports from employees who have travelled to work
- Reports from teams already working (e.g. street cleaning)
- Local weather forecasts
- Current weather conditions
- Visibility (natural light, fog, driving snow)

Depending upon the weather conditions and information received, it may be appropriate to initially delay the start of collections until more robust information is available to determine whether it is safe for vehicle to work. If a decision is made to suspend collections, refer to the Ubico Snow/Ice procedure.

If collections are to continue as scheduled each driver must be given clear instruction on how to proceed and regular contact must be maintained throughout the day to

continuously re-evaluate ground conditions. Where practical, management should conduct on site assessments of worst affected areas.

Resuming Collections

Prior to recommencing collections, it is essential to ensure that safe access is available to and on the landfill site, recycling and composting facilities. Appropriate media message should be released via the council's communications team, identifying when waste and recycling collections will be undertaken.



SNOW / ICE PROCEDURE

- Step 1** The Senior operations supervisor collates and records information and local knowledge on weather conditions. The information and will be gained through a combination of:
- Local weather forecasts
 - Current weather conditions
 - Reports from teams already working (e.g. street cleaning)
 - Physical inspection of the local road network
 - Visibility (natural light, fog, driving snow)
 - Reports from Gloucestershire Highways or Police
- Step 2** The senior operations supervisor consults with colleagues, local health and safety representatives and employees and records outcomes.
- Step 3** The senior operations supervisor makes a decision to continue or suspend the service, in whole or in part. All employees to remain at work.
- Step 4** The senior operations supervisor informs Ubico senior management of the decision and the current situation.
- Step 5** The senior manager informs the strategic client officer (or the service commissioner) of the current situation.
- Step 6** The senior manager and the strategic client officer will, having considered all the relevant information, agree on whether service delivery should continue or be suspended in whole or in part.
- Step 7** The strategic client officer will communicate the facts and agreed action to:
- Service commissioners
 - Customer services
 - Communications
 - Cabinet member
- Step 8** The senior manager will decide whether employees are to be redeployed to other duties (e.g. snow clearance) or stood down from all duties and sent home.
- Step 9** The senior manager and the strategic client officer to continuously review the situation until fair weather conditions return (refer to service contracts – section F or G).



Severe Weather Arrangements

If bad weather, flooding or disruption to the transport system makes travel to work impossible, difficult or dangerous, management will try to work with employees to agree ways in which they can work the time back or take the missed time as holiday.

If the conditions are considered so bad that a decision is made to suspend the service, in full or in part, management may;

- a. redeploy employees onto other work or onto emergency response (e.g. snow clearance or sand bag filling).

or

- b. stand employees down from their duties. In this instance the employee will continue to be paid but the hours are banked and deducted from any overtime required to clear the backlog and return the service to normal operations.



WASTE AND INCLEMENT WEATHER PROCEDURE AND POLICIES

This plan should be put into action during an emergency which causes the Council's waste and recycling collection service to be disrupted, such as heavy snowfall. The plan is set out in chronological order in terms of the steps which would need to be taken.

A. Establish the facts

1. The Company's Managing Director (or his nominee if the Company's Managing Director is unavailable) to immediately inform the Council's Strategic Client Officer (or the Council's Director of Commissioning if the Strategic Client Officer is unavailable) of any serious problem affecting the Borough's waste and recycling collection service. The Strategic Client Officer will then establish the exact nature of the problem, which areas of the Borough are affected and how it will impact on the normal operation of the waste service in the Borough.

B. Decide on course of action

1. The Strategic Client Officer and the Company's Managing Director to agree on how the Company should deal with the problem i.e. attempt to make collections with all vehicles, attempt to make collections in limited areas or postpone all collections.

C. Communicate the message

1. Strategic Client Officer to relay all the facts and the agreed action to the Director of Commissioning and the Portfolio Holder for Sustainability (or Council Leader if the Portfolio Holder for Sustainability is unavailable).
2. Strategic Client Officer contact Customer Services, Communications Officer and the Webmaster to relay all the facts and explain the agreed action.
3. Strategic Client Officer to prepare and send a media release to all the relevant local papers, radio and TV stations, ensuring information is accurate, unambiguous and in accordance with the message that has been agreed in C2 above (wording of media release to be agreed by relevant officers and Members as appropriate).

4. Communications Officer to email all Members, Parish/Town Councils and all staff with details of the media release (Parish clerks not on email should be sent a copy of the media release by post and also contacted by telephone if possible).
5. Webmaster to display details of the press release on the Council's website and intranet.
6. Customer Services to provide an automated telephone message

D. Update information

1. In an emergency, the situation regarding collections could change several times over a short period of time. The Company's Managing Director must inform the Strategic Client Officer immediately of any changes to the situation (and vice-versa). If the situation does change, the above procedure should be repeated so that an updated message can be displayed on the website, sent out to members, Town/Parish Councils and the media as quickly as possible.
2. Weather forecasts will be monitored to enable predicted conditions over the coming week to be incorporated in the service planning and contingency arrangements,

F. Follow-up once collections have resumed

1. Communications Officer to send out another press release to all the relevant local papers, radio and TV stations, members, Town/Parish councils once the collection service is back to normal.
2. Strategic Client Officer to send update information to Customer Services and Webmaster when the waste collection service is back up and running.

G. Waste Collection Catch-up

1. A singular days missed collections due to inclement weather will be caught up by the following Saturday at an extra cost to the Council.
2. During multiple days disruption the Company's Managing Director the Strategic Client Officer, the Director of Commissioning and Portfolio Holder will agree if the emergency waste collection service should be implemented and at which locations (subject to being able to safely gain access).

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SCRUTINY TASK GROUP REPORT

Scrutiny task group - Provision of services for young people 18 February 2013

1. INTRODUCTION

- 1.1 This report sets out a brief update on the work of the "Provision of services for young people scrutiny task group."

2. MEMBERSHIP AND TERMS OF REFERENCE

- 2.1 Membership of the task group:

- Cllr. Chris Coleman
- Cllr. Barbara Driver
- Cllr. Anne Regan
- Cllr. Rob Reid
- Cllr. Jo Teakle
- Cllr. Suzanne Williams
- Cllr. Rowena Hay – Cabinet lead by invitation

- 2.2 The task group was asked to address two issues:

- A review of the "Building Resilience" contract that the Borough Council has with County Community Projects;
- Oversight to the allocation of the county council's positive activities funds that are allocated via the Borough Council.

- 2.3 Beyond this, members agreed two key issues for future scrutiny:

- How do we best allocate scarce resources across the whole of Cheltenham to deliver better outcomes for all young people; and
- How do we ensure the effective engagement of young people in public life.

- 2.4 The Terms of reference were agreed by the Overview and Scrutiny Committee on 10 October 2012.

3. PROGRESS MADE

- 3.1 Following the review work carried out by the Scrutiny Task Group, the council subsequently agreed to fund County Community Projects to undertake year 2 of the building resilience project against a set of outcomes with themes including:

- Mapping activities and facilities for young people;
- Connecting and linking youth clubs together and to sources to support;
- Engaging with young people;
- Encouraging more volunteers; and
- Delivering effective training for youth workers

- 3.2 The 2012 Positive Activities funding for voluntary and community youth groups has been agreed and 12 projects supported.

- 3.3 A meeting was held on 19th December to discuss a strategy for activities and facilities for young people between partners and providers of activities for young people to which the Scrutiny Task Group members were invited. The group agreed the following:

- CCP to focus on completing the mapping work of existing activities and facilities for young people and to make this available via the web. This will then enable us to identify gaps and vulnerabilities in current provision and identify where new provision would make the most difference.
 - However, the project should not be just about filling gaps - to make a real difference, the project has to focus on communities where there is a willingness to do something to support their young people.
 - The group also felt that youth work does not have to be delivered from a building and that detached street-based youth work can play an important role, particularly in engaging with more vulnerable young people.
 - The project should adopt a strengths-based approach as we can join-up the skills and expertise of residents, CCP, other support agencies and get everyone involved to make a real difference.
 - The group also suggested that setting up a network of peer-to-peer support would also be a valuable legacy from the project.
 - The group received offers of support from the University that provide a range of youth work courses, the Boys Brigade and from many councillors.
- 3.4** A follow-up meeting has been planned for Monday 25 February 2013, again to which Scrutiny Task Group members will be invited; suggested agenda items are:
- Update on the year 2 project actions - especially the mapping work
 - Agreeing how we map other assets that we can use to help deliver better outcomes for young people
 - Preparing for year 3 of positive activities funding
 - Hearing about what other support is available - eg through the targeted youth support service
- 3.5** The invite list to these two meetings has been quite wide taking in partners from the public sector, VCS sector, youth workers, trustees of youth clubs as well as all elected members.
- 3.6** Members of the committee might want to reflect if they would want the group to continue meeting or whether they are happy that the wider meetings – such as that on the 25th February are providing adequate opportunity to engage them in the discussions about the issues identified in paras 2.2 and 2.3 of this report.

Report author	Contact officer: Richard Gibson Strategy and Engagement Manager richard.gibson@cheltenham.gov.uk 01242 235354
Appendices	None
Background information	None

Item	Purpose	Outcome	What is required?	Lead Officer
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MEETING DATE: Thursday 10 January 2013				
STG- Allotments Group	Scrutiny	Endorse recommendations from STG and forward to December Cabinet	Report of STG	Beverly Thomas, Democracy Officer Chair, Councillor Anne Regan
STG-Event Submission Group	Scrutiny	Endorse recommendations from STG and forward to Cabinet	Report of STG	Saira Malin, Democracy Officer Chair, Councillor Penny Hall
Budget proposals 2013/14	Scrutiny	Make any recommendations to Cabinet	A presentation	Mark Sheldon, Director of Resources
MEETING DATE: Wednesday 23 January 2013				
STG – JCS & Planning Liaison	Scrutiny	Endorse recommendations from the STG and forward to Joint member steering group	Report of STG	Rosalind Reeves, Chair, Councillor Tim Harman
Call in of Rickshaw decision	Scrutiny	Consider the call in and make recommendations to the decision maker	Call in request and witnesses	Rosalind Reeves, Democratic Services Manager
MEETING DATE: Monday 18 February 2013				
DRAFT Corporate Strategy 2013-14	Scrutiny	Review DRAFT strategy prior to Cabinet	Report in March	Richard Gibson, Strategy and Engagement Manager
STG- Sex trade in Cheltenham	Scrutiny	Endorse recommendations from STG and forward to Cabinet/Council	Report of STG	Rosalind Reeves, Democratic Services Manager Chair, Councillor Barbara Driver

O&S Committee 2012/13 work plan

Item	Purpose	Outcome	What is required?	Lead Officer
MEETING DATE: Monday 18 March 2013				
STG – ICT (Virus outbreak)	Scrutiny	Endorse recommendations from the STG and forward to the Cabinet	Report of STG	Rosalind Reeves, Democratic Services Manager Chair, Councillor Colin Hay
STG-UBICO	Scrutiny	Endorse recommendations from STG and forward to April Cabinet	Report of STG	Saira Malin, Democracy Officer Chair, Councillor, to be advised
MEETING DATE: Thursday 16 May 2013				
MEETING DATE: Thursday 11 July 2013				
MEETING DATE: September 2013				
STG- Grass cutting	Follow up	Review implementation of any recommendations agreed by Cabinet in December 2012	Update report	Rosalind Reeves, DSM Chair, Councillor Penny Hall
MEETING DATE: November 2013				
STG- Events	Follow up	Review implementation of any recommendations agreed by Cabinet in February 2013	Update report	Rosalind Reeves, DSM Chair, Councillor Penny Hall
MEETING DATE: February 2014				

O&S Committee 2012/13 work plan

Item	Purpose	Outcome	What is required?	Lead Officer
STG- Allotments Group	Follow up	Review implementation of any recommendations agreed by Cabinet in February 2013	Update report	Beverly Thomas, Democracy Officer Chair, Councillor Anne Regan
STG- Community governance review	Scrutiny	Set revised terms of reference and appoint members	Update report	Helen Down,

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SCRUTINY TOPIC REGISTRATION

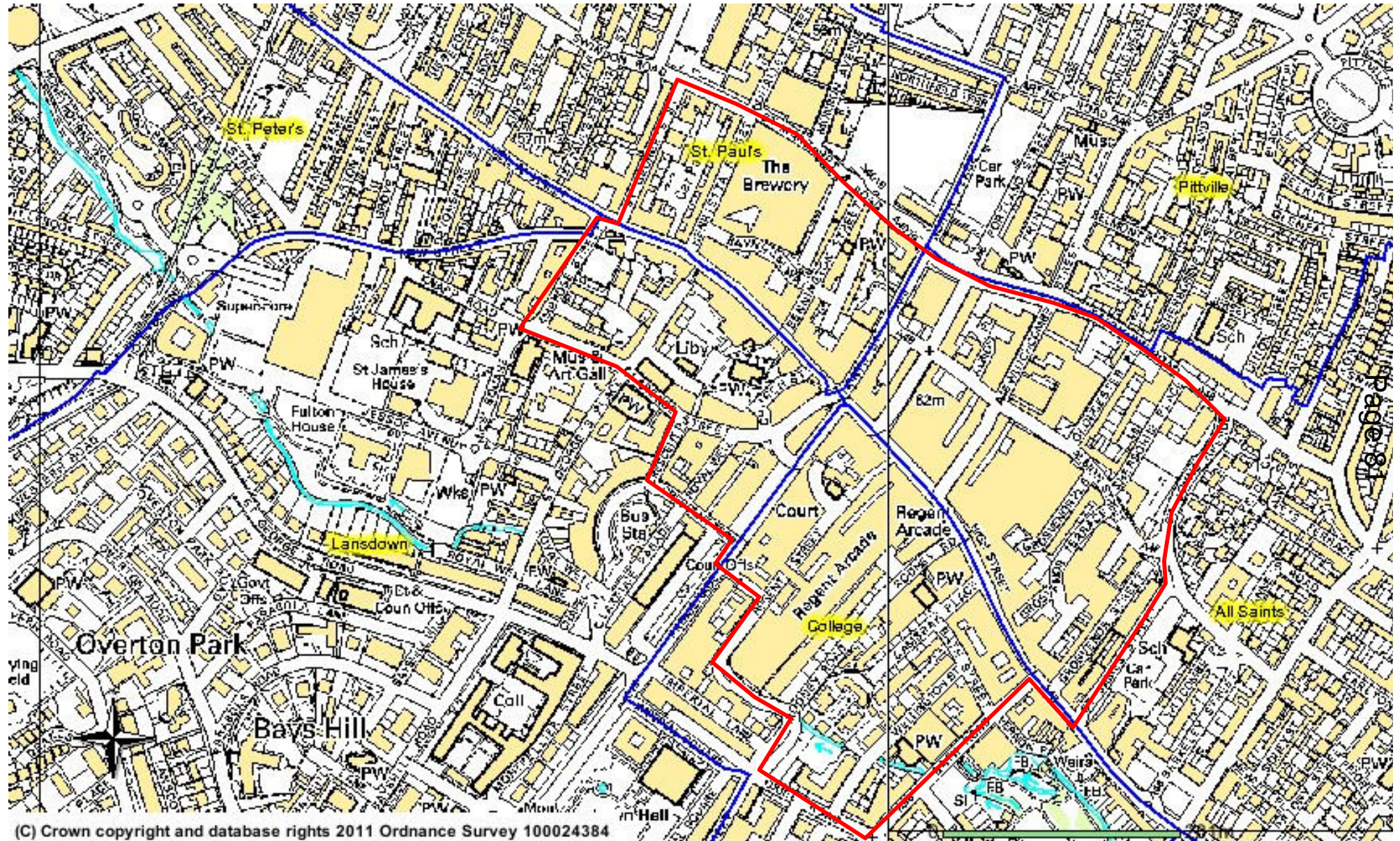
Date:	18 February 2013
Name of person proposing topic:	Councillor Barbara Driver
Contact:	01242 243862
Suggested title of topic:	Hidden deprivation in our town centre
What is the issue that scrutiny needs to address?	
<p>As elected members of the council we are aware that there are areas of multiple deprivation in Cheltenham. Parts of St. Pauls, St. Marks and Hesters Way are in the 10% most deprived areas nationally and parts of Oakley are not far behind.</p> <p>I am becoming increasingly aware of the issues of deprivation that affect those people living in the town centre – though as the numbers are much smaller, this does not get picked up in the maps of deprivation. Hence the title – “hidden deprivation.”</p> <p>I feel that living conditions in the town centre might be characterised by the following issues:</p> <ul style="list-style-type: none"> ▪ Crime and disorder associated with the night-time economy. ▪ Transient communities which can impact on community resilience and cohesion. ▪ Residents living in private rented accommodation in buildings that have been sub-divided into houses in multiple-occupation or in flats above shops. ▪ Higher than average unemployment rates ▪ Poor physical and mental health. <p>I would like to use the latest census data to understand more about living conditions in the town centre and also take time to interview local residents, businesses and other public sector partners (like the police) to build up our knowledge.</p>	
What do you feel could be achieved by a scrutiny review (outcomes)	
<p>At this stage, we would like to understand the issues facing people living in the town centre; we will bring our findings back to Scrutiny in July to get a steer on the next stage of the review.</p> <p>Having a better understanding of the issues may assist the council and partners in considering how services are delivered to people living in the town centre; and make changes so we are not disadvantaging these residents.</p>	
If there a strict time constraint?	No
Is the topic important to the people of Cheltenham?	Yes
Does the topic involve a poorly performing service or high public dissatisfaction with a service?	No
Is it related to the Council's corporate objectives?	Yes
Any other comments:	

OFFICER IMPLICATIONS (for office use only)

Date:	1 Feb 2013
Officer name:	Richard Gibson
Officer title:	Strategy and Engagement Manager
Contact:	01242 235354
Please give your comments on this proposed topics, for example is there any other similar review planned or in progress, are there any potential resources constraints etc	
<p>Officers would support this review; and research carried out by the task group will help us with the planned commissioning review of private sector housing.</p> <p>Also, local partners have identified that there are large numbers of vulnerable people living in private rented sector accommodation and are willing to support the council take action to understand and do something to help.</p>	

DRAFT

Proposed boundary for Scrutiny Review of hidden deprivation



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