



CHELtenham

BOROUGH COUNCIL

Notice of a meeting of Cabinet

Tuesday, 17 September 2013
6.00 pm
Pittville Room - Municipal Offices

Membership	
Councillors:	Steve Jordan, John Rawson, Rowena Hay, Peter Jeffries, Andrew McKinlay, Jon Walklett and Roger Whyborn

Agenda

	SECTION 1 : PROCEDURAL MATTERS	
1.	APOLOGIES	
2.	DECLARATIONS OF INTEREST	
3.	MINUTES OF THE LAST MEETING Minutes of the meeting held on 16 July 2013	(Pages 1 - 8)
4.	PUBLIC AND MEMBER QUESTIONS AND PETITIONS	
	SECTION 2 :THE COUNCIL <i>There are no matters referred to the Cabinet by the Council on this occasion</i>	
	SECTION 3 : OVERVIEW AND SCRUTINY COMMITTEE <i>There are no matters referred to the Cabinet by the Overview and Scrutiny Committee on this occasion</i>	
	SECTION 4 : OTHER COMMITTEES <i>There are no matters referred to the Cabinet by other Committees on this occasion</i>	
	SECTION 5 : REPORTS FROM CABINET MEMBERS AND/OR OFFICERS	
5.	LOCAL COUNCIL TAX SUPPORT SCHEME (LCTS) Report of the Cabinet Member Finance	(Pages 9 - 16)

6.		REBRANDING CHELTENHAM ART GALLERY AND MUSEUM Report of the Cabinet Member Sport and Culture	(Pages 17 - 22)
7.		REQUEST FOR CONSENT FOR THE COUNCIL TO ENTER INTO A DEED DEDICATING WEAVERS FIELD AND THE BURROWS PLAYING FIELD AS QUEEN ELIZABETH II FIELDS WITH THE ORGANISATION FIELDS IN TRUST Report of the Cabinet Member Sustainability	(Pages 23 - 32)
8.		TRIENNIAL REVIEW OF THE SEXUAL ENTERTAINMENT VENUE POLICY Report of the Cabinet Member Housing and Safety	(Pages 33 - 56)
9.		RESPONSE TO RECOMMENDATIONS OF THE SCRUTINY TASK GROUP ON THE SEX TRADE IN CHELTENHAM Report of the Cabinet Member Housing and Safety	(Pages 57 - 64)
		SECTION 6 : BRIEFING SESSION <ul style="list-style-type: none"> • Leader and Cabinet Members 	
10.		BRIEFING FROM CABINET MEMBERS	
		SECTION 7 : DECISIONS OF CABINET MEMBERS AND OFFICERS Member decisions taken since the last Cabinet meeting	
		SECTION 8 : ANY OTHER ITEM(S) THAT THE LEADER DETERMINES TO BE URGENT AND REQUIRES A DECISION	
		SECTION 9 : LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS	
11.		LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS The Cabinet is recommended to approve the following resolution:- "That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 3 and 5, Part (1) Schedule (12A) Local Government Act 1972, namely: Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information) Paragraph 5; Information in respect of which a claim to legal professional privilege could be maintained in legal	

		proceedings	
12.		EXEMPT MINUTES Exempt minutes of the meeting held on 16 July 2013	(Pages 65 - 66)
13.		ST PAUL'S PHASE TWO Report of the Cabinet Member Housing and Safety (Appendix 2 to follow)	(Pages 67 - 78)
		Section 10: BRIEFING NOTES Joint Waste Committee Business Plan	

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Cabinet

**Tuesday, 16th July, 2013
6.00 - 7.00 pm**

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

Minutes

1. APOLOGIES

None

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. MINUTES OF THE LAST MEETING

The minutes of the meeting held on 18 June were approved and signed as a correct record.

4. PUBLIC QUESTIONS AND PETITIONS

There were none.

5. SOCIAL LETTINGS SERVICE

The Cabinet Member Housing and Safety introduced the report which outlined the development of a Social Lettings Service for landlords and tenants in the private rented sector. He explained that the main impetus behind this was in response to the government's welfare reform. He made reference to paragraph 1.3 of the report which outlined the range of services the Housing Options Service would offer and in so doing should provide reassurance to private landlords. The Leader added that this represented an enhancement to the housing options service and was very welcome.

RESOLVED that

- 1. the implementation and continued development of a Social Lettings Scheme called 'Spa Lettings' by the Housing Options Service be approved.**
- 2. the Social Lettings Scheme be transferred to Cheltenham Borough Homes as part of the transfer of the Housing Options Service as approved by Cabinet on 18 June 2013.**

6. EVENTS CONSULTATION GROUP AND SAFETY ADVISORY GROUP

The Cabinet Member Housing and Safety introduced the report and explained that Cabinet had considered a report from the Event Submissions Scrutiny Task Group at its meeting on 5 February 2013. At the time it noted the recommendations but agreed to come back to Cabinet to outline how they could be implemented since at that time it was very much work in progress. The Safety Advisory Group was in the process of being established and concern had been expressed about the volume of events which could potentially come through the process. The Cabinet Member stated that the process has subsequently proved to be manageable and members commended the efficient process now in force and the professional approach of officers conducting the work.

RESOLVED

that it be noted that :

- 1. an Events Consultative Group (ECG) has been established and has been operating in accordance with the Terms of Reference set out in Appendix 2;**
- 2. a Safety Advisory Group (SAG) has been established;**
- 3. an information page has been created on the council's website;**

that :

- 4. the draft Safety Advisory Group Terms of Reference set out in Appendix 5 be approved;**
- 5. the draft Events Consultative Group & Safety Advisory Group Communication Protocol set out in Appendix 4 be approved.**

7. GREEN DEAL DELIVERY

The Cabinet Member Sustainability introduced the report and explained that the Green Deal allowed individuals and businesses to make energy efficiency improvements to their buildings at no upfront cost. Central to the Green Deal was a finance mechanism that would allow access to the finance needed for the improvements with repayment, in instalments, attached to the electricity bill. The Energy Companies Obligation underpinned the delivery of the Green Deal and was designed primarily to deal with hard to treat properties and to assist those in fuel poverty by issuing means tested grants as applicable.

The Cabinet Member Sustainability explained that the report recommended continuing partnership arrangements with Severn Wye Energy Agency to assist with the Council's Affordable Warmth Strategy and Home Energy Conservation Act (HECA) reporting requirements and to increase the take up of sustainable energy retrofit measures by the provision of a local support hub. He informed Members that a common approach was proposed among all six Gloucestershire districts. The costs to Cheltenham of the partnership arrangement would be £10k per annum for the financial years 2013-14 and 2014-15. A new Service Level Agreement would be entered into in 2015.

RESOLVED that

the authority enter into a service level agreement (Appendix 2) until 30 March 2015 with Severn Wye Energy Agency for the provision of energy efficiency related services.

8. IMPERIAL GARDENS - REINSTATEMENT OF HISTORIC RAILINGS

The Cabinet Member Sustainability introduced the report on the restoration of the historic railings to Imperial Gardens which represented a significant and exciting project in the development of Cheltenham town centre. As Cabinet Member his role was to promote the town's gardens in a way which gave maximum benefit to the largest number of people. He highlighted the public consultation he had undertaken to ensure that there was support in principle and that the project complemented the ongoing development of the area in a way which was aesthetically pleasing in a 21st century setting in gardens which were functional for events such as the Science and Literature Festivals. He explained that the proposed railing design was generally true to the original, apart from a height reduction of 0.35m and this was agreed by Planning Committee in May 2013. There were no plans to fit gates but rather to leave open entrances for best aesthetic design. The Cabinet Member referred to the map which had been tabled and which had been submitted to Planning Committee and which was a more accurate appraisal of entrance sizes. The Cabinet Member said that whilst the £500 000 scheme had great merit, the Council could not support it financially. The Friends of Imperial Square, Heritage and Conservation (FISHAC) were therefore seeking to raise funds independently. The plan was to divide the project into three phases, with no possibility to start a later phase while an earlier phase remained incomplete. He thanked FISHAC for their forbearance in what had been a long process and said that the council looked forward to working with them in partnership. Finally, he highlighted that in the context of paragraph 2.9 of the report FISHAC would be responsible for funding ongoing maintenance of the railings. He reiterated that Cabinet was approving the scheme referenced 13/00301/AMEND & 13/00302 LBC and that there was very clear public support to the proposal.

The Leader of the Council highlighted that the funding aspect of the proposal would be submitted to Council on Monday 22 July for approval and explained that the council would ensure the funding stream was in place before committing to the works given the potential liability involved.

RESOLVED that

- 1. The reinstatement of the historic railings at Imperial Gardens be approved.**
- 2. the Head of Property and Asset Management be authorised to carry out the procurement to appoint the contractor to carry out the works to Imperial Gardens and a project manager to manage the construction project.**
- 3. The Authority enter into an agreement with The Friends of Imperial Square Heritage and Conservation for the restoration of the railings, to include provision for funding to be transferred to the Authority prior to commencement of each stage of the scheme.**

Council be recommended to

4. Allocate the budget for the project and the budget for the external funding within the Authority's capital programme.

9. CHELTENHAM TOWN HALL CAPITAL INVESTMENT SCHEME

The Cabinet Member Sport and Culture introduced the report and explained that over the past 5 years the Town Hall had delivered £212 000 savings, income generation and efficiency savings. It was now considered that further significant savings could only be made with a programme of capital investment as the Town Hall was at maximum capacity. The report set out details of the feasibility study and the strategic vision for the Town Hall.

The Cabinet Member explained that in the financial outturn report to be submitted to Council a carry forward bid of £10 000 was sought to be used to have the estimate capital figures scrutinised by an independent quantity survey. Furthermore, in order to provide in principle support towards capital investment at the Town Hall, it was proposed that Cabinet recommended to Council the allocation of an initial £200 k to develop the designs to a recognised design stage with consultation with English Heritage, Heritage Lottery Fund, local planners and wider community consultation. The Cabinet Member advised that capital projects seeking Heritage Lottery Funding needed to have reached this stage in order to submit a first round application.

The Cabinet Member Finance welcomed this visionary but practical scheme. Drawing in external capital would offer the potential of delivering additional income which would help meet the financial challenges the Council was facing and it would create a Town Hall fit for the 21st century.

RESOLVED that

- 1. based on the outcome of the feasibility study the capital investment project on a phased approach for Cheltenham Town Hall be approved**
- 2. Cabinet recommend to Council the allocation of an initial £200k to invest into the Cheltenham Town Hall capital investment scheme in order to progress the scheme to RIBA Stage B and seek to submit a first round funding application to Heritage Lottery Fund**

10. LEISURE FACILITIES STRATEGY AND PRINCE OF WALES STADIUM FEASIBILITY OPTIONS

The Cabinet Member Sport and Culture introduced the report and explained that as part of the commissioning review, a Leisure Facilities Strategy had been written and feasibility studies had been undertaken to consider the current operation of the site and a range of future options including changes to the use of existing spaces and the possible addition of new facilities on the site that complimented the current offer. Leisure provision in Cheltenham was good but considerations of the report included installing a modern 3G pitch on or alongside the Prince of Wales training pitch and the addition of a competition standard BMX track. Stakeholder engagement had been positive and thorough. Agreement was sought from Cabinet to commence detailed discussions with

tenants and key users of the Stadium, to negotiate future usage arrangements and to look at the strategic vision of creating a sporting hub in Pittville Park.

Members welcomed the report and highlighted the importance of maximising the use of its existing resources and creating a better facility used by more residents.

RESOLVED that

- 1. the commencement of detailed discussions with tenants and key users of the Prince of Wales Stadium to negotiate future usage arrangements be agreed**
- 2. the strategic principle that facility development and future investment for sport and leisure within the town be focussed on Leisure@ and the Prince of Wales Stadium be supported, as recommended in the Leisure Strategy and associated feasibility studies**
- 3. the detailed business cases for future investment to deliver specific capital developments at a later date, following the successful establishment of a new charitable trust for leisure and culture be considered.**

11. FINANCIAL OUTTURN 2012/13 AND QUARTERLY BUDGET MONITORING REPORT TO END OF MAY 2013

The Cabinet Member Finance introduced the report and welcomed the £200 000 saving which had been delivered in 2012/13 which he proposed be used to strengthen the General Reserve.

The Cabinet Member referred to the carry forward requests, which totalled £186 500, some of which included changing the purpose of the spending slightly to which was originally budgeted for. He reported that Ubico had made a significant saving and it was proposed that £170,000 of this saving was used to reinvest in new vehicles, technology and training. He also reported that not all the £100 000 allocated to the Innovation Fund which was for the purposes of promoting retail and businesses had been spent. It was suggested that the scheme would continue and be promoted more but it was proposed that some of the funding be used for other purposes such as business improvement districts which the Cheltenham Business Partnership was keen to explore.

It was proposed that £24 000 would be used to purchase new equipment suitable for cleaning the slabs and bonded gravel in and around the Promenade.

The Cabinet Member Finance explained that the Council had raised a loan for the purposes of the runway safety project for Gloucestershire Airport based on the business plan. The Airport had showed disappointing growth and had asked for the repayment of the loan to be extended. The Treasury Management Panel had discussed this and agreed that this should be approved but reviewed every year. He therefore proposed an amendment to recommendation 5 of the report to read "Approve the revision to the Treasury

Management Policy to reflect the revised borrowing facility to support the airport, subject to annual review.” This amendment was supported by Members.

The Medium Term Financial Strategy (MTFS) had been revised following the recent Government funding announcement. The Council would lose £700 000 in 2014/15 and a further £500 000 or more in 2015/16 therefore there was an increase in the medium term funding gap. The Council would therefore need to work harder to deliver savings without impacting frontline services.

The Cabinet Member Housing and Safety paid tribute to the hard work of officers and highlighted that there had been no significant increase in housing arrears despite the rent increase.

The Cabinet Member Sustainability welcomed the reinvestment of Ubico savings in services and stated that this would be reflected in service delivery over the next year or two.

The Leader clarified that the report would be submitted to Council for approval on Monday 22 July.

RESOLVED that the following recommendations be approved ;

- 1. Receive the financial outturn performance position for the General Fund, summarised at Appendix 2, and note that services have been delivered within the revised budget for 2012/13 resulting in a saving (after carry forward requests) of £201,801.**
- 2. Recommend that Council approve the following :**
 - 2.1 Approve £216,400 of carry forward requests (requiring member approval) at Appendix 6.**
 - 2.2 Approve the transfer of the budget saving of £201,801 to general fund balances.**
- 3. Note the updated MTFS and budget strategy at Appendix 4.**
- 4. Note the treasury management outturn at Appendix 8 and approve the actual 2012/13 prudential and treasury indicators.**
- 5. Approve the revision to the Treasury Management policy to reflect the revised borrowing facility to support the airport, subject to annual review (Appendix 9).**
- 6. Approve the amendments to financial rule 19 in respect of write-off limits as set out in appendix 15 (section 7).**
- 7. Approve the High Street Innovation Fund reallocation (section 8).**
- 8. Note the capital programme outturn position as detailed in Appendix 11 and approve the carry forward of unspent budgets into 2013/14 (section 10).**
- 9. Note the position in respect of section 106 agreements and partnership funding agreements at Appendix 12 (section 11).**
- 10. Note the outturn position in respect of collection rates for council tax and non domestic rates for 2012/13 in Appendix 13 (section 12).**

11. **Note the outturn position in respect of collection rates for sundry debts for 2012/13 in Appendix 14 (section 13).**
12. **Receive the financial outturn performance position for the Housing Revenue Account for 2012/13 in Appendices 16 to 17 (section 14).**
13. **Note the budget monitoring position to the end of May 2013 (section 15).**

12. LOCAL COUNCIL TAX SUPPORT SCHEME (LCTS)-ITEM DEFERRED TO 17 SEPTEMBER

This item was withdrawn and would be referred to the next meeting of Cabinet on 17 September 2013.

13. BRIEFING FROM CABINET MEMBERS

The Leader informed Members that the LGA had published a new document entitled "Rewiring Public Services". This was an important, cross party LGA publication which outlined a vision for the way forward for local government finance. It was important that this document was discussed at a borough level and he would be reflecting how best to pursue this with all Councillors.

The Leader of the Council then informed the meeting that he had attended the recent opening of a business incubation unit which was a joint initiative between the University of Gloucestershire and the Chamber of Commerce. This represented an integrated business support and incubation service to assist young start-up businesses.

The Cabinet Member Leisure and Culture stated that the 30 day challenge period under the Leisure and Culture procurement process had now elapsed and since there were no challenges, officers could now proceed to the next stage.

14. MEMBER DECISIONS TAKEN SINCE THE LAST CABINET MEETING

The Leader informed Cabinet that he had taken a decision, published that day, as a Ubico shareholder with regard to the Ubico fuel and maintenance contract.

15. LOCAL GOVERNMENT ACT 1972-EXEMPT BUSINESS RESOLVED

That in accordance with Section 100A (4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda item as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraphs 3 and 5 Part (1) Schedule (12A) Local Government Act 1972, namely :

Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)

Paragraph 5; Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings

16. A TREASURY MANAGEMENT MATTER

The Cabinet Member Finance introduced the report and provided members with the background to the issue. He also advised that the Treasury Management Panel had met to discuss this and had supported the recommendation of the report and had highlighted the council's investment strategy of minimising risk as a priority. Finance officers updated members on new information which had come to light and members discussed whether this should be reflected in the recommendation. Cabinet decided that in order to maintain flexibility it would support the original proposal.

The Cabinet Member Finance took the opportunity to thank the finance officers for their hard work on this issue alongside the work involved in finalising the financial outturn report.

RESOLVED that

The Director of Resources, in consultation with the Leader and the Cabinet Member Finance, be authorised to conclude arrangements and sign documentation for the matter concerned.

Chairman

**Cheltenham Borough Council
Cabinet – 17th September 2013
Local Council Tax Support Scheme (LCTS)**

Accountable member	Councillor John Rawson, Cabinet Member Finance
Accountable officer	Mark Sheldon, Director of Resources
Ward(s) affected	All
Key Decision	Yes
Executive summary	<p>In December 2012 cabinet approved a local council tax support scheme for 2013/14 and resolved that work should commence on developing a long term scheme from April 2014 which reduces council tax support costs, protects vulnerable people and keeps work incentives.</p> <p>Delays in welfare reforms and the uncertainty of long term funding of the LCTSC scheme after April 2015 would put the local authority at risk if we consulted and approved a scheme that continued after March 2015.</p> <p>Following a joint working group meeting of section 151 officers and finance officers from the county on 8th July 2013, it was agreed to recommend to all councils in Gloucestershire to keep the LCTS scheme for 2014/15 unchanged and to carry out a short public consultation on this basis.</p> <p>Approval is being sought to keep the LCTS scheme unchanged for 2014/15 other than the annual uprating of premiums, allowances and non dependant deductions and to give delegated powers to the section 151 officer to agree the content of any future public consultation.</p>
Recommendations	<p>a) To keep the Local Council Tax Support scheme unchanged for 2014/15, other than the annual up rating of premiums, allowances and non dependant deductions.</p> <p>b) To approve a public consultation of eight weeks on this basis.</p> <p>c) To delegate to the Section 151 officer, in consultation with the Cabinet Member Finance, the power to agree the content of future public consultation on any Local Council Tax support scheme.</p>

Financial implications	<p>The funding for the LCTS scheme was reduced by approximately 9% in 2013/14 (c£77k) and changes were made to council tax empty property exemptions and second home discount to help offset the reduction in funding.</p> <p>In 2013/14 Cheltenham qualified for transitional funding, but this will not be repeated in 2014/15.</p> <p>The level of funding for the local council tax support scheme for 2014/15 is due to remain the same as 2013/14, but actual amounts have yet to be confirmed.</p> <p>The Government are reviewing the long term funding arrangements for LCTS and therefore there is a risk to committing to a long term scheme, if funding levels are drastically reduced.</p> <p>Contact officer: Mark Sheldon, mark.sheldon@cheltenham.gov.uk, 01242 264123</p>
Legal implications	<p>The procedures for making and revising council tax reduction schemes are prescribed in schedule 1A Local Government Finance Act 1992.</p> <p>Contact officer: Peter Lewis, peter.lewis@teWKesbury.gov.uk, 01684 272012</p>
HR implications (including learning and organisational development)	<p>None arising from this report</p> <p>Contact officer: Julie McCarthy, julie.mccarthy@cheltenham.gov.uk, 01242 264355</p>
Key risks	<p>As outlined in the report</p>
Corporate and community plan Implications	<p>None</p>
Environmental and climate change implications	<p>None</p>
Property/Asset Implications	<p>None</p> <p>Contact officer: David Roberts@cheltenham.gov.uk</p>

1. Background

- 1.1 The Welfare Reform Act 2012 abolished Council tax benefit. Under the Local Government Finance Act 2012 local authorities had to design their own Local Council Tax Support (LCTS) scheme which protected pensioners.
- 1.2 Prior to the implementation of the countywide scheme in 2013/14, a consultation was undertaken. Although we were consulting on a scheme that was basically the same as the old council tax benefit scheme, the opportunity was taken to ask for the views on changes that could be made in the future to reduce the level of support given. The results showed that there was very little support for changing the scheme.
- 1.3 Billing authorities are the lead authorities in the design and implementation of a local scheme but have a duty to consult with major preceptors and other interested parties. Regular meetings have taken place with all six district councils, the County and Police to monitor the financial implications of the current scheme and to work together on the scheme for 2014/15 in Gloucestershire.
- 1.4 The biggest financial impact of decisions we make about the scheme will be felt by the County and the Police and without a clear indication of long term funding after 2014/15, they are unable to make a decision on a revised scheme beyond 2014/15.
- 1.5 At a meeting of section 151 officers and accountants from the County Council on 8th July 2013, it was agreed to recommend that the LCTS scheme should remain unchanged for 2014/15 in Gloucestershire.
- 1.6 During 2014/15 we should receive the funding arrangements for 2015 onwards and have a better idea of the effect the welfare benefit changes have had on customers. We should also have actual figures on the additional income generated from the exemption/discount changes and feedback from other councils who did not adopt the default scheme about the impact on council tax recovery and cost of collection.
- 1.7 If cabinet approve the recommendation to keep the LCTS scheme unchanged for a further year, other than the annual uprating of allowances, premiums and non dependant deductions, then the public consultation will be for eight weeks and will be web based.

2. Funding from April 2014

- 2.1 The Government funding for the LCTS scheme was expected to be cut by approximately 10% in 2013/14. Consequently this Council made changes to council tax empty property exemptions and second home discount to help offset the shortfall.
- 2.2 Initial figures seem to suggest the funding shortfall on LCTS will be around 9% for 2013/14, which works out to be £3,207,238 across the county and around £77,000 for the Cheltenham district/parish part of the charge.
- 2.3 Due to the nature of empty property exemptions and the fact the first month is 100% exempt, the next five months 25% exempt and then the full charge after six months, it is difficult to predict with any accuracy the increased income generated until the end of the year. Additional income has also been raised by removing the 10% discount on second homes.
- 2.4 In 2013/14 the Government provided transitional funding for councils which adopted either the default scheme (which Gloucestershire councils did) or a scheme that kept the loss of council tax support to working age customers to less than 8.5%. The transitional grant across the county was £906,734 and Cheltenham received £21,980.
- 2.5 The Government originally stated that the level of funding for the Local Council Tax Support

scheme for 2014/15 would be the same as 2013/14 and would then be reviewed long term in the next spending cycle. We are awaiting confirmation of actual amounts for 2014/15, but indications seem to suggest a reduction in Government funding from at least 2015/16.

- 2.6** Whilst it would be preferable to implement a scheme in 2014/15 that can remain unchanged for a number of years, negating the need for annual consultation, we must take into account the annual reduction in funding that may be experienced long term. We also need to bear in mind that the biggest impact of decisions we make about the scheme will be felt by the County and the Police and they are unable to make a decision on a revised scheme beyond 2014/15.

3. Reasons for recommendations

- 3.1** Based on estimates in 2012/13 the additional income generated from changes to exemptions and second home discounts is expected to fully cover the funding shortfall in 2013/14 without using the one off transitional grant for Cheltenham.
- 3.2** Long term funding of the Local Council Tax Support scheme is being radically reviewed along with other funding streams and therefore until we receive figures it will be unwise to consult and adopt a long term scheme at this stage.
- 3.3** The welfare reform changes have been delayed, with a benefit cap only recently implemented in Gloucestershire and Universal Credit for new customers unlikely to start in our area until April 2014 at the earliest. Existing customers who don't have any changes in their circumstances will not transfer to Universal Credit until 2016 to 2018.
- 3.4** No accurate data is currently available from councils who did not adopt the default scheme in 2013/14, to compare the increased cost of collection, council tax outstanding and recovery work involved from asking council tax payers on a low income to contribute more towards their council tax.

4. Alternative options considered

- 4.1** Officers considered the potential for a cut in benefit levels but this was discounted on the basis of the impact, including the impact on low paid residents, as well as the additional administrative costs and potential increased level of write offs involved in generating large number of small bills for residents who had not been used to paying council tax. No other alternatives were considered as the County confirmed they were happy to keep the scheme unchanged for a further year, based on the predicted increase in empty property exemptions across the district councils and the transitional grant received in 2013/14.

5. Consultation and feedback

- 5.1** Council officers have been working with all Gloucestershire district councils on these proposals and have consulted with the County Council and Gloucestershire Police Authority.

6. Performance management –monitoring and review

- 6.1** The benefits service will monitor any increased take-up of council tax support and any significant changes will be reported to cabinet.

Report author	Contact officer: Paul Aldridge, Paul.Aldridge@cheltenham.gov.uk, 01242 264196
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Appendices	1. Risk Assessment
Background information	1. Financial spreadsheet for 2013/14

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	Financial risk if additional income generated from exemptions and discounts do not cover the loss in funding	Mark Sheldon		4	3	12	Accept	Monitor throughout year as part of the ongoing controls			
<p>Explanatory notes</p> <p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											

Guidance

Types of risks could include the following:

- Potential reputation risks from the decision in terms of bad publicity, impact on the community or on partners;
- Financial risks associated with the decision;
- Political risks that the decision might not have cross-party support;
- Environmental risks associated with the decision;
- Potential adverse equality impacts from the decision;
- Capacity risks in terms of the ability of the organisation to ensure the effective delivery of the decision
- Legal risks arising from the decision

Remember to highlight risks which may impact on the strategy and actions which are being followed to deliver the objectives, so that members can identify the need

to review objectives, options and decisions on a timely basis should these risks arise.

Risk ref

If the risk is already recorded, note either the corporate risk register or TEN reference

Risk Description

Please use “If xx happens then xx will be the consequence” (cause and effect). For example “If the council’s business continuity planning does not deliver effective responses to the predicted flu pandemic then council services will be significantly impacted.”

Risk owner

Please identify the lead officer who has identified the risk and will be responsible for it.

Risk score

Impact on a scale from 1 to 5 multiplied by likelihood on a scale from 1 to 6. Please see risk [scorecard](#) for more information on how to score a risk

Control

Either: Reduce / Accept / Transfer to 3rd party / Close

Action

There are usually things the council can do to reduce either the likelihood or impact of the risk. Controls may already be in place, such as budget monitoring or new controls or actions may also be needed.

Responsible officer

Please identify the lead officer who will be responsible for the action to control the risk.
For further guidance, please refer to the [risk management policy](#)

Transferred to risk register

Please ensure that the risk is transferred to a live risk register. This could be a team, divisional or corporate risk register depending on the nature of the risk and what level of objective it is impacting on

Data for LCTS

	SDC	TBC	GCity	CDC	CBC	FoDDC	GCC	Police	Total
Estimated cost of LCTS 2013/14	6,776,000	4,302,000	8,727,000	4,851,000	7,073,000	5,958,000			37,687,000
Current cost of LCTS Scheme	6,465,793	4,130,812	8,666,541	4,680,888	6,683,164	5,946,906			36,574,104
Funding received (incl. parish share)	963,799	383,606	968,273	572,959	811,660	769,061	24,380,430	4,464,492	33,314,280
Shortfall in funding across the county									3,259,824
Transitional Grant received (inc. parish)	26,555	10,420	25,996	15,808	21,980	20,979	663,499	121,497	906,734
Caseload June 13 - Pensioners	3,736	2509	4153	2910	3273	3495			20,076
Caseload June 13 - Working age	3,503	2548	6747	2279	4960	3332			23,369
Caseload 2011/12 - Pensioners	4,006	2,212	4,226	3,082	3,458	3,639			20,623
Caseload 2011/12 - Working age	3,488	2,857	6,682	2,173	5,007	2,997			23,204

Cheltenham data	District/parish	Police	County	Total
Funding shortfall (9%)	76,448	81,561	443,476	601,485
Less Transitional grant	-21,980	-22,965	-125,413	-170,358
Additional income needed to cover shortfall from changes to exemptions and discounts	54,468	58,596	318,063	431,127

Cheltenham Borough Council

Cabinet – 17 September 2013

Re-branding Cheltenham Art Gallery & Museum

Accountable member	Councillor Rowena Hay, Cabinet Member for Sport & Culture
Accountable officer	Sonia Phillips, Director of Wellbeing & Culture
Ward(s) affected	Lansdown
Key Decision	No
Executive summary	<p>This report sets out the basis on which the Cheltenham Art Gallery & Museum is re-branded following 18 months closure and the completion of the multi-million pound redevelopment project of the building.</p> <p>As part of the re-launch of the refurbished and extended Cheltenham Art Gallery & Museum a piece of work has been done to develop a new identity and image. The work was based on the outcome of a perceptions audit, which included consultation with internal and external key stakeholders, and which recommended that the re-opening provided a major opportunity for the Art Gallery & Museum to be re-branded. This report was finalised for publication pending the wider public feedback referred to in paragraph 2.4 and Members will be advised of that feedback and the recommended branding at the Cabinet meeting.</p>
Recommendation	That Cabinet approves the re-branding of the Cheltenham Art Gallery & Museum.

Financial implications	<p>Costs contained within Art Gallery & Museum Development Scheme project budgets and ongoing revenue budgets.</p> <p>Contact officer: Paul Jones, paul.jones@cheltenham.gov.uk, 01242 775154</p>
Legal implications	<p>None directly arising from the recommendation.</p> <p>Contact officer: peter.lewis@tewkesbury.gov.uk, 01684 272012</p>
HR implications (including learning and organisational development)	<p>No direct HR implications in this report</p> <p>Contact officer: Donna Sheffield, donna.sheffield@cheltenham.gov.uk, 01242 774972</p>

Key risks	As set out within Appendix 1
Corporate and community plan Implications	The re-opening of the Art Gallery & Museum Redevelopment Project is specifically identified within the 2013/14 Corporate Strategy and contributes to the delivery of the arts and culture outcome : Arts and culture are used as a means to strengthen communities, strengthen the economy and enhance and protect our environment
Environmental and climate change implications	None as a direct result of this report

1. Background

- 1.1** The Cheltenham Art Gallery & Museum will re-open to the public on 5th October 2013 following its closure in April 2011 and the completion of the £5.9m redevelopment project.
- 1.2** As part of the project a perceptions audit was commissioned which included consultation with key internal and external stakeholders including CAGM Friends; Cheltenham Chamber of Commerce; Cheltenham Festivals; Cotswolds Attractions Group; Oakwood Children’s Centre; The Everyman Theatre; Young People’s group and an independent media consultant.
- 1.3** The consultation work involved stakeholders considering the following key aspects of the existing brand and image of the Cheltenham Art Gallery & Museum:
- profile and positioning
 - brand values
 - personality
 - ethos and distinctiveness
 - audiences / participants, experiences
- 1.4** The overriding feedback from the stakeholders and the recommendation from the perception audit was that a new brand was sought in order to fully maximise the impact of the re-opening of the Cheltenham Art Gallery & Museum. The concept of creating a new brand for the Cheltenham Art Gallery & Museum was also supported by key partners of the Development Project: Heritage Lottery Fund, the Summerfield Trust, and Gloucestershire University.
- 1.5** As a result, the Council procured the services of a creative design company, who were commissioned to consider the findings of the perception audit and, as appropriate put forward a number of options for consideration for the re-branding campaign.

2. Re-Branding Options

- 2.1** Arthur Sheene Horne Adamson Ltd (ASHA) were appointed to undertake the work on the basis that the brand and image proposals put forward portrayed the range of cultural activities and opportunities that the Cheltenham Art Gallery & Museum provides to the community and which, importantly reflected the heritage and history of the building.
- 2.2** On 12th August 2013 ASHA presented three brand options to the Cabinet Member Sport & Culture,

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and Executive officers. Whilst the Cheltenham Art Gallery & Museum would retain the descriptive name, each of the brand options put forward carried a fresh, strong and modern image which, ASHA considered would very much maximise the marketing potential that the opening of the new Cheltenham Art Gallery & Museum will create. The three options presented were as follows:

- C-MAG – the brand image depicts the acronym of the Cheltenham Art Gallery & Museum but in a different format : Cheltenham Museum & Art Gallery
- 51 – the brand image depicts the street number on Clarence Street where the Cheltenham Art Gallery & Museum is sited.
- The Wilson – the brand image depicts the name of Edward Wilson, the scientific explorer, born in Cheltenham who died in the British Antarctica Expedition with Captain Scott, and whose father opened the Cheltenham Art Gallery & Museum in 1907

2.3 As a result of the presentation, ASHA recommended that the Wilson is used as the brand image going forward. However, before adopting this it was agreed that a further presentation with wider external stakeholders should be arranged to include the Friends of the Art Gallery & Museum, the Gloucestershire Guild, Cheltenham Festivals as well as staff members and Cabinet Members, which was held on August 20th.

2.4 In addition, the importance of engaging with the wider community and the public was recognised, Therefore before the final decision is made by Cabinet engagement with public has been sought. An media briefing was held on September 5th, with the press encouraging the public to comment and provide feedback on the proposal.

3 Reasons for recommendations

3.1 As set out in the report

4 Consultation and feedback

4.3 As set out in the report

Report author	Contact officer: Jane Lillystone. Jane.lillystone@cheltenham.gov.uk 01242 775706
Appendices	1. Risk Assessment
Background information	1. Cabinet Report Art Gallery & Museum Development Scheme April 2007.

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
1.0	If the Cheltenham Art Gallery & Museum is not re-branded then it may not maximise its full potential as a newly opened cultural venue.	SP	30.08.13	3	2	6	Reduce	Re-brand the new AG&M	05.10.13	JL	
2.0	If the Cheltenham Art Gallery & Museum is not re-branded then the Council may receive negative comments from key stakeholders involved with the perceptions audit.	SP	30.08.13	3	2	6	Reduce	Re-brand the new AG&M	05.10.12	JL	

Explanatory notes

Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

Control - Either: Reduce / Accept / Transfer to 3rd party / Close

Guidance

Types of risks could include the following:

- Potential reputation risks from the decision in terms of bad publicity, impact on the community or on partners;
- Financial risks associated with the decision;
- Political risks that the decision might not have cross-party support;
- Environmental risks associated with the decision;
- Potential adverse equality impacts from the decision;
- Capacity risks in terms of the ability of the organisation to ensure the effective delivery of the decision
- Legal risks arising from the decision

Remember to highlight risks which may impact on the strategy and actions which are being followed to deliver the objectives, so that members can identify the need to review objectives, options and decisions on a timely basis should these risks arise.

Risk ref

If the risk is already recorded, note either the corporate risk register or TEN reference

Risk Description

Please use “If xx happens then xx will be the consequence” (cause and effect). For example “If the council’s business continuity planning does not deliver effective responses to the predicted flu pandemic then council services will be significantly impacted.”

Risk owner

Please identify the lead officer who has identified the risk and will be responsible for it.

Risk score

Impact on a scale from 1 to 5 multiplied by likelihood on a scale from 1 to 6. Please see risk [scorecard](#) for more information on how to score a risk

Control

Either: Reduce / Accept / Transfer to 3rd party / Close

Action

There are usually things the council can do to reduce either the likelihood or impact of the risk. Controls may already be in place, such as budget monitoring or new controls or actions may also be needed.

Responsible officer

Please identify the lead officer who will be responsible for the action to control the risk.
For further guidance, please refer to the [risk management policy](#)

Transferred to risk register

Please ensure that the risk is transferred to a live risk register. This could be a team, divisional or corporate risk register depending on the nature of the risk and what level of objective it is impacting on

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Cheltenham Borough Council

Cabinet Meeting – 17th September 2013

Request for consent for the council to enter into a deed dedicating Weavers Field and The Burrows Playing Field as Queen Elizabeth II Fields with the organisation Fields in Trust

Accountable member	Roger Whyborn, Cabinet Member Sustainability
Accountable officer	Grahame Lewis
Ward(s) affected	Warden Hill and Leckhampton
Key Decision	Yes/No
Executive summary	<p>Requests have been made by councillors to consider dedicating Weavers Field and The Burrows Playing Field as Queen Elizabeth II Fields with the organisation, Fields in Trust (the operating name of the National Playing Fields Association).</p> <p>The NPFA are the Trustees of the Charity, 'King George's Fields Foundation'. There are 471 dedicated King George's Fields including one in Cheltenham.</p> <p>The Queen Elizabeth II Fields Challenge is a legacy initiative to mark both the Queen's Diamond Jubilee and the London Olympics.</p> <p>Legal advice is that this dedication has to be a Cabinet decision.</p>
Recommendations	To support the signing of a Deed Of Dedication with Fields in Trust pertaining to Weavers Field and The Burrows Playing Field to protect their existing use.

Financial implications	<p>There are no financial implications arising from this report.</p> <p>Contact officer: Sarah Didcote, Sarah.Didcote@cheltenham.gov.uk, 01242 264125</p>
Legal implications	<p>Entering into the deed will fetter the Council's power to deal with the land, as set out in the report. If any buildings on the relevant area of land are also dedicated, they too will be bound by the provisions of the deed, and will have to have regard to any advice given from time to time by Fields in Trust on the management and running of the property.</p> <p>The proposal would also incur minor Land Registry costs (in the region of £150).</p> <p>Contact officer: Rose Gemmell, Rose.gemmell@tewkesbury.gov.uk, 01684 272014</p>

HR implications (including learning and organisational development)	No direct HR implications arising from this report Contact officer: Julie McCarthy HR Manager (GO Shared services), julie.mccarthy @cheltenham.gov.uk, 01242 264355
Key risks	No change to current land use
Corporate and community plan Implications	2011-15 Corporate Strategy Objective:- Enhancing and protecting our environment Outcome:- Cheltenham's natural and built environment is enhanced and protected
Environmental and climate change implications	The Deed of Dedication would safeguard the natural environment at both these green spaces. Weavers Field has the potential to be managed in a style that could encourage an increase in diversity while still providing informal recreation. The Burrows, while predominantly a sports field, also has the potential for an increase in diversity around its perimeter and a corresponding reduction in the inputs required to maintain a more natural environment.
Property/Asset Implications	The dedication of the playing fields will fetter any future alternative uses for the land. Contact officer: David Roberts@cheltenham.gov.uk

Background

- 1.1 In 2011, contact was made with this council by Fields in Trust [FIT] (the operating name for the National Playing Fields Association) to invite the councils interest in dedicating one or more sites for the Queen Elizabeth II Fields Challenge [QEII Field]
- 1.2 The Queen Elizabeth II Fields Challenge is a legacy initiative to mark both the Queen's Diamond Jubilee and the London Olympics. The aim is to protect 2012 playing fields and other recreational spaces to ensure access to outdoor sport, play and recreation for future generations. Areas designated as QEII Fields will be marked by a plaque and protected for public recreation by means of a deed of dedication.
- 1.3 The Deed of Dedication is intended to protect the land in perpetuity and not allow changes from the permitted use as a playing field and recreation ground (clause 3.1) or to sell without consent by FIT. There is some flexibility whereby an exchange of sites is allowed for (clause 4.1). A blank copy of the Deed of Dedication is attached as appendix 2
- 1.4 Suggestions have been made by councillors that two fields be considered for QEII Fields dedication. These are Weavers Field in Warden Hill and The Burrows Playing Field in Leckhampton. These are respectively a natural area used for informal recreation and a formal sports field. One Legal advise that a cabinet level decision is required on executing a Deed dedicating Weavers Field and The Burrows Playing Field as Queen Elizabeth II Fields with The Fields in Trust.

2. Reasons for recommendations

- 2.1 Dedication of these areas of open space as Queen Elizabeth II Fields engenders civic pride and provides this part of the Borough a lasting tribute and legacy to Her Majesty whilst ensuring

continued use of the land for the purposes of external public recreation and enjoyment.

3. Alternative options considered

- 3.1** Do nothing and maintain the status quo.
With regard to The Burrows Playing Field, there is some oversight to any proposed development the council may wish to make. Sport England is a statutory consultee on planning applications and development control matters involving the loss of existing or former playing fields. Sport England expect to be consulted on any proposal affecting playing fields of 0.2ha or more and any proposal resulting in the creation or loss of a major sports facility.
With regard to Weavers Field, there is the potential for a Nature Reserve designation to be put in place but previous discussions regarding this have met with local opposition.

4. Consultation and feedback

- 4.1** Strong local support for measures to protect Weavers Field emerged during recent public consultations held regarding potential allotment sites

5. Performance management –monitoring and review

5.1

Report author	Contact officer: tony.mcnamara@cheltenham.gov.uk, 01242 774519
Appendices	1. Risk Assessment 2. Deed of Dedication, blank
Background information	1.

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	Any risks associated with equality impact			1	1	1	None				
	Any environmental risks			1	1	1	None				
	Agreeing to dedication and then missing deadline to achieve this with FIT would risk adverse publicity			2	2	4	Reduce	Have all relevant paper work ready to action if cabinet decision is to proceed	Process to be completed within 4 weeks of cabinet decision to meet FIT deadline		
<p>Explanatory notes</p> <p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											

FIELDS IN TRUST – QUEEN ELIZABETH II FIELDS

Annotated Non-Charitable Deed of Dedication

Local Authority Protected

[Party] (1)

and

National Playing Fields Association (2)

[Site Name]

BETWEEN

- (1) **[PARTY 1]** and its successors in title (the **Council**); and
- (2) **NATIONAL PLAYING FIELDS ASSOCIATION**, operating as Fields in Trust, of Kings Chambers, 15 Crinan Street, London N1 9SQ a Royal Charter Organisation established for charitable purposes (registered charity number 306070) and its successors in title (**FIT**)

(the Council and FIT being together called the **Parties**)

WHEREAS:

1. The property more particularly specified in the Schedule (the Property) forms part of the corporate property of the Council.
2. The parties have contracted in correspondence that the Property will be dedicated in the manner and for the purposes set out below (but without any intention to create any charitable trust), and in accordance with the mutual undertakings given by the parties.

This clause establishes the contract.

3. The Council gives the following undertakings:
 - 3.1 Not to use the Property or permit the Property to be used for any purpose other than as a [public playing field and recreation ground];

The user clause refers to the property being for “a public playing field and recreation ground”. Depending on the property’s current or future use, the user clause can be amended by mutual agreement. For example, it could include reference to open space or to buildings such as village or community halls or to public indoor leisure facilities.

- 3.2 Subject to clause 4, not (in so far as it has the power to do so) to dispose of the Property without the consent of FIT;

This clause establishes additional protection through FIT consistent with the objectives of the queen Elizabeth II Fields Challenge.

- 3.3 It will not (in so far as it has the power to do so) erect any building or structure on the Property the use of which falls outside of the permitted use as stated in Clause 3.1 without the consent of Fields in Trust;

Decisions relating to new buildings and structures, or alterations of the same, which fall within the user clause are solely in the control of the landowner or its tenant(s).

- 3.4 To inform FIT without delay of any proposals, intentions or decisions to dispose of or erect any structures on the Property;

This clause supports the objective of protecting the site's recreational use.

- 3.5 To maintain the Property and so far as is consistent with its duties as a local authority to have regard to any advice given from time to time by FIT on the management and running of the Property;

This clause establishes an advisory role for FIT without interfering with the management rights and responsibilities of the authority.

- 3.6 To erect a notice on the Property in the form of a signage provided by FIT relating to the background of FIT and the Queen Elizabeth II Fields and giving recognition of financial support where required;

This is an essential part of the QEII Fields Challenge

- 3.7 To apply within three months of the date of this Deed on form RX1 annexed hereto for the registration in the proprietorship register of the registered title of the Property at the Land Registry of a restriction to the following effect:

"No disposition of the registered estate by the proprietor of the registered estate is to be registered without a written certificate signed by FIT of 15 Crinan Street, London N1 9SQ or by its conveyancer that the provisions of paragraph 4 of The Deed of Dedication dated [] between [] (1) and National Playing Fields Association (2) have been complied with";

This is an essential part of the land registration and protection process.

- 3.8 To apply within three months of the date of this Deed on form AN1 annexed hereto for the registration in the charges register of the registered title of the Property at the Land Registry of a notice to the following effect:

" A Deed of Dedication dated [] between [] (1) and National Playing Fields Association (2)"; and

This is an essential part of the land registration and protection process.

- 3.9 To notify FIT immediately once the registrations referred to in clauses 3.7 and 3.8 have been completed.

- 4. Notwithstanding clause 3.2, FIT may at its absolute discretion consent to the disposal of the Property provided that the Council at the request of FIT:

- 4.1 Replaces or agrees to replace the Property with a piece of freehold land approved by FIT which is of equivalent or better quality than the Property, with equivalent or better facilities than the

Property, of the same or greater dimensions than the Property, in the same catchment area as the Property, and as accessible to the public as the Property (the **Replacement Site**) and applies such of the proceeds of any sale of the Property as are necessary to do so; and

- 4.2 Enters into another deed of dedication on the same terms as this Deed in respect of the Replacement Site.

Clauses 4.1 and 4.2 take account of potential future change by guaranteeing flexibility in terms of specific location provided the specified criteria are met.

5. FIT undertakes that it will:
 - 5.1 Not unreasonably withhold consent to disposal of the Property or the erection of any structures upon it, subject to its duty to perform its charitable objects and provided that the provisions of clause 4 of this Deed have been complied with;
 - 5.2 Respond without delay to any notifications of intended disposal or erection of structures, or to any requests for advice; and
 - 5.3 Notify the Council without delay of any concerns or matters of advice to which it requires the Council to have regard.
6. The Council DEDICATES the property in celebration of the Diamond Jubilee of Her Majesty Queen Elizabeth II as a public playing field and recreation ground for the benefit of the inhabitants of [] and thereabouts and the site will be titled the Queen Elizabeth II Field []

This is the essential naming clause referring to the dedication as a Queen Elizabeth Field. The user definition (given as 'playing field and recreation ground here) can be varied according to the site.

IN WITNESS whereof this Deed of Dedication is executed the day and year first before written

schedule

All that freehold property known as land at [] which is identified on the plan outlined in red and annexed to this Deed being Title Number [].

EXECUTED as a **DEED** by affixing the
The **COMMON SEAL** of
[]
in the presence of:

Councillor

Councillor

EXECUTED as a **DEED** by affixing the
The **COMMON SEAL** of
NATIONAL PLAYING FIELDS
ASSOCIATION
in the presence of:

Member of Council

Member of Council

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Cheltenham Borough Council

Cabinet – 17 September 2013

Triennial review of the Sexual Entertainment Venue Policy

Accountable member	Councillor Peter Jeffries - Cabinet Member Housing and Safety
Accountable officer	Grahame Lewis – Executive Director
Ward(s) affected	All
Key Decision	No
Executive summary	<p>The Council's current Sexual Entertainment Venue Policy Statement was adopted by the Licensing Committee on the 4th of February 2011.</p> <p>Although there is no statutory requirement to undertake a triennial review of the policy statement, there is a commitment set out in the policy statement to do so at least once every three years to ensure the policy remains up to date and relevant.</p> <p>The decision at this stage is to merely approve the draft policy for consultation.</p>
Recommendations	<p>Cabinet is recommended to;</p> <ol style="list-style-type: none"> 1. Note the outlined changes to the draft policy statement, and 2. Approve the draft policy statement at Appendix 2 for the purpose of consultation.

Financial implications	<p>There are no direct financial implications in this report.</p> <p>Contact officer: Sarah Didcote, sarah.didcote@cheltenham.gov.uk, 01242 26 4125</p>
Legal implications	<p>The legal implications are contained in the report.</p> <p>Contact officer: Vikki Fennell, vikki.fennell@teWKesbury.gov.uk, 01684 272015</p>
HR implications (including learning and organisational development)	<p>There are no direct HR implications in this report.</p> <p>Contact officer: Donna Sheffield, donna.sheffield@cheltenham.gov.uk, 01242 77 4972</p>
Key risks	As identified in Appendix 1
Corporate and community plan Implications	<p>Communities feel safe and are safe.</p> <p>Our residents enjoy a strong sense of community and involved in resolving local issues.</p>

1. Background

- 1.1 Sexual Entertainment Venues ("SEVs" hereafter) are regulated under Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by Section 27 of the Policing and Crime Act 2009.
- 1.2 The amended provisions were adopted by Council on the 11th of October 2010 when it also approved a draft policy statement for consultation.
- 1.3 The current policy statement was adopted the Licensing Committee on the 4th of February 2011.
- 1.4 Although there is no statutory requirement to undertake a triennial review of the policy statement, there is a commitment set out in the policy statement to do so at least once every three years to ensure the policy remains up to date and relevant.
- 1.5 The draft policy statement is attached at **Appendix 2**.

2. SEVs and Cheltenham

- 2.1 There are currently no licensed SEVs in Cheltenham.
- 2.2 Despite this a significant number of premises do offer infrequent sexual entertainment, primarily during the Cheltenham Hunt Festival.
- 2.3 The Council cannot legitimately impose restrictions on infrequent sexual entertainment because the legislation provides exemptions for it. The policy nonetheless seeks to promote responsible operation by premises wishing to offer infrequent sexual entertainment through the adoption of a code of practice for exempt sexual entertainment. The code of practice was adopted this year via the Council's Night Safe scheme and has certainly proven effective. The 2013 Cheltenham Hunt Festival was the first one in many years where there was not a need to close any premises down for breaches or offences related to activities connected to sexual entertainment. Feedback suggested that the adopted code of practice played a significant role in promoting better managed operations.

3. Changes made

- 3.1 Changes to the policy have been minimal due to the fact that there have not been significant changes in legislation or guidance.
- 3.2 A breakdown of substantial amendments made to the adopted policy is attached at **Appendix 3**.

4. Consultation

- 4.1 Whilst there is no prescribed consultation period, a 12 week consultation will be undertaken in accordance with the Cabinet Office's Code of Practice on Consultation.
- 4.2 A list of consultees is attached at **Appendix 4**.
- 4.3 At the conclusion of the consultation a further report will be submitted to Cabinet for consideration of the responses received and any amendments made to the policy statement as a result.
- 4.4 The adoption of the amended policy will be responsibility of full Council in accordance with the Council's constitution.

5. Reasons for recommendations

5.1 To ensure the policy statement remains up to date with current legislation and common law and relevant to the needs of the borough.

Report author	Contact officer: Louis Krog, louis.krog@cheltenham.gov.uk, 01242 77 5004
Appendices	<ol style="list-style-type: none"> 1. Risk Assessment 2. Draft Policy Statement 3. Breakdown of Changes 4. List of Consultees
Background information	<ol style="list-style-type: none"> 1. Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 2. Section 27 of the Policing and Crime Act 2009 3. Home Office Sexual Entertainment Venues Guidance for England and Wales 4. Agenda and minutes Council, 11th of October 2010 5. Agenda and minutes Licensing Committee, 4th of February 2011

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	Any risks associated with equality impact										
	Any environmental risks										

Explanatory notes

Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)

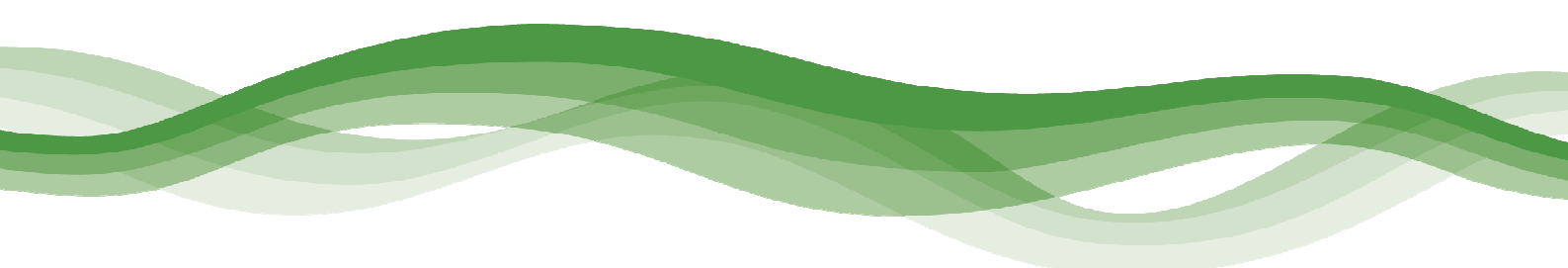
Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)

Control - Either: Reduce / Accept / Transfer to 3rd party / Close



SEXUAL ENTERTAINMENT VENUE POLICY STATEMENT

Schedule 3 Local Government (Miscellaneous Provisions Act 1982), as amended by
Section 27 Policing and Crime Act 2009



Preface

The Borough of Cheltenham

1. Introduction
2. Definitions
3. Making and Application
4. Application for Grant of a Licence
5. Plans
6. Public Notices
7. Variation of a Licence
8. Renewal of a Licence
9. Transfer of a Licence
10. Determination
- 10.1 Mandatory Grounds for Refusal
- 10.2 Discretionary Grounds for Refusal
11. Location of premises
12. Granting a Licence
13. Objections
14. Hearings
15. Appeals
16. Fees
17. Standard Conditions
18. Specific Conditions
19. Duration of Licence
20. Exempt Sexual Entertainment Code of Practice
21. Review

APPENDIX 1 - Standard Conditions for Sexual Entertainment Venues
APPENDIX 2 - Sexual Entertainment Code of Practice

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Preface

This Policy Statement sets out the Council's requirements for premises to be licensed as Sexual Entertainment Venues ("SEVs") within the meaning of Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 ("1982 Act") as amended by Section 27 of the Policing and Crime Act 2009.

Adoption of Schedule 3 also allows the Council to set terms and conditions and fees for the grant, variation, renewal and transfer of such licences and the number of premises to be licensed in an area, which may be nil.

The Council adopted the original provisions of Schedule 3 of the 1982 Act for Sex Cinemas and Sex Shops on 25th April 1983 and the new provisions for SEVs under the amendments of the Policing and Crime Act 2009 on 11th October 2010.

Consultation was conducted with local residents, existing and future potential holders of SEV licences in the Borough, the statutory responsible authorities under the Licensing Act 2003, and holders of Premises Licences and Club Premises Certificates under the Licensing Act 2003 in the Borough.

The Council does not take any moral stand in adopting this policy. The Council recognises that Parliament has made it lawful to operate a sex establishment and that such businesses are a legitimate part of the retail and leisure industries. It is this Council's role as the Licensing Authority to administer the licensing regime in accordance with the law.

In formulating this policy statement consideration has been given to:

- a) The legal requirements of the 1982 Act (as amended);
- b) The Home Office Sexual Entertainment Venues Guidance for England and Wales;
- c) Section 17 of the Crime and Disorder Act 1998 to take all reasonable steps to reduce crime and disorder within the Borough;
- d) The Regulators Compliance Code; and
- e) The Provisions of Services Regulations 2009 and associated Department for Business, Innovation & Skills guidance.

The legislation may be viewed here:

<http://www.legislation.gov.uk/ukpga/1982/30>

Local Government (Miscellaneous Provisions) Act 1982 Chapter 30

<http://www.legislation.gov.uk/ukpga/2009/26/section/27>

Policing & Crime Act 2009 Part 2 Section 27 – Regulation of lap dancing and other sexual entertainment venues etc

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The Borough of Cheltenham

The Authority is one of six district councils within Gloucestershire.

The Area

Until the late 1700s, Cheltenham was a small market town that became a fashionable resort after spa waters were discovered. Over the years it has attracted major employers and has gained a reputation for being an international festival town. This, together with its architectural heritage, educational facilities and quality environment, makes Cheltenham an attractive place to live, work and play.

The borough, which includes 5 parishes, has a population of approximately 115,000 who live in 20 wards. The borough is mainly urban with some areas of surrounding countryside. It covers an area of approximately 4,680 hectares of which 17 % is designated as green belt and 22 % as an area of outstanding natural beauty.

1. Introduction

- 1.1 This policy statement sets out the Council's guidance, application procedure, terms and conditions relating to the regulation of SEVs.
- 1.2 This policy statement will guide current licence holders, potential licence holders and the Council when considering applications for SEVs.
- 1.3 This policy statement applies to every type of SEV (as defined in the Act) unless an exemption applies.
- 1.4 Whilst each application will be considered on its individual merits, this policy statement is intended to give prospective applicants an early indication of whether their specific application is likely to be successful and the material facts that will be taken in to consideration when determining the application. This policy statement also sets out the expectations of the Council on the applicant when receiving an application.
- 1.5 Applications for grant, variation and opposed applications to renew and/or transfer will be determined by the Council's Licensing Committee. Unopposed applications to renew and/or transfer will be determined by the relevant director in accordance with the Council's constitution and scheme of delegation.

2. Definitions

The 1982 Act

This refers to Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 as amended by section 27 of the Policing and Crime Act 2009.

SEV

Means Sexual Entertainment Venue as defined by section 27(3) of the Policing and Crime Act 2009.

The Policy Statement

This refers to this policy statement.

The Relevant Locality

The Council has resolved that the Relevant Locality shall be the Ward in which an application for a SEV licence has been made in respect of a premises, vehicle, vessel or stall.

The Character of the Relevant Locality

The character of the Relevant Locality where the premises is situated will be instrumental in determining whether or not the grant of a licence will be appropriate. This is a proper matter for the Council to consider based on local knowledge, factors and circumstances.

The Council

Means Cheltenham Borough Council.

The Premises

This is the premises, vessel, vehicle or stall which is subject to a SEV licence. The premises will be in possession of all appropriate consents and permissions required to operate.

Permitted Hours

These are the hours of activity and operation that have been authorised under the SEV licence.

Town

Core Commercial Area as outlined in the "Cheltenham Borough Local Plan" adopted July 2006.

3. Making an Application

- 3.1 An application for the grant, variation, renewal or transfer of a SEV licence must be made in writing to the Council in accordance with the requirements set out below.
- 3.2 The address at which the Council will accept applications and notices is:-
- a) By post/personal service to Licensing Section, Cheltenham Borough Council, Municipal Offices, Promenade, Cheltenham, GL50 9SA;
 - b) By e-mail to licensing@cheltenham.gov.uk;
 - c) By facsimile to 01242 77 4924;
 - d) On-line via the gov.uk website.
- 3.3 For all enquiries please contact the Licensing team on 01242 77 5200.

4. Application for the Grant of a licence

- 4.1 The Council may grant to any applicant a licence for the use of a premises as a SEV on such terms and conditions as specified by the Council.
- 4.2 To apply for the grant of a SEV licence an applicant must:-
- a) Complete an application form;
 - b) The relevant fee
 - c) Submit a plan of the premises to which the application relates showing, amongst other things, all means of ingress and egress to and from the premises, parts used in common with any other building, and
 - d) Details of how the premises lie in relation to the street. (See below)
 - e) Submit a site plan scale 1:1250;
 - f) Submit drawings showing the front elevation as existing and as proposed to a scale of (1:100) (see below);

And must also;

- g) Display a notice on or near the premises (see below);
- h) Advertise the application in a local newspaper no later than 7 days after the date of the application; and
- i) Send a copy of the application and plan to the Chief Officer of Police for the area within 7 days of making the application to the council.

Application forms are available from www.cheltenham.gov.uk

5. Plans

- 5.1 The scale plan of the building, unless agreed in writing beforehand, must comply with the following:

The plan shall be drawn at a scale of 1:100 and shall show —

- (a) The extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;
- (b) The location of points of access to and egress from the premises;
- (c) If different from paragraph (1)(b), the location of escape routes from the premises;
- (d) In a case where the premises is used for more than one existing activity the area within the premises used for each activity;
- (e) Fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment;
- (f) In a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;
- (g) In a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- (h) The dressing room of performers;
- (i) The area where performances take place;
- (j) Any private screened area where a performance(s) take place;
- (k) In a case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;
- (l) The location and type of any fire safety and any other safety equipment; and
- (m) The location of a kitchen, if any, on the premises.
- (n) The area(s) to be licensed must be clearly identified by outlining these areas in red.

5.2 The plan must include a legend through which the matters mentioned are sufficiently illustrated by the use of symbols on the plan.

6. Public Notices

6.1 A notice must be displayed at or on the premises to which the application relates for a period of no less than 21 consecutive days beginning with the date of the application, where it can be conveniently read from the exterior of the premises.

6.2 Where the premises cover an area of more than 50 square metres, a further identical notice must be displayed every 50 metres along the external perimeter of the premises abutting any highway.

6.3 The notice must be on pale blue paper sized A4 or larger and printed legibly in black ink or typed in black in a font size equal to or larger than 16.

6.4 The notice must state:

- a) the details of the application and activities that it is proposed will be carried on or from the premises,
- b) the full name of the applicant,
- c) the postal address of the premises, or in the case where there is no postal address, a description of the premises sufficient to enable the location and extent of the premises to be identified,
- d) the date, being 28 days after that on which the application is given to the council, by which objections may be made to the council and that the objections should be made in writing,
- e) that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine (£20,000) for which a person is liable on summary conviction for the offence.
- f) A similar notice must be published in a local newspaper circulating in the area within 7 days of giving the application to the Council (example The Gloucestershire Echo).

7. Variation of a Licence

- 7.1 The holder of a SEV licence may apply at any time for any variation of the terms, conditions or restrictions on or subject to which the licence is held.
- 7.2 The process of applying for a variation is the same as that for applying for an initial grant except that a plan of the premises is not required unless the application involves structural alterations to the premises.

Application forms are available from www.cheltenham.gov.uk

8. Renewal of a Licence

- 8.1 The holder of a SEV licence may apply for renewal of the licence. In order for the licence to continue to have effect during the renewal process, a valid application form together with the appropriate fee must be submitted before the current licence expires.
- 8.2 The process of applying for the renewal of a licence is the same as that for applying for an initial grant except that a plan of the premises is not required.
- 8.3 The Council will determine renewal applications on individual merits taking into account the facts of the application and any objections received. Opposed applications will be referred to the Council's licensing committee for determination. The Courts have confirmed that Councils are entitled to look afresh at renewal applications and, accordingly, it is open to the Council to refuse to renew a licence even where there has been no change in the character of the relevant locality or in the use to which any premises in the locality are put.

9. Transfer of Licence

- 9.1 A person may apply for the transfer of a licence at any time.
- 9.2 The process of applying for the transfer of a licence is the same as that for applying for an initial grant except that a plan of the premises is not required.

10. Determination

10.1 Mandatory Grounds for Refusal

10.1.1 A licence will not be granted:

- a) to any person under the age of 18 years;
- b) to any person who is for the time being disqualified due to the person having had a previous licence revoked in the area of the appropriate authority within the last 12 months;
- c) to any person, other than a body corporate, who is not resident in an EEA State or was not so resident throughout the period of six months immediately preceding the date when the application made; or
- d) to a body corporate which is not incorporated in an EEA State; or

- e) to any person who has, within a period of 12 months immediately preceding the date when the application was made, been refused the grant or renewal of a licence for the premises, vehicle, vessel or stall in respect of which the application is made, unless the refusal has been reversed on appeal.

If the Council finds any of these grounds apply then it must refuse the application.

10.2 Discretionary Grounds for Refusal

10.2.1 A licence may be refused where:

- a) the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason;
- b) if the licence were to be granted, renewed or transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the grant, renewal or transfer of such a licence if he made the application himself;
- c) the number of SEVs in the relevant locality at the time the application is made is equal to or exceeds the number which the Council consider is appropriate for that locality (nil may be an appropriate number for these purposes);
- d) that the grant or renewal of the licence would be inappropriate, having regard-
 - to the character of the relevant locality; or
 - to the use to which any premises in the vicinity are put; or
 - to the layout, character or condition of the premises, vehicle, vessel or stall in respect of which the application is made.

10.2.2 Applications for the transfer of an issued SEV licence may only be refused on grounds (a) and (b) above.

10.2.3 Any decision to refuse a licence must be relevant to one or more of the above grounds.

11. Location of Premises

11.1 In deciding the appropriate number of premises to be licensed, the Council must consider the character of the relevant locality and what is the appropriate number of SEVs for the relevant locality. The number can be 'nil'.

11.2 In considering if the grant, renewal or variation of the licence would be inappropriate, having regard to the character of the relevant locality or to the use of which any premises in the vicinity are put, the Council shall consider, inter alia, whether the grant of the application would be appropriate, having regard to:

- a) The fact that the premises are sited in a residential area;
- b) Whether the premises are sited near shops used by or directed to families or children, or on frontages frequently passed by the same;
- c) Whether the premises are sited near properties which are sensitive for religious purposes e.g. churches, mosques, temples; and/or

- d) Whether the premises are sited near premises or areas which are sensitive because they are frequented by children, young persons or families, including but not limited to educational establishments, leisure facilities such as parks, libraries or swimming pools, markets and covered markets.
- 11.3 When determining an application for the grant of a SEV licence, the Council shall have regard to the policy statement, the relevant guidance issued by the Home Office and provisions set out above but subject to the overriding principle that each application will be determined on its merits.
- 11.4 Applications in respect of premises must state the full address of the premises.
- 11.5 Applications in respect of a vehicle, vessel or stall must state where it is to be used as a SEV.
- 11.6 The Council would normally expect that applications for licences for permanent commercial premises would have planning consent for the property concerned.

12. Granting a Licence

- 12.1 All applications for the grant of a new SEV licence will be referred to the Council's Licensing Committee for determination to take into account the criteria set as out above with regards to the character, relevant locality and the appropriate number of SEVs for the relevant locality.
- 12.2 In determining the application the Licensing Committee will have regard to this policy statement, the merits of the application and any objections, if any, that have been made. In all cases, each application will be determined on its own merits.

13. Objections

- 13.1 When considering an application for the grant, renewal, variation or transfer of a SEV licence the Council will have regard to any observations submitted to it by the Chief Officer of Police and any objections that have been received from anyone else within the statutory consultation period.
- 13.2 Any person can object to an application provided that the objection is relevant to the discretionary grounds for refusal of a licence.
- 13.3 Objections should not be made on moral grounds or values and the Council will not consider objections that are not relevant to the grounds mentioned above.
- 13.4 Objectors must give notice of their objection in writing, stating the general terms of the objections.
- 13.5 Where the Council receives notices of any objections it will, before considering the application, give notice in writing of the general terms of the objection to the applicant. However, the Council shall not without the consent of the person making the objection reveal their name or address to the applicant.
- 13.6 Objections may only be made within the period of 28 days following the date on which the application was made to the Council.

14. Hearings

- 14.1 Where applications are referred to a Licensing Committee, the hearing will take place within 20 working days of the end of the period in which objections may be made.
- 14.2 The hearing provides all parties to the application, including those making objections, the opportunity to air their views openly and those views will be considered by the Licensing Committee.

15. Appeals

- 15.1 There is no right of appeal:
- a) Against the mandatory grounds for refusal as detailed in section 10.1.1 (a), (b), (c), (d), and (e) above, unless the applicant can prove that the ground of refusal does not apply to them, and
 - b) Against the grounds as detailed in Section 10.2.1 (c) and (d) which can only be challenged by the applicant by way of judicial review.
- 15.2 All relevant grounds for appeal, other than these detailed at point (a) and (b) above can be made to the Magistrates Court within 21 days from the date on which the person is notified of the decision.

16. Fees

- 16.1 The fees set are deemed to be reasonable to cover the cost of administration, enforcement against licensed operators, inspections and any hearings and are not refundable.

17. Standard Conditions

- 17.1 The Standard Conditions for Sexual Entertainment Venues are attached at Appendix 1.

18. Specific Conditions

- 18.1 Under schedule 3(8) of the 1982 Act the Council may grant to an applicant, and from time to time renew, a licence for SEV on such terms and conditions and subject to any restrictions as may be specified. These specific terms and conditions will be tailored for each individual premises and each type of SEV licence.

19. Duration of Licence

- 19.1 The Council, unless there are exceptional circumstances for doing so, shall grant a licence for the maximum duration of one year at a time, to provide certainty to those persons operating businesses.

20. Exempt Sexual Entertainment Code of Practice

- 20.1 The Government has seen it fit to exempt infrequent sexual entertainment from requiring a licence. Whilst the Council recognises and accepts this, it is also acutely aware that unless it is properly managed there are risks to public protection & safety, an increased likelihood of associated crime & disorder and an inability of regulatory bodies to respond accordingly.
- 20.2 Whilst the Council cannot legitimately impose restrictions on infrequent sexual entertainment, it has formulated an Exempt Sexual Entertainment Code of Practice. The intention of the code of practice is to promote responsible and properly managed exempt sexual entertainment. The Council expects any premises wishing to offer infrequent sexual entertainment to adhere to the code of practice.
- 20.2 A copy of the code of practice is attached at **Appendix 2** of this policy statement.

21. Review

- 21.1 This policy statement will be reviewed at least once every three years.

APPENDIX 1

STANDARD CONDITIONS REGARDING SEXUAL ENTERTAINMENT VENUES

General Conditions:

1. The premises shall only permit adult entertainment between the hours of hours and hours the following morning as determined by the licensing committee.
2. Only activities which have previously been agreed in writing by the Council shall take place.
3. The agreed activities shall take place only in designated areas approved by the Council.
4. There shall not be displayed outside the premises, in the immediate vicinity, or elsewhere within the Town any advertisements, photographs or images that indicate or suggest that striptease-type dancing takes place on the premises.
5. Any flyers advertising the adult entertainment must not display any photographs or images of the entertainment and any images must be approved by the Advertising Standards Agency and not be handed to persons who look under the age of 21. Any handbills must only be distributed after 19.00hrs with the exception of race days. Examples of the handbills that are in use shall be lodged with the licensing authority prior to their distribution.
6. No flyers or similar promotional material for the premises shall be distributed within the Town.
7. Rules shall be produced by the licensee for customers indicating conduct that is deemed acceptable. These rules shall be prominently displayed at all tables and at other appropriate locations within the club.
8. A clear Notice shall be displayed inside the entrance to the premises in the following terms:
“Striptease-style entertainment takes place on these premises. No persons under 18 shall be permitted in the premises.”
9. The performance must not be visible from the street, and any person who can be observed from the outside of the premises must be properly and decently dressed. Scantily-clad individuals employed in the premises must not exhibit themselves in the entrance or in the vicinity of the premises.
10. When the premises are open for Striptease/Lap/Pole Dancing no person under the age of 18 shall be permitted to be on the premises. Anyone appearing to be under the age of 21 years shall be asked to produce valid photographic identification. If this is not produced the individual shall be refused access.
11. The premises shall maintain a Refusals Log whereby any occasion a person is refused entry shall be recorded and available upon request by the Police or an authorised officer of the Council.

Conditions regarding Performers:

12. Striptease and similar entertainment may only take place in ‘designated areas’ that are marked on the plan of the premises.
13. The entertainment shall be provided by professional performers only. The audience must at all times remain fully-clothed.

14. Performers shall be aged not less than 18 years and the licence holder (or his nominated deputy who is authorised in writing) shall satisfy him/herself that this is the case by requesting valid photographic ID, if necessary, prior to the performance.
15. A 'Signing-in' Register shall be kept at the premises that records the time that the performer starts and finishes at the premises. This shall be made available for immediate inspection by a Police Officer or authorised Officers of the Cheltenham Borough Council (who will carry identification).
16. During any performance there must be no physical contact between the performer and any member of the viewing public. A safe distance of 90cms (36 inches) should be maintained between performers and customers during all performances.
17. No performances shall include any sexual act with other performers.
18. No performances shall include any sexual act with objects.
19. There shall be no nudity by performers in public areas of the premises, unless the Council has agreed in writing that area may be used for performances of sexual entertainment.
20. At the completion of the relevant entertainment the performers shall dress themselves immediately and leave the designated performance area. Performers not engaged in performing shall not remain in any area in a state of undress.
21. Performers are not to solicit, exchange addresses or telephone numbers with customers, liaise with customers of the premises, or incite customers to purchase alcoholic drinks.
22. An appropriate room shall be set aside to provide changing and rest area for performers. Access to this room shall be restricted to performers only, whilst the performers are on the premises and shall be marked on the plan of the premises.
23. Any bodily contact between entertainers or performers or any movement that indicates sexual activity or simulated sex between entertainers or performers is strictly forbidden.
24. Entertainers or performers not performing must not be in a licensed area in a state of undress.
25. There shall be prominently and legibly displayed a comprehensive tariff of all charges and prices in respect of relevant entertainment, including any charge for the company of any person working at the premises, which shall be placed in such a position that it can at all times be easily and conveniently read by persons inside the premises.

Briefing:

26. Prior to performers carrying out any activity on the premises, they shall be briefed (verbally or in writing) by the licence holder or his nominated deputy who is authorised in writing as to the conditions that pertain to these particular premises, including the fact that their activities will be recorded on CCTV. The performer(s) shall sign in the Register that they have been briefed.

Door-Supervisors:

27. Subject to a minimum of two, SIA-registered door-supervisors shall be employed at a minimum ratio of 1:50 customers on the premises whilst Striptease/Lap/Pole-dancing activity is taking place.
28. The licence holder, or his nominated deputy who is authorised in writing, or door-supervisors, shall carry out regular monitoring of all areas of the premises to which the public have access, and shall intervene promptly, if necessary, to ensure compliance with Licence conditions by customers and performers.

29. Door-supervisors shall regularly monitor the area immediately outside the premises for a distance of 30 metres in all directions and shall take steps to deal with (by alerting the Police if appropriate) any unsavoury activity that may be attracted to the vicinity due to the nature of the business.
30. A dedicated SIA-registered door supervisor shall remain at all times in any 'private' performance area where performers are performing nude, and shall intervene promptly, if necessary, to ensure compliance with the Licence conditions.
31. When performers leave the premises they are to be escorted to their cars or taxi by a door-supervisor or member of staff.

CCTV System:

32. A digital CCTV system shall be installed and be maintained in good working order, shall record at all times the premises are open, and recordings shall be kept for 14 days. The CCTV system is to be installed in all areas as recommended by the Police Crime Reduction Officer
33. The CCTV recording device, controls and recordings shall be kept under suitable security to prevent unauthorised access/tampering. Access shall be restricted to the licence holder or his nominated deputy who will be authorised in writing and no more than two designated persons.
34. Unaltered CCTV recordings shall be provided on request (as soon as possible and in any event within 24 hours) to the Police or authorised Officers of the Cheltenham Borough Council (who will carry identification.)
35. No CCTV footage is to be copied, given away or sold (except as required by Police/Council for investigation/enforcement purposes).
36. Except in accordance with the requirements for CCTV as described above, no photographs, films or video recordings shall be taken of the performances. Nor shall electronic transmissions of performances take place.
37. Notices shall be displayed informing customers of the presence of CCTV.

APPENDIX 2 - Sexual Entertainment Code of Practice

1. Operators/licensees will notify the Council & Police Licensing Sections of events where sexual entertainment is due to take place.
2. All sexual entertainment should only take place in one designated area inside the premises, and this shall not be visible from outside the premises.
3. Private performances should only take place inside screened-off private booths. However, the front of these booths must not be covered or obstructed, so that managers and SIA door-supervisors are able to monitor activity inside the booths.
4. A clear notice should be displayed inside the entrance to the designated area stating: "Sexual entertainment takes place on these premises. No persons under 18 shall be admitted."
5. Scantily clad individuals performing in the premises must not exhibit themselves in the entrance to or in the vicinity of the premises and individuals not performing shall not remain in any area in a state of undress.
6. Customers must at all times remain fully-clothed.
7. During any performance there must be no physical contact between the performer and any member of the viewing public/private customer.
8. A clear and visible delineated safe distance of 90cm (36 ins) should be maintained between performers and customers during all performances.
9. No performance shall include any sexual act with other performers, customers or viewing public.
10. An appropriate room shall be set aside to provide changing and rest area for performers. Access to this room shall be restricted to performers only.
11. A minimum of one SIA registered door supervisor shall be employed in the designated area where sexual entertainment is taking place and they shall intervene promptly to ensure compliance with these rules.
12. The area in which sexual entertainment is to take place shall be covered by CCTV from which footage shall be stored for a minimum of 14 days and produced to Police or Council officers on request.
13. A list of all performers shall be available on the premises for immediate production if requested by Police or Council officers. This list shall contain full names, dates of birth and contact details (address or telephone number).
14. Rules 2, 3, 5,7,8,9 and 10 shall be drawn to the attention of all performers and promoters prior to activity commencing.
15. Rules 6, 7 and 8 shall be prominently displayed to customers at all tables and other appropriate locations within the premises.

Proposed Change to Current Policy	Reason/Explanation
Definition of “Town” (2. Definitions)	The current policy makes reference to “the Town” without defining it.
Para 5.1(n) – <i>“The area(s) to be licensed must be clearly identified by outlining these areas in red.”</i>	New requirement relating to plans to clearly indicate the area(s) to be licensed.
Para 8.3 - <i>“The Council will determine renewal applications on individual merits taking into account the facts of the application and any objections received. Opposed applications will be referred to the Council’s licensing committee for determination. The Courts have confirmed that Council’s are entitled to look afresh at renewal applications and accordingly, it is open to the Council to refuse to renew a licence even where no change in the character of the relevant locality or in the use to which any premises in the locality are put.”</i>	<p>To reflect High Court direction in the case of R (Alistair Lockwood Thompson) v Oxford City Council [2013] EWHC 1819 (Admin).</p> <p>The inclusion of the updated paragraph will serve to inform prospective applications of the position with regards to the renewal of licences.</p>
Para 10.2.2 - <i>“Applications for the transfer of an issued SEV licence may only be refused on grounds (a) and (b) above.”</i>	Clarify a technical point not currently stated in the policy.
Para – <i>“The fees set are deemed to be reasonable to cover the cost of administration, enforcement against licensed operators, inspections and any hearings and are not refundable.”</i>	<p>To take in to account the direction from the Court of Appeal in the case of Hemming (t/a Simply Pleasure Ltd) & Ors, R (on the application of) v The Lord Mayor and Citizens of Westminster [2013] EWCA Civ 591.</p> <p>The Court of Appeal stated that licensing authorities cannot charge for the costs associated with the enforcement of unlicensed operators but can take into account the costs associated with the enforcement and regulation of licensed operators.</p>
Appendix 1 (Conditions regarding Performers) – <i>“There shall be prominently and legibly displayed a comprehensive tariff of all charges and prices in respect of relevant</i>	An additional standard condition not currently being imposed on SEV licences.

<p><i>entertainment, including any charge for the company of any person working at the premises, which shall be placed in such a position that it can at all times be easily and conveniently read by persons inside the premises..”</i></p>	
<p>“Exempt Sexual Entertainment Code of Practice</p> <p><i>The Government has seen it fit to exempt infrequent sexual entertainment from requiring a licence. Whilst the Council recognise and accept this, it is also acutely aware that unless it is properly managed there are risks to public protection & safety, an increased likelihood of associated crime & disorder and an inability of regulatory bodies to respond accordingly.</i></p> <p><i>Whilst the Council cannot legitimately impose restrictions on infrequent sexual entertainment, it has formulated an Exempt Sexual Entertainment Code of Practice. The intention of the code of practice is to promote responsible and properly managed exempt sexual entertainment. The Council expect any premises wishing to offer infrequent sexual entertainment to adhere to the code of practice.</i></p> <p><i>A copy of the code of practice is attached at Appendix 2 of this policy statement.”</i></p>	<p>Inclusion of the adopted code of practice for infrequent sexual entertainment not included in the current policy statement.</p>

List of Consultees

1. Gloucestershire Constabulary
2. Other responsible authorities under the Licensing Act 2003
3. Cheltenham Borough Council Elected Members
4. Parish Councils
5. Licensing Committee
6. Trade Representatives
7. Gloucestershire Safeguarding Children Board
8. Gloucestershire Safeguarding Adult Board
9. Premises licensed under the Licensing Act 2003
10. Cheltenham Safe
11. Gloucestershire Social Services
12. Existing Sex Establishments
13. Gloucestershire University – Student Union
14. Members of the Public

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Cheltenham Borough Council

Cabinet

17th September 2013

Response to Recommendations of the Scrutiny Task Group on the Sex trade in Cheltenham

Accountable member	Councillor Peter Jeffries, Cabinet Member for Housing and Safety
Accountable officer	Tracy Brown, Partnership Team Leader
Ward(s) affected	All
Key Decision	Yes
Executive summary	<p>The Positive Lives Partnership and Cheltenham Safeguarding Forum have considered the recommendations within the Scrutiny report and have taken responsibility for moving forward those that require a partnership approach.</p> <p>The Partnerships will undertake work to raise awareness of the emergency housing available in Cheltenham, and then consider any further gaps in provision if necessary.</p> <p>A programme of activity to raise awareness of a variety of safeguarding issues has been planned by the Partnerships and will include not only initiatives related directly to the recommendations in the report but also wider safeguarding topics that the Partnerships felt were relevant to Cheltenham.</p>
Recommendations	That Cabinet endorses the Partnerships actions as outlined in response to the recommendations set out in the report of the Scrutiny Task Group on the sex trade in Cheltenham.
Financial implications	<p>As detailed in section 4 of the report.</p> <p>Contact officer: Paul Jones, paul.jones@cheltenham.gov.uk, 01242 775154</p>
Legal implications	<p>There are not direct legal implications arising out of this report.</p> <p>Contact officer: Sarah Farooqi, sarah.farooqi@teWKesbury.gov.uk, 01684 272693</p>

<p>HR implications (including learning and organisational development)</p>	<p>Any training of front line staff would need to be clear on what is expected of those staff, and how they escalate concerns rather than trying to deal with it themselves.</p> <p>Contact officer: Richard Hall, Richard.hall@cheltenham.gov.uk, 07801 123 276</p>
<p>Key risks</p>	<p>See appendix 1</p>
<p>Corporate and community plan Implications</p>	<p>The planned actions in the report are supportive of Corporate Plan outcome that communities feel and are safe</p>
<p>Environmental and climate change implications</p>	<p>Neutral</p>
<p>Property/Asset Implications</p>	<p>N/A</p> <p>Contact officer: David Roberts@cheltenham.gov.uk</p>

1. Background

The Cheltenham Safeguarding Forum and Positive Lives Partnership were asked to consider the Overview and Scrutiny sex trade report and comment on the recommendations held within it. The Partnerships saw this as an ideal opportunity to take part in some innovative joint initiatives in an area of work important to all agencies. As such the Partnerships developed a number of actions to deliver the recommendations and has established task and finish groups to lead on delivery on their behalf.

2. Recommendation 1 – Emergency Housing

Recommendation from Overview and Scrutiny Report

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.

- 2.1 Initial discussion around the provision of emergency facilities for vulnerable groups gave rise to concerns that there may be some gaps in service. However on further investigation the perceived gaps in service may be due to a lack of knowledge or understanding of the two new county contracts that cover this area. The primary contract being for community based housing support that is now held in Cheltenham by P3. This should provide a variety of housing based floating support for vulnerable groups. In light of a lack of knowledge among partners about the new service the Positive Lives Partnership will undertake to support awareness raising of the new service. It will then review in November whether Partners still feel there are gaps and then take necessary action either through discussions with County commissioners or within the Cheltenham Partnership. The second contract that touches on this area is the recently commissioned Gloucestershire Domestic Abuse Support Service. Discussions are being held with County commissioners to seek guidance if this service could cover the concerns raised about emergency housing related to those who have experienced sexual violence specifically as a result of the sex trade.

3. Recommendation 2, 3, 4 – Safeguarding Weeks

Recommendations from Overview and Scrutiny Report

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'

3.1 The Positive Lives Partnerships and Cheltenham Safeguarding Forum felt that the promotion of key safeguarding messages as outlined in recommendations 2, 3, 4 could be done most efficiently through a safeguarding awareness week. This would be an effective way to highlight the issues raised and also promote safeguarding to the wider public. The idea of a partnership safeguarding awareness week has met with wide ranging support from organisations across all sectors and as such the Positive Lives Partnership did not want to miss an opportunity to capitalise on this support. It has therefore been decided to run a programme of safeguarding events through the year along particular themes and aimed at a variety of audiences.

3.2 Positive Socialising week – 16th – 20th September

This week will coincide with the start of Freshers fortnight at the University of Gloucestershire. It will capitalise on the already strong multi agency work that goes on at the time to welcome new university students to the area while keeping them safe and minimising disruption to the local community. During the week the following activities will take place to highlight positive socialising across the community:

- There will be poster campaign based on the Dorset Police's successful Operation Protect initiative which highlights issues associated with sexual violence and alcohol. These posters and also wristbands will be distributed across the Town highlighting the key safety messages and promoting support services.
- The Sexual Assault Referral Centre will run training for frontline reception staff to give them key skills to support victims of sexual violence in the first instances before specialist services can take over. The training will include information about procedures, myth busting and dealing with traumatised customers. This will be piloted with a small number of key agencies and if successful will be continued.
- There has been an anecdotal increase in children being involved in mobile phone and internet usage that may make them vulnerable. Schools will be targeted to raise awareness among Year 5 and 6 pupils and their parents of the issues. The Police and Youth Support Team will offer interested primary schools bespoke sessions to look at the issue in depth these will continue throughout the year. They will also run programmes in Cheltenham secondary schools tackling these issues and also positive relationship issues starting in the Autumn term and continuing throughout the academic year.

3.3 Positive Living week – 28th October - 1st November

This week will highlight the issues around the safeguarding of vulnerable adults and older people as these areas can sometimes be overlooked. This week was chosen as there will already be increased partnership working with vulnerable groups during this time due to the fear around Halloween and Bonfire night. It is also a time of year as the days become shorter when vulnerable groups can become more isolated.

- Gloucestershire Fire Service will deliver Safe and Sound training to frontline workers who go into people's homes to help them identify risks. There will also be the opportunity at the end of the training for support services associated with vulnerable adults and older people to advertise their services and disseminate information.
- A personal safety leaflet previously published by the Cheltenham Community Safety Partnership aimed at older people will be revamped and distributed across Cheltenham. It will be brought up to date and redesigned to include services for all vulnerable adults.
- The 'Keep Safe' scheme will be re-invigorated. The scheme encourages shops to offer a safe

place to vulnerable adults when they are out and about and may feel intimidated or confused. A sign is displayed so a vulnerable adult knows they can be safe inside and staff in the shop are trained to support them and contact support agencies as necessary. Shops currently participating will be asked if they need any additional support, new shops and organisations will be encouraged to join and the scheme will be re advertised to vulnerable groups and agencies who support them.

3.4 Positive Relationships week – 10th February – 14th February

The week beginning the 10th February has been chosen by the Partnerships as this will not only coincide with Valentine’s Day, when issues around relationships are in the spot light, but also be in time to raise awareness ready for an increase in some safeguarding issues during race week. Between now and February 2014 there is opportunity for the week to develop to ensure it is most effective but as a minimum it will include:

- A safeguarding seminar for people in a position of authority in the town like the successful conference in February of this year
- An hotelier event and information campaign in preparation for race week. This could extend to other business groups that it may benefit
- An awareness raising campaign about what a healthy relationship looks like and support if you think you may not be in one
- Basic training for frontline workers in identifying sexual exploitation and domestic abuse.

4. Funding

4.1 It is still too early to understand what if any funding needs may arise from recommendation 1 regarding Emergency Housing. However once Positive Lives has all the information it requires any funding implications will be considered and reported as necessary. All activities during the Safeguarding Weeks will be delivered in partnership with a variety of organisations who are committed to using existing resources creatively to support the weeks this will hopefully keep costs to a minimum. There will however be some small costs and it is proposed that these may be met from the Cheltenham allocation from the Police and Crime Commissioner under priority 12 “build confidence that Gloucestershire is a safe place to live, work, learn and visit”. The Health Inequalities funding that comes from Gloucestershire County Council’s public health department may also be able to be used. The Positive Lives Partnership will consider these proposals at its September meeting.

5. Monitoring and Review

5.1 After each Safeguarding week there will be a review to look at impact, this will culminate in a report once all three have been delivered. The report will make recommendations regarding possible future events and the most effective way to promote key safeguarding messages.

Report author	Contact officer: Tracy Brown, Partnerships Team Leader tracy.brown@cheltenham.gov.uk
Appendices	1. Risk Assessment

Background information	1. Final Report of the Scrutiny Task Group on the Sex trade in Cheltenham
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The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	If the Council doesn't show leadership in this important area of work it may impact on the reputation of the Council within the community and partner agencies.	Tracy Brown	17/9/13	2	2	4	Accept	Council Officers and Elected members continue to show leadership regarding safeguarding within the partnership structures	Ongoing	Tracy Brown	
	If messages surrounding the Safeguarding awareness weeks become confused it may impact on the reputation of the Council due to bad publicity	Tracy Brown	17/9/13	3	2	6	Accept	Council Officers and Elected members continue to show leadership regarding safeguarding within the partnership structures	Ongoing	Tracy Brown	
<p>Explanatory notes</p> <p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											

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Briefing Notes

Joint waste committee – business plan

Cabinet member sustainability

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

If Members have questions relating to matters shown, they are asked to contact the Officer indicated.

Gloucestershire Joint Waste Committee – business plan

The Gloucestershire Joint Waste Committee was established on 1 April 2013 and the council is represented by the leader and cabinet member sustainability. At the first meeting for the committee on 31 July 2013 they approved the business plan, a copy of which is attached at appendix 1 of this briefing note. The Plan is supplemented by an action plan for the financial year 2013-14 and this is being implemented by the Joint Waste Team.

The committee will start to look at the 2014/15 plan in the Autumn, and it is intended that in future years the annual plan will be approved by the Committee, following consultation, before the start of the financial year.

The cabinet member working group on waste and recycling had early input into the plan and their views were incorporated. Some of the key actions within the action plan are also reflected within the council's own corporate strategy which was approved by Council in March so that workplans are aligned.

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Gloucestershire Joint Waste Committee

**First Joint Business Plan
Covering the period
2013-16**

Version for Approval JWC 31 July 2013

Executive Summary

Introduction

This is the first business plan of the Gloucestershire Joint Waste Committee (GJWC) formed between Cheltenham Borough Council, Cotswold District Council, Forest of Dean District Council and Gloucestershire County Council. It outlines key priorities and actions for the next five years. The critical purpose of this plan is to provide a mandate for the GJWC to consider and make decisions, according to set governance and budgetary principles, without constant reference back to the partner authorities.

Rationale for Joint Working

Over the last two decades, the roles of waste collection authorities (district councils) have become more complex and interdependent on the roles of county councils as waste disposal authority and vice-versa. There has also been growing interest in sharing services across district boundaries to benefit from economies of scale.

The GJWC is a body with delegated powers to make decisions concerning the recycling, waste collection and street cleansing services for three district and borough councils and to deliver waste treatment and disposal for the County.

The GJWC Aims to:

- Save money and minimise future costs, with a fair distribution of savings between partners and their council tax payers;
- Provide good customer service and improve it further within the bounds of the resources available;
- Undertake operations in an environmentally sustainable manner by following the waste hierarchy and, where practical and affordable, sending materials collected to the most appropriate end destination.
- Identify and share initiatives and best practice amongst partner Authorities

Short and long term

The plan acknowledges that the major financial benefits of joint working will occur in the longer term but the partnership can make short term benefits as well as positioning itself to deliver more significant savings down the line, particularly at times of major change.

Relationship with the Joint Municipal Waste Management Strategy (JMWMS) and other Collection Authorities

The formation of the GJWC is in line with the JMWMS (albeit three Gloucestershire authorities mentioned below have resolved not to join the GJWC at inception). This business plan will, however, contribute to the delivery of JMWMS objectives by the four GJWC authorities.

Under the JMWMS, each GWP member produces an annual action plan that sets out the key waste management actions the authority will undertake in implementing the strategy.

The action plan included within this business plan at Appendix 1 will replace the individual action plans for the GJWC Partner Authorities and will sit under the JMWMS alongside the action plans for Gloucester City Council, Stroud District Council and Tewkesbury Borough Council.

Joint Waste Management Unit

The GJWC will be served by a Joint Waste Management Unit known as the Joint Waste Team (JWT) whose principal role is to specify, plan, procure (where authorised by the GJWC), monitor, co-ordinate and improve the delivery of services to householders, delivered by a number of service providers and in-house teams.

Budget Principles

The GWJC Constitution requires that any matter that has an impact on any partner's financial standing or service provision may only proceed with the express agreement of the partner(s) concerned.

Initially the contractual element of budgets (which is the large majority) will continue to be held by individual partners but managed by the JWT.

Actions

A full action plan identifying accountable officers and timescales is included as an Appendix to the Plan.

These actions are listed in categories including: Engaging with customers, procurement, infrastructure, service development, surveys and research and contribution to corporate initiatives.

Many of the initiatives affect either all or a subset of the partners, indicating the shift towards the desired cultural change.

1. Introduction

1.1. Background to Joint Decision Making

Local authorities are complex entities, exercising a range of powers and requiring a large number of both *key* and *day to day* decisions across the wide range of services they are responsible for.

Major decisions regarding the strategic and budgetary framework of an authority are usually taken at *Full Council* meetings. However so that they can function effectively, the law allows local authorities to formally delegate powers and decision making; either to individuals or to committees. This is partly to manage the workload and also to allow individuals or committees with particular expertise to consider matters in detail before making decisions.

A Joint Committee allows two or more local authorities to delegate powers and decision making (within an agreed framework and continuing accountability) to a single decision making body where there are benefits to all parties from doing so.

1.2. Joint Working and Decision Making in Recycling and Waste

There are particular benefits from joint working in recycling and waste management in two tier areas as, increasingly over the last two decades, the roles of waste collection authorities (district councils) have become more complex and interdependent on the roles of county councils as waste disposal authority and vice-versa. There has also been growing interest in sharing services across district boundaries.

1.3. Formation of the Gloucestershire Joint Waste Committee (GJWC)

GJWC has therefore been formed under Section 101 of the Local Government Act 1972 to oversee recycling, waste collection and street cleansing services for three district and borough councils and to deliver waste treatment and disposal for the County.

The partnership comprises the following authorities:

- Cheltenham Borough Council (CBC);
- Cotswold District Council (CDC);
- Forest of Dean District Council (FoDDC);
- Gloucestershire County Council (GCC).

The agreed framework for the GJWC is an Inter Authority Agreement (IAA) signed in March 2013 whereby the four authorities named above have delegated their powers in relation to waste collection and disposal and street cleansing to the GJWC. The IAA contains a Constitution that specifies how the partnership is governed.

The GJWC comprises of two Members from each authority on a 'one Member, one vote' basis. The GJWC will meet formally in public session on a quarterly basis with informal meetings, workshops and visits taking place as required between formal meetings. A Chairman and Vice Chairman will be elected at the first meeting and annually thereafter at an AGM. Membership of the GJWC is listed at Appendix 1 and further details on GJWC governance can be found within the Constitution.

The GJWC directs a Joint Waste Management Unit (JWMU) (Section 3), known as the Joint Waste Team (JWT) led by a Head of Service who reports directly to the Joint Committee and has, in turn, functions and powers delegated to it by the GJWC. The Head of Service maintains close strategic and operational links with the Partner Authorities through a director-level Strategic Management Group (SMG). The GJWC is 'hosted' by Gloucestershire County Council acting as Administering Authority. The roles of the Administering Authority and SMG are set out in the IAA.

1.4. Purpose of this Business Plan

This business plan is a requirement under the Inter Authority Agreement and allows the partners to agree on key priorities and actions for the next three years. Inevitably there is more certainty about the short term than the long, so the business plan has a particular focus on activities in 2013/14.

The critical purpose of this plan is to provide a mandate for the GJWC to consider and make decisions, according to the governance and budgetary principles, without constant reference back to the partner authorities.

2. The Gloucestershire Joint Waste Committee

2.1. Purpose of the GJWC

The GJWC will:

- Provide a shared decision making body to improve services and deliver savings from the business case
- Facilitate whole system thinking to reinforce quality of decision making from customer, financial and resource efficiency points of view.

2.2. Vision of the GJWP

The following vision was agreed for the partnership in June 2011:

The participating Gloucestershire authorities will be working together in partnership to deliver more efficient waste services, by considering waste collection and disposal as a single system provided for the council tax payers of Gloucestershire. This will be governed by a Joint Waste Committee that will have delegated powers to act in the area of waste disposal and collection. The Joint Waste Committee will comprise representatives from each of the participating District and the County Councils on a one council two votes basis with a constitution that ensures the

Committee cannot act in a manner that is detrimental to any of its member's financial or reputational standing.

The Joint Committee, supported by a Strategic Management Group, will direct and control a Joint Waste Management Unit (JWMU) which will be responsible for all delegated decisions that may be required for the most efficient delivery of the Business Plan ratified annually by the Joint Waste Committee. The JWMU will manage existing external waste contracts, Service Level Agreements with the Local Authority owned Company or Direct Services Operation providing collection and recycling services to authorities, and other arrangements that might exist between the parties.

Safeguards will be put in place to ensure that the Districts and the County retain decision-making on significant budgetary and service change matters.

Existing customer contact arrangements will remain in place and interact with the JWMU (as they currently do with local back office teams) to resolve issues in the area of waste.

Although different services will continue to exist across the County, these will be managed within a common strategy with the goal of achieving the most efficient waste service for all residents while recognizing that one size may not fit all.

By being able to plan across district and borough boundaries, depot and transfer stations infrastructure will be optimised, as will the use and purchase of resources such as vehicles, and the most efficient management of staff within the JWMU.

This is the long term vision; the Joint Committee will continue to work with individual partners in terms of management of assets such as vehicles and infrastructure.

2.3. Key Principles Regarding Financial Control and Service Provision

The Constitution facilitates joint working while reserving that any matter that has an impact on any partner's financial standing or service provision (for example: frequency of collections or Recycling Centre opening hours) may only proceed with the express agreement of the partner(s) concerned. Other budgetary principles are described in para 7.1 below.

2.4. Principal Aims of GJWC

- To save money and minimise future costs, with a fair distribution of savings between partners and their council tax payers;
- To provide good customer service; and improve it further within the bounds of the resources available;
- To undertake operations in an environmentally sustainable manner by following the waste hierarchy and, where practical and affordable, sending materials collected to the most appropriate end destination.
- To identify and share initiatives and best practice amongst partner

Authorities

3. The Joint Waste Team (JWT) (formally known as the JWMU)

3.1. Why a single Joint Waste Team?

The JWT is the dedicated officer support to the GJWC. With a designated Head of Service the GJWC can delegate functions to a designated Director and his/her team. The advantages of this include:

- The Head of Service and JWT have an overview of the business as a whole and can give impartial advice to the GJWC as to how to meet the overall vision and aims.
- The creation of a single service management team provides an opportunity to rationalise processes and deliver cost savings;
- Co-ordinated decision making between disposal and collection authorities generally results in more rational outcomes;
- A senior management team with specialist expertise is more affordable when jointly funded by a group of authorities, leaving the team better placed to deliver the partner authorities' desired service outcomes. This will assist the partnership to make faster progress towards higher recycling performance and avoided expenditure in the total cost of treatment and disposal.

3.2. What the Joint Waste Team will do

The principal role of the Joint Waste Team is, under the oversight of the GJWC, to specify, plan, procure, monitor, co-ordinate and improve the delivery of services to householders, delivered by a number of service providers and in house teams. These services are listed below at para 3.3.1

The JWT acts as a single source of expertise with an overview of:

- customer needs (day to day problems, long term aspirations)
- each partners' own priorities, aspirations and budget
- the capacity of service providers to deliver and improve
- what is happening at a Government and industry-wide level

The clear benefit of doing this in a joined up way is that those with democratic accountability can be sure that the system is being managed as a whole in the most effective and efficient way. It can also identify clear, overarching goals and ensure that policies adopted and services delivered by any one partner support the overall objectives and do not have an adverse impact on any other.

3.3. Services Provided

3.3.1. The Partner Authorities have delegated responsibility for the following service areas to the GJWC:

- Household residual waste, dry recycling and organics collection;
- Local Authority Collected Waste transfer, treatment and disposal;
- Bring sites;
- Household Recycling Centres (HRCs);
- Medical sharps (all Partners) and clinical (CDC-only) waste collection and disposal;
- Bulky household waste collection;
- Commercial waste collection (where offered);
- Street cleansing;
- Fly tipping and abandoned vehicle clearance;
- Waste and street cleansing PR, marketing and community engagement (including with schools).

3.3.2. The public-facing services (involving the transfer of materials from householders or businesses to an end destination) are carried out through service providers such as Biffa, Cory, May Gurney and Ubico. The role of the JWT includes:

- Developing and holding the “big picture” and ensuring that strategy, operations, customer service and information are aligned or are becoming aligned to the GJWC’s objectives.
- Ensuring that contract activities are carried out safely in accordance with specifications and that the service providers are paid accordingly.
- Representing the customers’ interest and provide information to them through appropriate and diverse media.
- Representing the partners’ interest and future aspirations via the GJWC and through attendance at individual partner meetings.
- Ensuring that as far as possible materials available within the waste stream are collected in the most appropriate way and sent to the most appropriate end destination.
- Planning for future development of services and procurement.

3.4. How the JWT is structured

3.4.1 The JWT is staffed by professionals who previously reported through the structures of the individual partners. Staff who were not previously working for the Administering Authority will be transferred under TUPE Regulations on 1st April 2013. The existing team structures have been retained on transfer with the intention to review the structure during 2013.

3.4.2 The GJWC have appointed an experienced officer as Head of Service on a part time basis, initially through a secondment /contract for services arrangement with

the Somerset Waste Partnership (SWP). This arrangement brings wider potential benefits as the two units can share experience and opportunities to jointly tackle common interests.

3.4.3 The JWT will be structured so that each partner will have a designated officer who will be their main contact point for local operational issues. Each member of the team will also contribute to more strategic, cross-cutting issues so that the whole partnership will draw benefit from the wide range of skills and experience available.

3.4.4 It is therefore intended that staff within the JWT will develop a broad understanding of the whole system and issues affecting each of the council areas jointly and individually. This will ensure that key messages are consistent and will help build resilience within the overall service so that effective clienting on behalf of any given partner is not completely dependent on the staff it transferred.

3.4.5 The Head of Service will undertake a review of workload and resources on the basis of experience of the first few months of operation, and report to the Strategic Management Team on the findings (Action 7.6). The aim of this exercise is to determine if the resources transferred to the JWT are appropriately balanced in relation to the functions delegated by the partners versus those retained by service providers.

3.5. How the JWT will deliver the objectives.

3.5.1. Having established the GJWC and the JWT, the partnership will be in a position to derive maximum benefit through added economies of scale.

The greatest scope to achieve the partners' key aims above occurs at key moments of change. Usually the greatest opportunity to introduce large step changes in service delivery, performance and efficiency comes at the point of contract or fleet/infrastructure renewal.

One opportunity for this falls in the run up to 2018 when Forest of Dean's current collection contract expires. Others will occur if Tewkesbury BC, Stroud DC and/or Gloucester City join the partnership. Stroud DC's collection contract is up for renewal in 2016.

3.5.2. There is however scope for more effective joined up working in the interim period; for example by closer harmonisation between the services provided by Ubico for CDC and CBC. The Action Plan (Appendix 2) sets out a number of areas where short term progress can be made.

3.5.3. In the longer term, other opportunities for cost saving and service improvement include:

- Optimisation of waste depots, transfer stations and treatment facilities to better meet the needs of a partnership generally allows some facilities to be shared and others released thus reducing total service costs;
- Re-configuration of facilities allows waste to be bulked for onward transfer and vehicles to park-up at the same site. This reduces total miles travelled by collection vehicles and maximises the productive use of operatives'

working time;

- Fleet savings are achieved through improved procurement, a more rational approach to capital financing and reduced maintenance and vehicle cover requirements;
- Significant savings arise from increased productivity when serving a larger geographical area, for example in Somerset some rounds cover more than one district and some specialist vehicles are shared between different depots.
- A migration over time towards a harmonised single service design will bring benefits to both Waste Disposal Authority (WDA) and Waste Collection Authority (WCA) functions:
 - Large and simple contracts resulting in a better market response and reduced prices;
 - more consistent waste streams and simplified contract and service management;
 - Streamlined customer support and greater opportunities for automation and self service; and
 - Reduced costs of communication and consultation through simplified messages and common objectives.

4. The Operating Environment

4.1. There are many things that have an impact on services that are not under the control of the JWC, JWT or the partners. Recycling and waste management is a statutory, demand-led service with a high proportion of fixed costs due to contractual or tax requirements. There is however some variability particularly around waste tonnages and the mix of materials recovered. These variable costs can be influenced by macro economic effects such as the recession, government policy such as the landfill tax escalator and social behaviour such as the degree of participation in recycling schemes.

4.2. There is always a degree of uncertainty about how such external factors will impact and interplay. We can however identify those issues that might have an impact on the business in the future. The business environment in this period is expected to be characterised to a greater or lesser extent by the following:-

4.3. Political / Economic

- Ongoing challenges to public bodies to meet the budget deficit.
- Increasing fuel prices.
- Increasing interest in opportunities for renewable energy recovery from waste streams.
- The Government has not signalled any major changes in policy or law over the period, however the following may have an impact:-
 - Judgement on a Judicial Review regarding the UK's interpretation of

the Waste Framework Directive 2008 was made in March 2013 in favour of Defra, the defendant. Had this action succeeded, it might have prohibited co-mingled collections of recyclate. However the action taken by the *Campaign for Real Recycling (CRR)* was unsuccessful. It is not clear (as at March 2013) if CRR will appeal.

- The impact of changes of definitions arising from incorporation of EU law in the UK: For example the definition of “end of waste” (the point at which, after processing, waste stops being classified as waste and becomes a raw material) and how this might impact on what may be classified as recycling versus recovery.
- The Secretary of State for Local Government has indicated that local authorities that don't collect refuse on weekly basis could face a reduction in Rate Support Grant, although this has not yet been actioned.

4.4. Technical developments and the circular economy

- Currently all residual waste is sent to landfill under a contract with Cory Environmental Ltd. An application for an energy from waste facility at Javelin Park, operated by Urbaser Balfour Beatty to treat residual waste was refused by Gloucestershire County Council's Planning Committee on 21 March 2013. The decision was appealed by UBB and has been called in for decision by the Secretary for State in July 2013. The Joint Waste Committee will be updated on any further developments at the inaugural and subsequent meetings as required. This project is retained by GCC and is therefore not within the GJWC remit.
- There will continue to be pressure through higher targets and other developments for manufacturers and retailers to take on more *producer responsibility* for the consequences of their products and/or packaging at the end of its life. This may mean more money flows back to front line collection systems or, conversely, that retailers and/or others cherry-pick the more lucrative recycling streams making collection of the rest even more expensive for local authorities.
- A corresponding pressure from industry for a higher quality of material collected by local authorities. The judicial review mentioned in 4.3 above is evidence of this trend from end processors although there are others with vested interests in not having high quality waste streams.
- Improvements in the ability of material reprocessors to sort and grade household recyclate.

4.5. Social impacts

- Over the coming years the average age of the population will continue to rise and nationally service providers such as the GJWC will need to ensure that collection, recycling and disposal methods were able accommodate the needs of an ageing population.

- The aging population, planning policies and land availability will result in higher density housing and this will have an impact on collection methods, particularly if there are insufficient storage areas for collection receptacles or streets are too narrow for collection vehicle movements. This challenge must be mitigated through dialogue with highways and planners and the refresh and relaunch of planning guidance.
- Increasing expectations from some residents to recycle a wider variety of materials. This is good but may have cost and/or quality implications in relation to the material collected.
- A growing sector of the population for whom recycling may be a lower priority than previously due to austerity. Encouragement to residents in this position may be increasingly challenging.
- Increasing expectations that LAs will intervene and resolve problems caused by anti-social behaviour such as flytipping and incorrect presentation of waste.

4.6. Environmental impacts including extreme weather

- Increasing expectations and legislative pressure to minimise carbon impacts from activities such as emissions from vehicles and material processing
- Good practice to promote transparency in terms of what happens to material collected for processing or disposal
- Increased episodes of disruption to services caused by the consequences of extreme winter weather (snow, flooding etc). These can be mitigated by advanced planning, prepared catch up strategies and pre-publication of advice to householders in anticipation.

5. Joint Municipal Waste Management Strategy (JMWMS)

5.1. JMWMS and the Relationship with GWP

In 2008 all seven Gloucestershire authorities adopted the Gloucestershire Waste Partnership (GWP) Joint Municipal Waste Management Strategy (JMWMS) which set out the vision and a route map for managing waste in the county up to 2020.

The main objectives of the JMWMS are based upon a hierarchy of preferred approaches, focusing on waste prevention and reduction, recycling and composting more, and treating the remaining waste in a more sustainable way. The strategy includes an objective to *“develop an effective partnership between the seven Gloucestershire authorities and investigate the formation of a suitable organisational framework, including financial and operational interests, for delivering the strategy”*.

The formation of the GJWC is therefore in line with the JMWMS (albeit three of the GWP authorities, Gloucester City Council, Stroud District Council and Tewkesbury Borough Council, have resolved not to join the GJWC at inception. This business plan will, however, contribute to the delivery of JMWMS objectives by the authorities concerned.

Under the JMWMS, each GWP member produces an annual action plan that sets out the key waste management actions the authority will undertake in implementing the strategy.

The action plan included within this business plan at Appendix 2 will replace the individual action plans for the GJWC Partner Authorities and will sit under the JMWMS alongside the action plans for Gloucester City Council, Stroud District Council and Tewkesbury Borough Council.

5.2. JMWMS Objectives and Targets

Section 5.2 and 5.3 of the JMWMS sets out the objectives and associated targets agreed by the GWP:

Objective 1: “Changing Behaviour”

To further develop our service design, communications and our education programmes to promote waste minimisation and to maximise participation in sustainable waste management services. In the long term we aim to transform consumer behaviour and society’s attitude to consumption and disposal.

Target (T1) - By 2020:

- Achieve an average participation rate of 80% in recycling & composting collection schemes;
- Achieve an average capture rate of 80% for targeted recyclable and compostable materials.

Objective 2: “Reduction First”

To reduce Gloucestershire’s municipal waste by addressing waste generation at the household level and further up the supply chain.

Target (T2):

- To reduce the growth of Gloucestershire’s municipal waste arisings to zero by 2020.

Objective 3: “Segregation at Source”

To provide collection systems that enable all householders to segregate their waste, balancing optimised collection systems with a desire to maintain the quality and value of the materials collected for recycling and composting.

Objective 4: “Compost Hierarchy”

To promote home and community composting where possible, and also provide facilities to compost biowaste that is collected at the kerbside and received at HRCs. We aim to produce high quality composts that can be used locally.

Target (T3):

Minimum county-wide improvement targets have been set as follows:

Year	Recycling & Composting Target	Residual waste per capita target
2014/15	50%	273kg
2019/20	60%	228kg

(Links to Objective 3)

In addition to the above targets the County Council has an aspiration to achieve a recycling and composting rate of 70% by 2030 although this has not been agreed by the GWP as a formal target.

Objective 5: “Residual Waste as a Resource”

To provide residual waste treatment capacity to divert waste from landfill, and find or develop markets for recovered materials. Our preferred treatment processes will optimise recovery of recyclables and gain further value from residual waste before disposal.

Target (T4): Reduce the amount of active biodegradable waste from landfill at least in line with the requirements of the Landfill Allowance Trading Scheme to:

	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19	2019/20
Tonnes	71,555	68,486	65,416	62,347	59,277	56,208	53,139	50,069

(Links to Objective 3, and 4)

Objective 6: “Delivering the Strategy”

To implement this Strategy through clear leadership, accountable decision-making, timely investment and resourcing. We will look to secure sustainable funding to continuously improve Gloucestershire’s waste management service.

Objective 7: “Working in Partnership”

To develop an effective partnership between the seven Gloucestershire authorities and investigate the formation of a suitable organisational framework, including financial and operational interests, for delivering this Strategy. We plan to develop strong partnerships with the Waste Planning Authority, businesses, community groups and other organisations to ensure effective management of the municipal waste stream.

Objective 8: “Closing the Resource Loop”

To reprocess waste material at the most appropriate location; recycling locally *wherever practical and economic* by supporting reprocessors within Gloucestershire. However it is acknowledged that markets are national and international and benefit from economies of scale. So local reprocessing capacity for many materials is often not necessary or economic. We will, however, seek to ensure that our waste materials are recycled into high quality products, helping to generate jobs, create wealth, and mitigate the impact of climate change.

Objective 9: “Depollution of the Waste Stream”

To encourage the reduction of hazardous waste arisings, and to segregate and safely treat or dispose of hazardous materials from the municipal waste stream.

5.3. Targets

Tables 1 and 2 below propose key performance indicators and annual targets for the business plan period.

Table 1:

% Recycling & Composting	Current Year			2013/14	2014/15
	Target	Forecast	Variance	Proposed target	Proposed target
Cheltenham	42	45	+3	46	46
Cotswold	52	59	+7	60	61
Forest of Dean	42	49	+6	48	49
Gloucester	50	39	-11	50	50
Stroud	40	29	-11	31	40
Tewkesbury	42	54	+12	54	54
HRCs	65	67	+2	68	70
County total	49.0	48.7	-0.3	51.5	53.1

Table 2:

Kg residual waste per household	Current Year			2013/14	2014/15
	Target	Forecast	Variance	Proposed target	Proposed target
Cheltenham	584	477	-107	465	464
Cotswold	452	380	-72	365	354
Forest of Dean	642	409	-233	415	410
Gloucester	460	493	+33	397	393
Stroud	470	505	+35	488	422
Tewkesbury	572	389	-183	384	381
HRCs	85	56	-31	53	50
County total	610	506	-104	472	457

6. Priorities

6.1. This is an inaugural business plan and has a three year horizon. The main emphasis is on setting up and bedding in the GJWP and the JWT for the first 12 months. There are however aspects of the plan which look beyond three years. IN summary the periods can be summarised as follows:-

- **2013/14** –establishment of the partnership (the GJWC and the JWT), familiarisation with the governance arrangements, identification of short term

savings and longer term opportunities (see 6.2 below). Prepare for Tewkesbury Borough Council to join the Joint Committee from 1st April 2014.

- **2014-17** – delivery of short term savings and efficiencies in existing contractual arrangements. Encourage Stroud and Gloucester City to join the partnership and prepare for future joint procurement opportunities, taking into account the opportunities for optimisation across the county. Investigate opportunities to develop in-county Material Recovery Facility (MRF) and Anaerobic Digestion (AD) infrastructure.
- **2017-18+** – Transition to more efficient joint collection arrangements and, if required, delivery of infrastructure identified.

6.2. Priorities for 2013/14:

- Build understanding and confidence in the JWT approach.
- Build understanding of how the governance and delegated authority arrangements work for the GJWC and partners.
- Manage changes already identified by the partners, and where possible deliver additional “quick win” savings.
- Ensure that the effort and benefit of work undertaken to improve services and reduce costs which impact on more than one partner by districts is shared (see areas shaded yellow in the joint Action Plan at Appendix 2)
- Highlight the benefits of joint working to encourage the other Gloucestershire Districts to join the partnership at the earliest opportunity.

7. The Budgetary Framework

7.1. The Budgetary Framework is set out within the IAA, specifically Schedules 4 and 5.

In future years a summary of the budget will appear within the business plan. For 2013/14 budget summary, **please refer to Schedule 4 of the IAA.**

The main principles are as follows:

- The Constitution requires that any matter that has an impact on any partner’s financial standing or service provision may only proceed with the express agreement of the partner(s) concerned (as stated at 2.3 above).
- The partnership has an earmarked reserve of £180K which will cover Head of Service support costs in the first three years of operation, thereafter these costs will be funded by the partners through savings.
- The salary, expenses and local service and supply costs of transferred employees will be covered by the transferring authority who will reimburse the Administering Authority accordingly.
- Contract payments and other ongoing liabilities in connection with the service will continue to be made by the contract holding authority upon instruction of the JWT.

- Income which is received by the partner authorities for garden waste etc will be retained in order to offset contractual costs.
- Costs which are to be shared jointly in the future will be apportioned to the partners in accordance with agreed formulas set out in Schedule 5 to the IAA. These will be identified annually in advance in the Draft Budget accompanying the Business Plan.

8. Key Actions

See the Action Plan at Appendix 2 for key operational and community engagement actions. The Action Plan identifies an officer accountable for the delivery of each element or project and specifies timescales and expected outcomes.

These actions are listed in the following categories:

- engaging with customers
- procurement
- infrastructure
- service development
- surveys and research
- contribution to corporate initiatives
- other projects

Many of the initiatives affect either all or a subset of the partners.

9. Targets and reporting

Currently each partner sets targets and it is proposed to carry these forward to the first year of operation with the GJWC setting targets for 2014/15 onwards.

Performance will be reported to the GJWC at least twice per year: a full year summary of the previous financial year at the summer meeting, and a half year summary of the current financial year to the winter meeting.

10. GJWC Meetings

- 10.1. It is proposed that main GJWC meetings be held around the following months with the following *suggestions* for items to be included (a formal Forward Plan will be kept and updated). The date of the AGM will be determined at the inaugural meeting.

31 July 2013 (Inaugural meeting)

- Elect Chairman and Vice Chairman
- Agree scheme of delegation to Head of Service
- Formally adopt this plan
- 2012/13 Performance Report

- Update on key operational developments
- Adopt a Publicity and Press Protocol

Sept 2013

- Review of potential savings
- Summary of contract costs and future opportunities for savings
- Draft Business Plan 2014-19
- Draft Budget 2014-19
- Update on position of non-member districts

Dec 2013

- Approve Draft Budget for 2014/15
- Approve Draft Business Plan 2014-19
- Performance report for Q1&2 2013/14
- Review of progress with business plan.

Feb 2014

- Approve Budget for 2014/15
- Approve Business Plan 2014-19

April 2014

- Quarterly Business meeting

In addition to the above topics, the Board may consider other issues, options and recommendations which they request and/or are within the framework of the Business Plan.

10.2. In addition it is proposed to hold dates for informal (non decision making) meetings of the GJWC annually *in or around*:

- **July** (to consider future operational developments, savings opportunities also to arrange a “new member” briefing following any changes of GJWC membership after Council AGMs.
- **October** (to consider budget pressures, savings opportunities).
- **November** (a reserve date in case further consultation with partners is required after the October informal meeting).

11. Risk Register

The initial risk register is included at Appendices 2A and 2B.

12. List of Appendices

Appendix 2 – Action Plan
Appendix 3A – Risk Register
Appendix 3B – Risk Register Matrix

Appendix 2 - Action Plan - version 130731

Project Client Lead Complete Outcome

1. Engagement with customers

1.1	All	Waste Minimisation support programme	TC/AP	April 13 to March 14	Support behaviour change and reduce waste		
1.2	Ch+Co	Waste reduction & recycling promotion	SW & CB	Jun-Aug?	Increased recycling performance		
1.3	FoD+GCC	Doorstepping in low participation areas/ producers of excess waste	FoD Team	by Mar 14	Higher participation in recycling services and reduced waste to landfill		
1.4	Chelt	Completion of reminders to residents about lid up/side waste policies	SW	Jun-13	Encouragement to recycle more and reduce waste to landfill		
1.5	FoD	New resident information flyers	ML/RC	Jul-13	Higher participation in recycling services and reduced waste to landfill		
1.6	FoD	Annual calendar and Garden Waste (GW) scheme promotion	AW/ML/RC	Feb-Jun annually	Assist residents to present correctly on right day & increase participation in the GW scheme for cost neutrality		
1.7	All	Love Food Hate Waste awareness campaign.	AP	Apr-Mar	Raise awareness of impact of householder behaviour.		
1.8	GCC+Chelt	Food Points scheme in Hatherley area of Cheltenham	AP/SW	Mar-14	Defra funded trial of food points project to 5500 households to help inform future potential of reward schemes .		
1.9	Ch+Co	Promote garden waste scheme	SW & CB	Apr - Jul	Increased take-up in service		
1.10	FoD	Provide advice to charity shops	RC	Mar 14.	Shops better informed on waste minimisation, recycling and reducing waste to landfill		
1.11	FoD	Provide advice to business community via Business Rates Booklet	RC	Mar 13 & ongoing	To ensure that no trade waste is going in to domestic waste stream		
1.12	FoD	Update on-line information about end destination of recycle	ML	ongoing	Improve transparency and understanding of services provided and where material goes.		

	Project	Lead	When	Outcome
1.13	GCC Update and rebuild the Recycle for Gloucestershire Website with improved interface for smart phone users	AP	Apr 13.	Cost reductions, improved accessibility and compliance with visual standards, avoid duplication of info on partner websites.
1.14	GCC HRC Developments with May Gurney	TC	April to March	Depending on findings of strategic review (see also 4 below).
1.15	GCC Maintain schools / education programme	AP	April to March	Raise awareness of issues. Build for the future.
1.16	GCC Develop and maintain Master Composters and other community champion networks.	AP	April to March	Build capacity within the community to drive behaviour change
1.17	All Review policies for minimising disruption to, and communicating with, residents during and following episodes of severe weather	SR	April to June 13	Report to GJWC containing recommendations to be implemented / agreed with service providers before 31 October 2013
2.	Procurement			
2.1	Chelt Assist Ubico to assess business case for new recycling vehicles – see also 5.1	SW	Oct - Mar	New recycling vehicle fleet compatible with Cotswold vehicle configuration if viable
2.2	COTS Assist Ubico to assess benefits of separate collection of food and GW	SW	Jan - Jul	Procure replacement fleet of organic collection vehicles
2.3	GCC Food Waste Treatment	TC	April- Mar	Replacement contract for the treatment of food waste.
2.4	Ch+Co Tendering of a new contract for sale of recyclable material with consideration of associated bulking and transfer operations. Subject to agreement, this process may also include TBC.	SW	April-Dec	New contract to be let by 31 December with new arrangements commencing April 2014
3.	Infrastructure			
3.1	COTS Assist Ubico to secure a new waste and recycling depot in the Cirencester area	SW	Mar-14	Site acquisition, planning consents and site development for occupation by 14th Aug 14
3.2	GCC Assess cost/benefits of Residual Waste Transfer in northern parts of the county	TC	Summer 2013	Potential transfer contract for bulking and onward haulage of refuse to future disposal point.
3.3	GCC Preparations for replacement HRC at Hempsted	TC	April to March	Opportunities identified and constraints understood

Project

Lead

When

Outcome

4. Service Developments

4.1	Ch+Co	Assist Ubico with assessment of the business case for a Trade Waste service in CDC in line with CBC scheme.	SW	Apr-13	Review of trade service in CDC (April 13) to be introduced from Autumn '13 with potential for joint marketing
4.2	Ch+Co	Assist Ubico with review of bulky waste collection schemes.	SW & CB	Apr-July 13	Service appraisal to reduce costs (CDC) and assess viability of business case to combine service with CDC & TBC delivered by Ubico
4.3	GCC	Implement outcomes of Strategic Review of the HRC service aimed at saving money and increasing waste diversion.	TC	April to March	Depending on findings of strategic review.
4.4	Ch+Co	Review Bring site provision across all three districts to evaluate potential for savings and service improvement. For FoD this includes potential for extra plastics and cardboard banks	SW & CB	Apr-Sep 13	Purchase of new bring banks and service transferred to Ubico (CDC) and appraisal of bring site performance and material review to optimise facilities available (CBC)
4.5	FoD		RC/ML	by Mar 14.	Improve service provision within existing budget
4.6	FoD		RC	by Mar 14.	Improve service provision
4.7	FoD	Ongoing development of Northgate system & training of FoD CRM team to use Biffanet system.	RC/ CRM/ IT	from Feb 13	Improve customer experience and sharing of info between LA/ Contractor and effectively monitor the contract
4.8	All	Update and relaunch guidance for developers/ planners	ML/RC	by Mar 14	New housing better designed for service provision
4.9	GCC	Introduce online booking system for vans & trailers	AP	by Mar 14	Improved customer service

5. Surveys/ Research

5.1	Chelt	Appraise viability of introducing mixed rigid plastic and heavy cardboard recycling collections in CBC	SW	Apr-Sep 13	Business case produced and presented to CBC Cabinet for endorsement and JWC for formal decision.
5.2	GCC	Residual Waste Composition Analysis	AP	early 2014 for 1yr	Begin waste sort for primarily aimed at residual waste composition.

Project Lead When Outcome

6. Contribution to Corporate Initiatives

Project	Lead	When	Outcome
6.1	All	Quarterly	Report performance corporately
6.2	GCC	April to March	A number of placements throughout the year which will need support from staff.
6.3	GCC	April to March	Improved customer service

7. Other

7.1	FoD	RC	Oct-14	consistent policies under CWR12
7.2	FoD	RC	by Mar 14	Consistent approach and reduced flytipping incidents
7.3	FoD	RC/RA	by Mar 14	New processes for monitoring and reporting based on local performance indicators
7.4	FoD	RC/RA	ongoing	HSE intervention planned before October 13
7.5	FoD & Chelt	TBA	Apr 13.	Provide service to residents who generate dialysis or similar clinical waste. CDC already provide this service. Note: GCityC are leading on this project.
7.6	All	SR	by Dec 13	Report to SMG on findings

Key

	work affecting more than one partner
	Work led by one partner with potential to share with others
	Potential to draw from / share Somerset Waste Partnership work