



# CHELTENHAM

## BOROUGH COUNCIL

### Notice of a meeting of Overview & Scrutiny Committee

**Monday, 8 September 2014**  
**6.00 pm**  
**Pittville Room - Municipal Offices**

<b>Membership</b>	
<b>Councillors:</b>	Tim Harman (Chair), Colin Hay (Vice-Chair), Nigel Britter, Chris Mason, Sandra Holliday, Helena McCloskey, Dan Murch, John Payne, Chris Ryder and Max Wilkinson

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

### Agenda

<b>1.</b>	<b>APOLOGIES</b>	
<b>2.</b>	<b>DECLARATIONS OF INTEREST</b>	
<b>3.</b>	<b>MINUTES OF THE LAST MEETING</b> 09 July 2014	(Pages 1 - 8)
<b>4.</b>	<b>PUBLIC AND MEMBER QUESTIONS, CALLS FOR ACTIONS AND PETITIONS</b>	
<b>5.</b>	<b>MATTERS REFERRED TO COMMITTEE</b>	
<b>6.</b>	<b>FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED</b> Police and Crime Panel held on 4 September 2014 - update from Councillor McCloskey  Gloucestershire Health Community and Care O&S Committee held on 8 September 2014 - update from Councillor Clucas	
<b>7.</b>	<b>CABINET BRIEFING</b> An update from the Cabinet on key issues for Cabinet Members which may be of interest to Overview and Scrutiny and may inform the O&S workplan – to follow	
<b>8.</b>	<b>SEVERN TRENT - UPDATE ON WORKS IN CHELTENHAM</b> Presentation by Severn Trent Water representatives	(Pages 9 - 12)

<b>9.</b>		<b>UBICO PERFORMANCE</b> Rob Bell, Managing Director	(Pages 13 - 14)
<b>10.</b>		<b>PUBLIC ART PANEL UPDATE</b> Wilf Tomaney, Urban Design Manager, will attend to answer questions	(Pages 15 - 46)
<b>11.</b>		<b>UPDATES FROM SCRUTINY TASK GROUPS</b> Draft one page strategies (for comment and approval by Committee); <ul style="list-style-type: none"> <li>• Cycling and walking</li> <li>• Cheltenham Spa railway station</li> </ul>	(Pages 47 - 52)
<b>12.</b>		<b>REVIEW OF SCRUTINY WORKPLAN</b>	(Pages 53 - 54)
<b>13.</b>		<b>DATE OF NEXT MEETING</b> The next meeting is scheduled for Monday 3 November 2014	

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**Overview & Scrutiny Committee****Wednesday, 9th July, 2014****6.00 - 8.15 pm**

<b>Attendees</b>	
<b>Councillors:</b>	Tim Harman (Chair), Nigel Britter, Chris Mason, Sandra Holliday, Helena McCloskey, Dan Murch, John Payne, Chris Ryder and Max Wilkinson
<b>Also in attendance:</b>	Shirin Wotherspoon, Pat Pratley and Richard Gibson

**Minutes****1. APOLOGIES**

Apologies were received from Councillor Colin Hay.

As this was the first meeting of the committee, the chair welcomed both new and existing members. He said he was keen to engage all members in the overview and scrutiny process. Members who are not on the Cabinet could sometimes feel distant from what's going on across the council and so scrutiny was a way of getting them involved and at the same time balancing the power of the Cabinet. He commended the member induction session provided by Democratic Services which had provided an excellent introduction to the work of O&S.

**2. DECLARATIONS OF INTEREST**

None declared.

**3. MINUTES OF THE LAST MEETING**

**Resolved that the minutes of the last meeting held on 3 April 2014 be approved and signed as a correct record.**

**4. REVIEW OF TERMS OF REFERENCE**

The Democratic Services Manager (DSM), Rosalind Reeves, introduced the terms of reference for the committee as set out in the Council's Constitution. She highlighted the role of the committee in planning and coordinating the work of scrutiny across the council and its ability to set up scrutiny task groups to carry out in-depth reviews. It was also the role of the committee to promote good practice for scrutiny across the authority and the development of member skills.

**5. APPOINTMENT OF AN O&S SUB-COMMITTEE**

The Chair introduced the report which had been circulated. The report explained that the new arrangements for Overview and Scrutiny which were considered by Council in December 2011 and March 2012 made provision for the O&S committee to set up one or more sub-committees in support of its functions. As this committee meets bi-monthly it is anticipated that sometimes there might be a need to set up a scrutiny task group (STG), consider a call-in

request or receive recommendations from a STG as an urgent matter. A sub-committee could be set up for this purpose as it would facilitate the arrangement of an urgent meeting at short notice and ensure the item of business was dealt with expeditiously.

It was noted that following the election on 3 July 2014, the political balance was now such that the Liberal Democrats would be entitled to three places on the sub-committee and not two as stated in the report.

The DSM referred members to paragraph 1.3 of the report which indicated that the committee had the power to appoint substitutes.

**Resolved that:**

- 1. The Overview and Scrutiny sub-committee be established in accordance with political proportionality (3 Lib Dem, 1 Conservative and 1 PAB) including substitutes and that Councillors Harman, Hay and Payne be appointed and two other Lib Dems and substitutes to be advised.**
- 2. The functions of the sub-committee be as set out in Appendix 2.**
- 3. That the chairman and vice chairman of the sub-committee be appointed at their first meeting.**

**6. PUBLIC AND MEMBER QUESTIONS, CALLS FOR ACTIONS AND PETITIONS**

None received.

**7. MATTERS REFERRED TO COMMITTEE**

Any matters referred by Cabinet would be dealt with under later items of the agenda.

**8. FEEDBACK FROM OTHER SCRUTINY MEETINGS ATTENDED**

**Health and Care Overview and Scrutiny Committee – 6 May 2014.**

The chair advised that Penny Hall had attended the last meeting. Councillor Flo Clucas had been nominated as the Council's representative on this committee at Selection Council. She had been advised of the dates of future meetings so she could provide feedback to this committee by attending in person or providing a written update.

\* The chair requested that the committee should be updated on any relevant items from the last meeting.

**Police and Crime Panel – 13 May 2014**

Councillor Helena McCloskey updated members on this meeting and invited them to raise any issues they would like her to raise at the next meeting on 28 July 2014.

Combating cybercrime is the new priority added to the Police and Crime Plan and members received a presentation on the effects of cybercrime in Gloucestershire. This included details of the different types of cybercrime, the number of people affected, the impact on the economy and the action being taken by the Police. It is estimated that nationally 41 per cent of people had

been affected by cybercrime at an annual cost of around £800 million and 20 per cent of people did not take steps to protect themselves from online crime by taking simple measures such as the installation of anti-virus software. Gloucestershire Constabulary is recognised as taking a leading role in tackling cybercrime and is involved in national initiatives including a unit working across international boundaries.

The Police and Crime Plan has been updated to reflect recent developments including the formation of the Gloucestershire Criminal Justice Commission and the new arrangements for Probation Services. Gloucestershire is recognised as a leading area for restorative justice and the Panel requested more information on that at a future meeting.

As part of a regular review, the Panel received reports from three bodies who had received grants from the Commissioner's Fund in 2013-14:

In response to a question regarding the objectives of this initiative, Councillor McCloskey advised that it was to raise public awareness and to train officers in all aspects of cyber crime so that they could be in a better position to deal with reported incidents.

A member asked whether it was appropriate for council tax payers' money to be spent on cyber crime locally which with the power of the Internet, was clearly an international issue.

Councillor McCloskey advised members that the PCC had carried out a consultation and the public had supported a 2% rise in the police precept in order to tackle the issues in his plan which had included cyber crime as a priority.

With O&S support, she advised that she intended to write to the PCC to ask how he would allocate the money arising from the late night levy. Cheltenham was only the second town in the country to introduce such a levy. She informed members that 30% of the late-night levy would be retained by the Council and 70% would go to the PCC. Although it was not in the legislation, the PCC had promised that the 70% would be spent in Cheltenham and this formed part of the arrangement between the council and the police.

A member was concerned that the PCC should have to justify any spend of the funds, particularly if they were spent outside Cheltenham.

The Deputy Chief Executive added that a number of recommendations had been agreed in a report to Council last year. She emphasised the arrangement between the PCC and the council to work together. This included the setting up of a late-night levy advisory group and Councillors Chard, Thornton and Lillywhite sat on the group. The advisory group would make recommendations which would then go to Cabinet for approval.

\* She agreed to circulate the membership of the advisory group to the committee.

The DSM advised that a meeting of the Gloucestershire Scrutiny Group was planned for the Autumn. Officers and chairs of O&S are invited to attend.

**9. CABINET BRIEFING**

The Leader had given his apologies for this meeting as he was attending the LGA conference. The Cabinet Member Corporate Services, Councillor Jon Walklett, introduced the briefing.

Regarding the Cemetery and Crematorium, the Cabinet commended the excellent report from the scrutiny task group chaired by Councillor Ryder. As there were long-term issues to resolve regarding the crematorium, the Cabinet Member Clean and Green Environment, Councillor Chris Coleman, had invited members of the task group to join him on a Cabinet Member Working Group as he would welcome their expertise.

Councillor Ryder advised that the task group had already set up a meeting with the Cabinet Member on 4 August 2014 and she would welcome involvement in the Cabinet Member working group going forward.

The DSM highlighted the differences between a scrutiny task group and a Cabinet Member working group. The former was chaired by a scrutiny member and resulted in recommendations to Cabinet from the task group. A Cabinet Member working group was led by the Cabinet Member and enabled them to seek views and advice before making decisions or formulating their own report to Cabinet.

Regarding rail issues, members supported the suggestion that a scrutiny task group should be set up to look at the issues that were important for Cheltenham with the renewal of the franchise in 2016. There were issues regarding the station itself, the transport links to the station within the borough as well as the rail service offered.

There was some discussion about whether the scope of the scrutiny task group could be extended to include integrated transport including cycling and walking. There was a concern that this could dilute both the rail and the cycling and walking issues. Another member suggested that this was a very important issue but he was cynical about whether the council could have any influence on the service Great Western offered if they were successful in winning the franchise.

It was agreed that Councillors Britter and Mason would work with officers to develop some draft terms of reference for the Rail STG and bring them back to the next meeting of the committee.

In the Cabinet Briefing, it had been suggested that the committee may wish to set up a scrutiny task group to look at vision 2020. After some discussion it was agreed that scrutiny should keep a watching brief on the programme but there was no need for a scrutiny task group at this stage. They encouraged the Cabinet to continue consulting with members via seminars and it was noted that O&S may want to scrutinise the business case when it became available.

**10. GLOUCESTERSHIRE AIRPORT**

Councillor Harman introduced the report as a member and former chair of the Joint Airport Scrutiny Working Group. The report had been brought to this committee to update members on the delivery of the Airport Governance Arrangements Review, undertaken by York Aviation Limited (YAL), jointly

commissioned by the Airport shareholders. It also gave members an opportunity to agree what involvement they would like in future scrutiny of the Airport.

There were a number of recommendations in the report which would go to the Cabinets of Cheltenham and Gloucester City as the two shareholders.

A member had read the confidential report and said he would welcome the opportunity to question the benefits of the council being a shareholder in the airport. The Deputy Chief Executive said that the committee would need to go into exempt session to cover any details of the report. The benefits of the council being a shareholder in the airport had been the subject of a previous report and she would be happy to meet with the member and give him more details if he would like to contact her.

On behalf of the committee the chair confirmed that they were comfortable with the process and the committee would wish to keep a watching brief on affairs related to the airport.

### **11. END OF YEAR PERFORMANCE REPORT**

The Strategy and Engagement Manager, Richard Gibson, introduced the report which set out the corporate performance of the organisation as at the end of the financial year 2013/14. The report was due to go to Cabinet on 24 July and so this was an opportunity for this committee to make any comments and observations.

As this was a new committee, he gave some background to the process and explained the layout of the report. It provided an opportunity for overview and scrutiny to hold the Cabinet to account on its performance. Work was starting on the 2015 corporate strategy and in particular how performance management was going to be conducted in the future given the changing nature of the council.

Members queried the end of year target for the number of planning applications refused. It was explained that the planning department had introduced an initiative to try and weed out weak applications by offering a free planning advice service. This target therefore was a measure of the success of that initiative although it was acknowledged that it was very much in the hands of the applicants. As there were in the order of 1500 applications per year the target was low so the figure of 77 was still good.

Any member asked why the percentage of licensed premises inspections undertaken was only 87%.

\* The officer agreed to circulate more information.

A member suggested that the use of 'broadly' relating to compliance of food premises was too imprecise.

A member wish to know more about the shortfall of £1.2 million reported under the Bridging the Gap program.

The officer advised that there were many work streams delivering this programme. The DSM reminded members of the member induction event on 16 July which provided an introduction to local government finance and the Director of Resources would be in attendance. This area would also be covered

in detail by the Budget Scrutiny Working Group and this committee could request an update from them at any time.

A member asked why the University had not purchased universal cards.

\* The Cabinet Member, Councillor Rowena Hay, agreed to ask the University the reasons for their decision and advise the committee.

**12. SCRUTINY ANNUAL REPORT 2013-14**

The chair introduced the scrutiny annual report which would go to Council on 21 July 2014. He highlighted the foreword where he had encouraged all members to contact him or the other lead members with regard to any suggested areas of activity or issues of concern to Cheltenham and its people which may be appropriate for scrutiny.

**Resolved that the scrutiny annual report 2013/14 be endorsed and forwarded to Council.**

**13. UPDATES FROM SCRUTINY TASK GROUPS**

The Committee reviewed the update of all scrutiny task groups and which had been circulated with the agenda. The following actions were agreed.

Rail issues – to bring back terms of reference for a STG as suggested by the Leader in his Cabinet Briefing.

Public Arts Panel – The Cabinet Member, Councillor Rowena Hay had requested that the Committee could review the current structure of the panel and its accountability and governance arrangements, how it reports back its decisions and how long members remain on the panel. Scrutiny could also review the implementation of the recommendations made to Cabinet in December 2011 following a previous review by the Social and Community O&S committee. She suggested the task group could meet initially with the current chair from the University and the supporting officer.

It was agreed that members would be invited to join scrutiny task group and bring back terms of reference to this committee for agreement.

Rewiring Public Services – The Leader, Councillor Steve Jordan had proposed this topic to the committee. A document had been issued by the Local Government Association which puts forward ten proposals for changing the relationship between local and national government. It was agreed this could be a topic for a future member seminar rather than a STG and it should be looked at in the context of Vision 2020.

Vision 2020 – agreed scrutiny should keep a watching brief and set up a STG only when there was a particular issue to look at.

Pub Closures -although it had been suggested by officers that this could be picked up as part of the work on the Cheltenham Local Plan, members felt this was some time away and therefore a scrutiny task group should be set up to look at this issue which could then feed into the Local Plan.

\* The DSM would invite nominations to join the task group

Cycling and Walking - a new registration form had been completed by Councillor Wilkinson. He thought the timing of this review was important to



ensure that new roads were laid out in the right way to facilitate cycling and walking rather than an expensive refit being required later on. There was a general acknowledgement in Cheltenham that cycle routes were not good and statements needed to be backed up with action. The chair indicated that he would be happy to be involved given that he was a member of the county council with their responsibility for transport.

The next step would be to define terms of reference and officer support for the group.

JCS and Planning and Liaison Group – agreed that this should be a member working group but could reconvene as a STG when further validation work on housing numbers is required or any other issue arises requiring scrutiny.

Section 106 Agreements – Councillor Britter advised that the process was being phased out in favour of the community infrastructure levy and it was appropriate that this was picked up as part of the work on the Local Plan by the Planning and Liaison group. However as the new process was some time away, the STG wanted to focus on why some of the money was not being spent. It was agreed that the STG continue on that basis

Deprivation – it was agreed that the report should be sent to Cabinet as an interim report and Cabinet requested to advise O&S which of the outline recommendations they would like a STG/s to follow up and bring back more detailed proposals for Cabinet to consider.

Performance measures at Cheltenham Crematorium and Cemetery – Agreed that members of this group should join the Cabinet Member Working Group but there will always be the option to set up a scrutiny task group should it be required.

The DSM highlighted to members that a lot of potential scrutiny work had been identified and this would need officer support from Democratic services and from relevant officers across the council. She agreed to review this and come back to the committee with some proposals. The chair acknowledged the need for the committee to prioritise and plan the scrutiny task groups in order to manage the limited resources available to scrutiny most effectively.

#### **14. REVIEW OF SCRUTINY WORKPLAN**

The committee reviewed the latest workplan which had been circulated with the agenda.

It was agreed that it would need to be reviewed once the resource requirements of the scrutiny task groups had been quantified.

A member highlighted the importance of having appropriate follow-ups in the plan and requested a follow-up report on allotments following the scrutiny review.

A member asked what had happened to the suggestion that Seven Trent water should attend the committee to give an update on work planned to Cheltenham. The DSM advised that this had been suggested by the former chair but she had not left any contact details. She agreed to follow this up and see whether a member seminar was relevant.

**15. DATE OF NEXT MEETING**

Date of next meeting was confirmed as 8 September 2014.

Tim Harman  
**Chairman**

### **Severn Trent Water: Cheltenham sewer renewal programme update**

Severn Trent Water is committed to resolving the risks of sewer flooding for our customers in Cheltenham Spa. That's why we're investing over £5million to replace and repair our sewer network to reduce the risk.

Over the last two years, a detailed survey and analysis of the sewers which serve Cheltenham has been carried out, which has identified sections which can no longer meet the demands placed on them by recent development within the town - particularly during times of heavy rainfall.

Working with our contract partners NMCNomenca, solutions have been developed to address these deficiencies, which in the most part will involve replacing the existing sewers with much larger pipes to significantly improve the capacity of these sections.

We've discussed our proposals with key stakeholders to agree the timing of work in each area, and this has enabled the programme of work to be developed. Work commenced in June 2014, and is expected to be complete by Spring 2015.

Customers who may be affected by the work will be notified in advance, and invited to a series of open exhibitions for each area, where they will have the opportunity to meet the project team, obtain further details of our plans, and discuss any aspect of our work which may concern them.

**An overview of the work is below, but as always, if you have any specific questions or concerns, please let me know – and we're always available to meet with you to discuss things in more detail.**

#### **Moorend Grove Flood Alleviation**

We're constructing a new sewer on Moorend Grove and Peregrine Road to divert local drainage to prevent backflow into property basements.

We started work on Peregrine Road at the junction with Osprey Road on 14 July. Our current programme is as follows:

Peregrine Road: 14/07 until 12/10.

Moorend Grove: 15/09 until 24/10.

#### **Sandy Lane Flood Alleviation**

We started work on 21/07 and we are ahead of programme by 3 days. Our current programme:

Moorend Road: 21/07 – 08/08

Sandy Lane: 21/07 – 22/08

We're constructing a new sewer using a 'no dig' technique to speed up the construction because the highway diversion is very long.

Moorend Road will be back open by 1pm Saturday (09/08) and the diversion route will then be significantly reduced. We're working as quickly as possible to finish the work and remove the road closures.

### **Suffolk Road Flood Alleviation**

This project will improve the overall performance of the drainage network across this part of Cheltenham.

**Andover Street** – We've started work on Andover Street (09/06/14). Our work in Andover is behind schedule by approximately 3 weeks due to additional underground services being found. The sewers we're constructing are large 1500mm diameter sewers.

We will then move onto **Andover Road** and **Painswick Road** and **St James Place**.

**Suffolk Road** – We're now planning to complete the Suffolk Road section by no dig methods so that we can finish as soon as possible to reduce disruption to the local businesses.

### **Langdon Road Flood Alleviation (aka Great Norwood FA)**

We're due to start on site at the end of September and will be finished by the end of November.

An exhibition is being held on the 14 August at the Queens hotel for customers to visit us to discuss the upcoming work.

### **Winchcombe Street FA (Fairview Road):**

This project involves the installation of a 1350mm sewer on Fairview road. We're currently laying at the junction with Fairview Road and Portland Street, and we're on track for site completion in October 2014.

### **Queens Road Flood Alleviation:**

The project is nearing completion, as we were able to avoid a road closure on Queens Road by using a no dig technique to lay the sewer.

Our contract partners NMCNomenca will be completing some sewer rehabilitation works in the area, and we're expecting to be completed for the end of August.

### **Lansdown Road Flood Alleviation:**

Due to unforeseen underground services located in June, during our initial work, we've removed our work from site to review our design options. Customers will be informed accordingly once the design has been finalised.

### **Cheltenham Rehab:**

As part of our £5 million investment, NMCNomenca will also be rehabilitating 3 kilometres of structurally deficient sewers throughout the town. The work has been planned around the main projects so there are no road closure or diversion route clashes. The work in any one area is only for a short duration, typically only a few days, although it can be longer should

manholes need re-building. The rehabilitation works is due to commence in August and will operate on a rolling programme throughout Cheltenham until March '15. Customer care letters and consultation will be undertaken as part of this project.

### **Lichfield Drive:**

The project involves working collaboratively with the Gloucestershire County Council highways team to manage surface water flooding on Lichfield Drive. The installation of a large tank sewer on Salisbury Avenue will ensure we store the surface water flows and these are not passed downstream to the Winchester Way area of Cheltenham, where DEFRA and Cheltenham Borough Council previously undertook major flood alleviation work. The work is due to commence on the 1 September across a 4 month programme. An exhibition is being held on the 14 August at the Queens hotel from 1pm for customers to visit us to discuss the upcoming work.

\*\*\*Future work is planned in the Lansdown Crescent, Cottage Rake Avenue, Roman Road, Cleeve View Road, and Fawley Drive areas of Cheltenham. Once the programmes are finalised we'll be issuing a full update to all stakeholders and inviting all businesses and customers within these areas to a public exhibition.\*\*\*

### **Latest Updates:**

#### **Cheltenham half marathon & Suffolk Road event**

We'll be continuing to show our support for the patience and understanding our customers and the businesses in Cheltenham have shown as we carry out our vital work. We'll be temporarily re-opening roads to accommodate the Cheltenham half marathon on Sunday 7 September and acting as an affiliate sponsor for the event. And to help traders take advantage of this, On Saturday 6 September we'll be helping to support a market event being organised by the Suffolk Road Traders.

#### **The latest public exhibition was a great success**

We'd like to thank everyone who took the time to visit us at our public exhibition last week. The exhibition, on Thursday 14 August, was arranged to give customers an opportunity to quiz the project team on two new sections of work which are planned to start next month.

The first project to start is the Lichfield Drive Flood Alleviation scheme, due to commence on 01 September 2014. This work will require road closures on Lincoln Avenue, Salisbury Avenue and Lichfield Drive at various stages of the project, between September and December. The closures will affect the "D" bus service which operates in this area, and customers were able to benefit from the attendance of representatives from Stagecoach to find out about the proposed diversion routes and revised timetables.

Later next month we will be starting a project entitled Langdon Road Flood Alleviation which will require closures of Fairfield Parade and Langdon Road from late September until December 2014.

There was a steady flow of customers throughout the exhibition, keeping the project teams busy from the start of the exhibition at 13.00 until doors closed at 19.00. All our visitors found it a useful source of information, leaving them better prepared for when work starts next month.

### **The mole is coming to Suffolk Road!**

Over the last few weeks, not only have we dealt with a collapse in the road at the junction with Suffolk Parade, we've also been clearing the way for our next section of directional drilling to install the new sewer pipes required on Suffolk Road.

We're confident that we now have a clear route for the 'mole' drill that will burrow its way beneath the road and form the hole for the new pipes. We'll be bringing the equipment to Suffolk Road on Monday to prepare it for the work, which is associated with the Suffolk Road Flood Alleviation project, which started on 07 July 2014.

The technique we're using in Suffolk Road requires more preparation than traditional trench excavation, but is far quicker to install once work starts, and significantly reduces the potential disruption associated with conventional methods. It'll ensure we're able to re-open Suffolk Road as planned in early October.

### **Advance notification of road closure: Andover Road**

The above closure is associated with the Suffolk Road Flood Alleviation project, at the Ashford Road/Andover Street junction. Our work has progressed up Andover Street and early next week we'll reach the Andover Road junction which we'll need to close at 08.00 on Monday 18 August 2014. We've put advance warning signs up to advise motorists of the closure, and our site team have visited local residents to make them aware of our plans. Later next week we'll be reinstating our work in Andover Street which will enable us to remove the majority of our working area in Andover Street and restore customer access.

### Cheltenham Borough Council

#### Overview and Scrutiny Committee 8<sup>th</sup> September 2014

#### Ubico Performance - Member Briefing

Indicators	Q1 13/14	Q1 14/15	Comments
<b>Waste and Recycling</b>			
NI191 Residual waste per household (kg/year)	116	120	National trend of residual waste per household is going up, possibly to do with upturn in economy with people are buying more and disposing of unwanted items.
NI192 Household waste recycled, reused and composted (%)	46.62%	48.71%	Improvement mainly down to increase in tonnages of garden waste collected at the kerbside and the household recycling centre.
% of household collections completed on schedule (of total collections)	99.95%	99.96%	
% of assisted collections completed on schedule (of total collections)	99.80%	99.89%	
Number of missed collections in period	802	673	To put this figure in context, the service has over 1.49 million collections each quarter.
Number of overflowing recycling bring site reports	24	7	Improvement following O&S review and working group recommendation.
<b>Environmental maintenance</b>			
% of reported litter related complaints, grass related complaints, and general horticultural maintenance related complaints resolved within 14 days	100%	100%	

Number of dog/litter bin requests (9) and complaints (20)	11	29	<p>The majority of the 14/15 reports are for June, which had excellent weather and therefore increased footfall and picnicing. To address this Ubico have deployed more staff to monitor and empty litter and dog bins and have also increased the number of litter/dog bins.</p> <p>The numbers also include requests for new bins and reports of vandalism.</p>
<b>Customer Service</b>			
% of operational service complaints received (of total collections)	0.002%	0.001%	Relates only to waste and recycling collections.
Number of formal service complaints forwarded to Customer relations	41	15	<p>Includes all service complaints – waste and recycling, street cleaning, building cleaning and grounds maintenance.</p> <p>2013/14 figure reflects changes to service delivery at the time (communal recycling).</p>



# ***Information/Discussion Paper***

## **Overview and Scrutiny Committee - 8th September 2014**

### **Scrutiny of the Public Art panel**

This note contains the information to keep Members informed of matters relating to the work of the Committee and to help them decide what further action is required.

#### **1. Why has this come to scrutiny?**

- 1.1 The Cabinet Member Healthy Lifestyles, Councillor Rowena Hay, first suggested this as a topic for scrutiny in November 2013. O&S were advised that the Public Art Panel co-ordinates funds that have been raised for public art from Section 106 agreements and she suggested the governance and the accountability of the panel needed to be reviewed. As no members came forward to join the task group it was put on hold until after the elections when the Cabinet Member proposed it for a second time.
- 1.2 Since the July meeting, officers from Democratic Services have had further meetings with Wilf Tomaney, Urban Design Manager and the lead officer supporting the panel, and the Cabinet Member to understand the issues and how O&S might add value.
- 1.3 This issue has now come to O&S for members to decide if they want to proceed with this as a topic for scrutiny and if so what form that scrutiny should take.
- 1.4 Wilf Tomaney will be attending the meeting to update members on the work of the Panel and to answer any questions.

#### **2. Summary of the Issue**

- 2.1 The panel was previously scrutinised by a task group established by the former Social and Community O&S committee and Councillor Rowena Hay was a member of this group which was chaired by Councillor Diggory Seacome.
- 2.2 The O&S Review Group was established in September 2010 and their role was to consider the then workings of the Public Art Panel and to recommend improvements to its operation and hence the implementation of Public Art in the town.
- 2.3 The group reported to the parent committee in O&S in July 2011. In December 2011 Cabinet endorsed the findings of the task group and agreed that their recommendations should be implemented. Following the Cabinet decision, the Panel recommenced meeting in January 2012 and now meets every other month. The report from scrutiny is attached at Appendix 1 together with the Cabinet response.

**2.4** In 2013, Councillor Hay as the Cabinet Member Sport and Culture, requested a report on progress to date in respect of the recommendations and the work of the reformatted Panel. A summary was produced by Wilf Tomaney and endorsed by the Panel but was not taken back to Cabinet. This is contained in Appendix 2 and lists the recommendations of the review group and itemises progress against each and has been updated to reflect the current position.

## **3. Summary of evidence/information**

**3.1** From discussions with the Cabinet Member and the officer it is clear that progress has been made with the organisation of the Public Art Panel and the delivery of public art; however, there remain some outstanding issues which seem to be as follows:

- The governance of the public art panel needs to be reviewed and clarified. This should cover terms of membership for the chair of the panel.
- The role of the Cabinet Member in the process and their relationship with the panel needs to be clarified.
- It is not clear where the accountability lies for the decisions of the panel and the success of the implementation of the public arts projects it manages.
- It is not clear how the panel will link in with the new commissioned Leisure and Culture Trust
- The council is lacking an up-to-date public art strategy
- There is no overall funding of the administration of Public Art as currently any funding has to be allocated to a specific project
- A way forward for Public Art funding with the introduction of the Community Infrastructure Levy needs to be agreed

**3.2** From discussions with officers there is clearly an issue about the capacity to fully support the public art panel and there is no dedicated officer resource for Public Art as there is in some other councils. This may be the main reason why work has not been progressed on developing a public art strategy. Scrutiny in itself could not resolve this problem.

**3.3** Although the project management pool will assist in the delivery of individual work of public arts there is no overall administrative function to co-ordinate the whole programme of public arts. Again this is largely due to lack of funding or inability to allocate funding at this higher level rather than to individual projects.

**3.4** In summary, whilst the Panel, following the 2011 O&S Review is more effective and has put in place measures to enable it to deliver projects; staff and funding, particularly for strategic and support work, are stretched.

## **4. Next Steps - possible next steps for the committee to consider**

- 4.1 O&S must decide whether they think this is an appropriate topic for a scrutiny task group and if so what input would be required from officers and the panel. Some terms of reference for such as review are suggested in Appendix 3.
- 4.2 If however they consider that lack of resources both officer and financial is the main reason why the original recommendations have not been fully implemented they may feel this is an issue for the Cabinet to resolve in the first instance.
- 4.3 They could also suggest that a workshop is held with interested parties to try and achieve clarity on some of the issues set out in paragraph 3.1. This could be something O&S could facilitate
- 4.4 If the trust is to be commissioned in future to deliver Public Art, O&S may recommend that this is picked up as one of the outcomes from the L&C trust and looked at as part of that project.
- 4.5 The committee may want to ask for a further update at a later date.

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<b>Background Papers</b>	None
<b>Appendices</b>	<ol style="list-style-type: none"> <li>1. 1.1 – Covering report to Cabinet 6/12/2011</li> <li>1.2 - Scrutiny report</li> <li>1.3 - Mins of O&amp;S</li> <li>1.4 – Mins of Cabinet 6/12/2011</li> <li>2. Update on implementation of O&amp;S recommendations</li> <li>3. One page strategy for a new scrutiny task group</li> </ol>
<b>Contact Officer</b>	Rosalind Reeves, Democratic Services Manager, 01242 774937, rosalind.reeves@cheltenham.gov.uk
<b>Accountability</b>	Chair of O&S, Councillor Tim Harman
<b>Scrutiny Function</b>	O&S

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**Cheltenham Borough Council**  
**Cabinet – 6<sup>th</sup> December**  
**Public Art Working Group Review**

<b>Accountable member</b>	<b>Councillor Andrew McKinlay, Cabinet Member Leisure and Culture</b>
<b>Accountable officer</b>	<b>Wilf Tomaney – Urban Design Manager</b>
<b>Accountable scrutiny committee</b>	<b>Social and Community</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Key Decision</b>	<b>No</b>
<b>Executive summary</b>	At its July meeting, the Social and Community Overview and Scrutiny Committee considered a report from a Working Group established to consider Public Art provision in the Borough. It resolved to recommend the Groups findings to the Cabinet.
<b>Recommendations</b>	<p><b>1 That the Cabinet endorse the recommendations of the Social and Community Overview and Scrutiny Committee in respect of the Public Art Review Working Groups findings – as set out in Appendix 2.</b></p> <p><b>2 That the Cabinet agrees the appointments method to the Public Art Panel identified in Paragraph 3.4 of this report.</b></p>

<b>Financial implications</b>	<p>As detailed throughout Appendix 2 (Public Art Working Group report 11<sup>th</sup> July 2011) with specific reference to 1.25 to 1.30 of the report. The Working Group's recommendations is that there should be a sustainable funding strategy for all public art projects. Projects should be entirely self-funding with the whole cost of a project (including "peripheral" items such as selection of art work, project management, landscape, long-term maintenance etc.) being identified early in the project and funded through a properly managed budget.</p> <p><b>Contact officer: Sarah Didcote,</b>  <b>sarah.didcote@cheltenham.gov.uk, 01242 264125</b></p>
<b>Legal implications</b>	<p>There are no direct legal implications as a result of this report. One Legal input may be required on a specific project basis.</p> <p><b>Contact officer: Donna Ruck, Solicitor</b>  <b>donna.ruck@tewkesbury.gov.uk, 01684 272969</b></p>

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<b>HR implications (including learning and organisational development)</b>	<p>The administration of a regular cycle of Public Art Panel meetings may have implications on officer capacity. Some time is already spent on this function under the current arrangements, however clarity will be needed as to whether the new arrangements will significantly alter the current time commitment.</p> <p><b>Contact officer: Amanda Attfield,</b>  <b>amanda.attfield@cheltenham.gov.uk, 01242 264186</b></p>
<b>Key risks</b>	<ol style="list-style-type: none"> <li>1. There is a risk to the Council's reputation if Public Art is either not delivered or its delivery is badly managed.</li> <li>2. There is a risk of not achieving some Civic Pride objectives if the Council cannot deliver Public Art effectively and efficiently – this may have knock on impacts on environmental quality, economic function of the town centre etc.</li> </ol>
<b>Corporate and community plan Implications</b>	<ol style="list-style-type: none"> <li>1. Ability to deliver Public Art impacts on a number of Corporate Strategy Improvement Actions 2010 – 2011 across a range of objectives, principally: <ul style="list-style-type: none"> <li><b>Environment:</b> Cheltenham's natural and built environment is enhanced and protected.</li> <li><b>Economy:</b> We attract more visitors and investors to Cheltenham.</li> <li><b>Arts and Culture:</b> Arts and culture are used as a means to strengthen communities, strengthen the economy and enhance and protect our environment.</li> </ul> </li> <li>2. As part of a wider strategic approach to the environment, public art can also deliver on Corporate Strategy outcomes aimed at safer communities and encourage low carbon travel.</li> </ol>
<b>Environmental and climate change implications</b>	<p>No direct impacts resulting from this report.</p>

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### 3. Background

- 3.1 At its July meeting Social and Community Overview and Scrutiny Committee considered a report from a the Public Art Review Working Group – which it had established to consider the processes, policies and procedures associated with delivering public art in the Borough.
- 3.2 Appendix 2 contains the report of the Working Group and details its findings – which were based around a more formalised operating procedure for the Council's long-established Public Art Panel and the appointment of a lay-chair.
- 3.3 The Social and Community Overview and Scrutiny Committee resolved to recommend the findings to Cabinet; its Minutes are at Appendix 3.
- 3.4 At O&S Committee there was discussion of how various appointments would be made to the Panel. It is suggested that the following mechanisms are used:
- a The core of the Panel as identified in the review report (Appendix 2, para 1.13) already exists, with individuals on the Panel representing an organisation. It is suggested that if any of these leaves the Panel, the relevant organisation is invited to nominate another representative.
  - b The Review recommends the appointment of a public art advisor. It is suggested that nominations are sought by local advert and direct approaches to suitably qualified or experienced people locally. The Public Art Panel would then shortlist, interview and appoint.
  - c Community co-optees will be sought from local community organisations (formal or informal as appropriate) – according to the nature or location of the project.
  - d The independent chair would be drawn from within the core lay-membership of the group.

### 4. Reasons for recommendations

- 4.1 To improve the policy and delivery environment around public art in the Borough.

### 5. Alternative options considered

- 5.1 The recommendations result from a series of wide-ranging discussions over four meetings which addressed a range of issues and considered various approaches to resolving issues.

### 6. Consultation and feedback

- 6.1 The Working Group included a representative from the Civic Society, a lay-member of the O&S Social & Community Committee and Borough and County Councillors.

### 7. Performance management –monitoring and review

- 7.1 The report represent the findings a review process. It included input from a Project Manager on delivery and process issues.

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<b>Report author</b>	<b>Contact officer: Wilf Tomaney,</b> <b>wilf.tomaney @cheltenham.gov.uk,</b> <b>01242 264145</b>
<b>Appendices</b>	<ol style="list-style-type: none"><li>1. Risk Assessment</li><li>2. Public Art Review Working Group – Final Report</li><li>3. Social and Community Overview and Scrutiny Committee 11<sup>th</sup> July 2011 - Minutes</li></ol>
<b>Background information</b>	<ol style="list-style-type: none"><li>1.</li></ol>



**Risk Assessment**

**Appendix 1**

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-4	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	Reputational risk if Public Art is either not delivered or its delivery is badly managed.	Urban Design Manager	August 2010	2	3	6	Reduce	Establish proper project management and funding arrangements	To be confirmed	Urban Design Manager	
	Risk of failing on Civic Pride objectives if the Council cannot deliver Public Art effectively and efficiently	Urban Design Manager	August 2010	2	3	6	Reduce	Establish proper project management and funding arrangements	To be confirmed	Urban Design Manager	

**Explanatory notes**

**Impact** – an assessment of the impact if the risk occurs on a scale of 1-4 (4 being the greatest impact)

**Likelihood** – how likely is it that the risk will occur on a scale of 1-6 (6 being most likely)

Impact Description	Impact score	Probability	Likelihood Description	Likelihood Score
Negligible	1	0% - 5%	Almost impossible	1
Marginal	2	5% - 15%	Very low	2
Major	3	15% - 30%	Low	3
Critical	4	30% - 60%	Significant	4
		60% - 90%	High	5
		> 90%	Very high	6

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



**Cheltenham Borough Council**  
**Social and Community Overview and Scrutiny Committee**  
**11 July 2011**  
**Public Art Review Working Group – Final Report**

<b>Accountable member</b>	<b>Councillor Andrew McKinlay, Cabinet Member Leisure and Culture</b>
<b>Accountable officer</b>	<b>Wilf Tomaney – Urban Design Manager</b>
<b>Accountable scrutiny committee</b>	<b>Social and Community</b>
<b>Ward(s) affected</b>	<b>All</b>
<b>Key Decision</b>	<b>No</b>
<b>Executive summary</b>	At its September meeting, the Social and Community Overview and Scrutiny Committee agreed to the establishment of a group to review Public Art provision in the Borough. The Working Group has made a series of recommendations, which it considers will improve provision.
<b>Recommendations</b>	<p><b>That the Committee endorse the recommendations of the Public Art Review Working Group as set out below and recommend them to Cabinet:</b></p> <p><b>The Review Group recommends that:</b></p> <p><b>A. Public Art provision should be considered under the commissioning umbrella.</b></p> <p><b>B. The wider membership of the Public Art Panel and its supporting officers is broadly correct but would benefit from some adjustment, including the introduction of a Public Art Advisor.</b></p> <p><b>C. The Public Art Panel should be chaired by an independent “lay-member”.</b></p> <p><b>D. The Public Art Panel should have a regular programme of standing meetings, within the Council’s municipal calendar.</b></p> <p><b>E. The Public Art Strategy and the Public Art Supplementary Planning Guidance are in need of review.</b></p> <p><b>F. Processes should be in place to ensure that each public art project has a fully developed project management and funding plan at the start of a project.</b></p> <p><b>G. A project leader/manager should be established.</b></p> <p><b>H. It is essential that a proper mechanism is put in place to ensure adequate funding is available to meet the objectives of each</b></p>

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project.

- I. **Funding must provide for administration/project management costs and for maintenance, in addition to the cost of any works.**
- J. **There should be an ability to take Section 106 contributions on smaller schemes and pool them in order that they can be reasonably used.**

<b>Financial implications</b>	<p>As detailed throughout the report with specific reference to 1.20 to 1.30 of the report. The intent of the Working Group's recommendations is that there should be a sustainable funding strategy for all public art projects. This approach is supported - projects should be entirely self-funding with the whole cost of a project (including "peripheral" items such as selection of art work, project management, landscape, long-term maintenance etc.) being identified early in the project and funded through a properly managed budget.</p> <p><b>Contact officer: Paul Jones, <a href="mailto:paul.jones@cheltenham.gov.uk">paul.jones@cheltenham.gov.uk</a>, 01242 775154</b></p>
<b>Legal implications</b>	<p>Legal advice was provided to the Review Working Group throughout its deliberations and appropriate legal advice and comments have been incorporated into this report.</p> <p><b>Contact officer: Nicolas Wheatley , <a href="mailto:nicolas.wheatley@tewkesbury.gov.uk">nicolas.wheatley@tewkesbury.gov.uk</a>, 01684 272695</b></p>
<b>HR implications (including learning and organisational development)</b>	<p>The administration of a regular cycle of Public Art Panel meetings may have implications on officer capacity. Some time is already spent on this function under the current arrangements; it is not clear if the new arrangements will significantly alter the time commitment.</p> <p><b>Contact officer: Julie Mccarthy – HR Operations Manager , <a href="mailto:julie.mccarthy@cheltenham.gov.uk">julie.mccarthy@cheltenham.gov.uk</a>, 01242 264355</b></p>
<b>Key risks</b>	<ol style="list-style-type: none"> <li>1. There is a risk to the Council's reputation if Public Art is either not delivered or its delivery is badly managed.</li> <li>2. There is a risk of not achieving some Civic Pride objectives if the Council cannot deliver Public Art effectively and efficiently – this may have knock on impacts on environmental quality, economic function of the town centre etc.</li> </ol>

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<p><b>Corporate and community plan implications</b></p>	<p>1. Ability to deliver Public Art impacts on a number of Corporate Strategy Improvement Actions 2010 – 2011 across a range of objectives, principally:</p> <p><b>Environment:</b> Cheltenham’s natural and built environment is enhanced and protected.</p> <p><b>Economy:</b> We attract more visitors and investors to Cheltenham.</p> <p><b>Arts and Culture:</b> Arts and culture are used as a means to strengthen communities, strengthen the economy and enhance and protect our environment.</p> <p>2. As part of a wider strategic approach to the environment, public art can also deliver on Corporate Strategy outcomes aimed at safer communities and encourage low carbon travel.</p>
<p><b>Environmental and climate change implications</b></p>	<p>No direct impacts resulting from this report.</p>

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**1. Background**

**1.1** At its September meeting, the Social and Community Overview and Scrutiny Committee agreed to the establishment of a group to review Public Art provision in the Borough. The Committee resolved that:

- 1 A Public Art Review Group be established and Councillors Seacome and R Hay nominated as the Borough Council members. A County Council member, art community representative and community representative are also to be included in the Review Group.
- 2 The processes, policies and procedures associated with delivering public art be examined by the Review Group.
- 3 A detailed timetable be established by the Review Group at their first meeting, with the aim of bringing a final report to the Social and Community Overview and Scrutiny Committee in approximately 6 months, with interim progress reports as necessary.

**1.2** The Review Group met 4 times and consisted of:

- Councillor Diggory Seacome – Chair
- Councillor Rowena Hay
- Councillor Antonia Noble (GCC)
- Professor James Harrison (S&C O&S Committee)
- Jenny Ogle (Civic Society)
- Judith Baker (Admin)
- Paul McKee (Arts Development Officer)
- Hilary Mervyn-Smith (Project Manager)
- Nicolas Wheatley (Solicitor)
- Wilf Tomaney (Urban Design Manager)

**1.3** The Review Group discussed a range of issues covering governance, funding, commissioning, delivery, ambition, the Public Art Panel, Civic Pride, policy, strategy and processes.

**Current Arrangements**

**1.4** Delivery of public art within the Borough is governed by a number of processes and procedures:

a The **Public Art Panel** was set up in 1992 in order to encourage the provision of public art within the Borough; to provide direction, advice and support to those delivering it; and to encourage wider community involvement in the siting and development of projects. Its current membership is as follows

- Cabinet Member Sport and Culture (chair)
- Planning Committee representative (currently Councillor Seacome)
- Nick Sargent (University of Gloucestershire)
- Brian Carvell (Cheltenham Arts Council)
- George Breeze (Community representative)

Officer support is led by

- Arts Gallery and Museum Manager

supported by

- Arts Development Officer
- Parks Development Manager and
- Urban Design Manager

Over its lifetime there has also been occasional attendance from

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- Cheltenham Business Partnership Manager
- Jenny Ogle (Civic Society)
- Lesley Green (independent arts consultant)
- Public Art South West
- MAD Youth Council

- b A Supplementary Planning Guidance note (SPG) was adopted in 2004 to establish a planning policy basis for the provision of public art pieces through new developments – either through funding contributions or the delivery of pieces of work.
- c A Public Art Strategy was published in 2004 to help tie the various elements together and establish a co-ordinated approach to the delivery and management of public art provision in the town.
- d The Civic Pride Urban Design Framework SPD establishes public art as an important component of the regeneration initiative.

### 1.5 Delivery of public art is through a number of processes, including:

- a Planning applications – either as part of a building or landscape design or through funding provided under a Section 106 agreement (planning gain)
- b Council-led projects – particularly through the Art Gallery and Museum, Parks, Built Environment and, in the future, as part of Civic Pride (the Cheltenham Development Task Force Public Realm Working Group includes public art in its terms of reference and includes a representative from the Public Art Panel).
- c Other Projects led by individuals or organisations – e.g. Civic Society involvement in the Holst statue and the Hare and Minotaur.

### **The Review Group Recommendations**

- 1.6 Although the Review Group recognised that public art is successfully commissioned and delivered within the town, it identified a number of problems with the current system.
- 1.7 At the root of the problems, the Review Group considers, is that the delivery of public art has a low priority corporately and that delivery suffers as a result. Thus, there are issues which hamper commissioning and delivery, such as a lack of funding; an inability to provide sufficient officer resource to support projects; and the ad hoc operation of the Public Art Panel. This was not intended as a criticism of those involved in the processes, who are genuine in their desire to see public art delivered, but more a recognition that for the Council, public art is a peripheral activity and not a significant element in any portfolio or job description.
- 1.8 In considering the issues, the Review Group recognises that the Council is not in a position to put significant additional resources into public art and so has considered how the environment around its delivery might be adjusted to help delivery.

### **Commissioning**

#### **Recommendation A. The Review Group recommends that Public Art provision should be considered under the commissioning umbrella.**

- 1.9 The Group identified that there are a range of difficulties and opportunities in the delivery of the whole public art function which make it a good candidate for commissioning. These difficulties are identified in the discussion below. However, they include management of the public art panel, project management of installations and the need for championing of public art.

## Public Art Panel

1.10 The Review Group concludes that the Public Art Panel lacks focus and makes the following recommendations:

**Recommendation B. The Review Group recommends that the wider membership of the Panel and its supporting officers is broadly correct but would benefit from some adjustment., including the introduction of a Public Art Advisor.**

1.11 The Review Group considers that the Panel requires specialist advice on Public Art matters and suggests that a Public Arts Advisor is invited onto the panel. This is intended as an unpaid post which will aid the Panel in its tasks of appraising projects and in being proactive in seeking opportunities for new projects. The advisor would be someone with experience in previous projects, being able to advise on the artistic merits of proposals, ways and means of putting ideas into practice, and ready to explore new ways of identifying and funding new approaches. In the past this role was provided at various times by Public Art South West (PASW) and Lesley Green (at that time an officer of the County Council).

1.12 Additionally, Recommendation C (below) identifies issues with current arrangements for Cabinet representation on the Panel. The Review Group considers that specific Cabinet representation is not important on the Panel but that representation by a Council Member with a strong interest in the arts and culture is important. Additionally, a continued link to Planning Committee is considered important.

1.13 Thus, the Review Group considers that at its core, Public Art Panel would consist of:-

- An independent chairman (see Recommendation C below)
- Two CBC councillors (see Recommendation C below)
  - one a member of Planning Committee;
  - another councillor with an interest in art or culture.
- Cheltenham Arts Council representative
- University of Gloucestershire Art Department representative
- Civic Society representative
- A public art advisor

and possible co-optees

- Community representative (specific to particular projects and their locality)
- Project leader (see Recommendation G below)

The Panel itself might like to consider if members with other skills or from representative groups would be helpful and should be co-opted on an ad hoc basis.

Officer support with reference to any particular project will be drawn from the following teams

- Art Gallery, Museum and Tourism
- Parks Team – many art works are on parkland and are delivered by the parks team
- Built Environment Division – the other main corporate source of public art work (including coordination of public realm works and input to the Civic Pride project).

**Recommendation C. The Review Group recommends that the Panel should be chaired by an independent “lay-member”.**

1.14 The Panel is currently chaired by a council member – generally (currently) the Cabinet member with a culture brief. As such, when chairmanship changes, continuity can be difficult as an incoming Chair is unlikely to have been previously involved in the Panel. Additionally, public art is



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often a small element of both the culture brief and of the overall portfolio of the Cabinet member (in recent years for example, this brief was accompanied by the finance brief).

- 1.15** The Review Group feels that handing the chair to a lay member will enable the Panel to be put in the hands of someone with a strong commitment to public art.

**Recommendation D. The Review Group recommends that the Public Art Panel should have a regular programme of standing meetings, within the Council's municipal calendar.**

- 1.16** As mentioned earlier, the Group considered that the Panel has lacked focus. It is apparent from the discussion above that there are a number of reasons which might have led to this. However, a contributory factor is the intermittent nature of the meeting schedule (again a result of Public Art's low corporate priority). This should be addressed through the establishment of a scheduled series of meetings every 3 months, with ad hoc meetings more frequently if a particular project needs discussion. These fixed meetings should be registered on the Council Calendar. A more formalised reporting structure should be considered. Administrative support to the panel will be provided by Cheltenham Borough Council.

### Policy

- 1.17** Public Art sits well with the Council corporate objectives:

Objective	Public Art's role
Enhancing and protecting our environment	By creating beautiful places  By creating a backdrop which can encourage sustainable transport choices – particularly walking & cycling, but also providing a focus for transport nodes
Strengthening our economy	By providing a pleasant, interesting and attractive destination for visitors By providing a town centre which has richness and variety in its public realm, to supplement the towns retail, commercial, leisure and cultural offer
Strengthening our communities	By providing a focus for community activity and engagement in design and implementation  By providing a centre piece for spaces which people will want to use
Enhancing the provision of arts and culture	By expanding the town's cultural resource

- 1.18** In addition there is a series of lower level policies which more directly act on public art delivery – Public Art Strategy, Public Art Supplementary Planning Guidance and the Civic Pride Urban Design Framework Supplementary Planning Document and its supporting Technical Appendices.

**Recommendation E. The Review Panel recommends that the Public Art Strategy and the Public Art SPG are in need of review.**

- 1.19** The Strategy is due for a review as some of its contents are out of date. It could be refocused to establish a clear set of delivery objectives, supported by the more up-to-date Civic Pride SPD.

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- 1.20** The Public Art Review Group considers that the Supplementary Planning Guidance needs to be redrafted in order to enable the Council to better use funding delivered through Section 106 agreements. In particular, this would assist towards the Panel's aspirations of firstly enabling top-slicing to support project management and maintenance; and secondly, of allowing pooling of smaller funding contributions so that they can be reasonably used on public art projects. It is appreciated that current Government policy places limitations on the use of S106 contributions in these ways.
- 1.21** In April 2011, Cabinet considered its planning policy work programme and determined that because there were insufficient staff resources available, the redrafting of the Supplementary Planning Guidance is not a priority for this year and will not be undertaken. Capacity for redrafting will be reconsidered in 2012. Despite this the Review Group still considers that there is an urgent need to redraft the SPG.

**Delivery**

- 1.22** Delivery of public art is a specialist process involving the selection of artists and work; procurement; legal, property and planning issues and finally, installation and maintenance. Delivery of public art is neither a regular occurrence, nor a major element of any one officer's job description. As a result, each project is additional to "the day job" and involves unfamiliar processes. A number of authorities (particularly those involved in major regeneration projects) use a "lead artist" – effectively, a specialist art project manager to coordinate public art procurement and delivery.

**Recommendation F. The Review Group recommends that processes should be in place to ensure that each public art project has a fully developed project management and funding plan at the start of a project.**

- 1.23** One reason for the difficulties in delivering public art projects has been the ad hoc nature of their inception. This regularly leaves resources (both funding and staffing) stretched. In future, each scheme needs to be seen as an individual project and be properly programmed and managed. This will help delivery and ensure there is a proper focus on the project in hand.

**Recommendation G. The Review Group recommends that a project leader/manager should be established.**

- 1.24** The project leader would be an important member of the Public Art Panel. The lead artist would not be a permanent officer of the Council, but would be retained on a term-contract arrangement. The contract could establish varying fees, depending on the nature of particular pieces of work undertaken. The job description would include advising the Panel on procurement and fund-raising, project managing public art delivery etc. Funding would need to be drawn through a "top-slice" of funds for public art (e.g. from Section 106 funding, or other ad hoc public art project funding).

**Funding**

- 1.25** The Review Group found that funding is rarely adequate for each project. Although costs vary depending on the nature of each piece, all recent major installations have struggled for sufficient funding to meet expectations. Each generally needs significantly more than procurement of the art piece – and costs regularly include landscape and engineering work; legal, planning and project management fees; and on-going maintenance. Failing to make allowance for on-going maintenance is not acceptable to the Council and could threaten the approval of future projects on Council land.

**Recommendation H. The Review Group recommends that it is essential that a proper mechanism is put in place to ensure adequate funding is available to meet the objectives of each project.**

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- 1.26** A number of recent projects have been under-funded for their ambition. Those negotiating funds need to be aware of the likely costs of each project. This will involve those commissioning projects engaging at an early stage with the project manager to establish project objectives, possible solutions, an understanding of “peripheral works” (e.g. landscape architecture) and likely costs. It may involve meetings between the project manager and contributing developers.
- 1.27** Concerns were raised at the Review Group about the timing of the Panel’s involvement in any particular project and where it should fit in the planning process. Too often projects are merely considered as addenda to a development, leaving them ill-thought out and poorly funded. Any mechanism needs to consider this issue of communication between the Public Art Panel and those negotiating, particularly on planning applications.

**Recommendation I. The Review Group recommends that funding must provide for administration/project management costs and for maintenance, in addition to the cost of any works.**

- 1.28** The level of contribution for these areas needs to be established, but is likely to be around 10% for administration etc. and at least 5% for maintenance (this will need to be considered on a case-by-case basis).

**Recommendation J. The Review Group recommends that there should be an ability to take Section 106 contributions on smaller schemes and pool them in order that they can be reasonably used.**

- 1.29** Over the years, the Council seems to have collected a number of Section 106 contributions around the £300-£700 mark. It is difficult to find suitable public art projects for this level of funding. The Review Group received reports indicating that pooling of Section 106 monies in this way may not be acceptable in legal terms, but considers that it should be possible to:
- a explore the pooling of existing monies through contact with the relevant developers; and
  - b establish a system which enables continued collection of contributions from smaller schemes and the pooling of such funds.
- 1.30** Schemes funded in this manner would need to be situated in locations where they have a wide ranging benefit – either a central location or a major park.

## **2. Reasons for recommendations**

- 2.1** To improve the policy and delivery environment around public art in the Borough.

## **3. Alternative options considered**

- 3.1** The recommendations result from a series of wide-ranging discussions over four meetings which addressed a range of issues and considered various approaches to resolving issues.

## **4. Consultation and feedback**

- 4.1** The Working Group included a representative from the Civic Society, a lay-member of the O&S Social & Community Committee and Borough and County Councillors.

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

- 5.1** The report represent the findings a review process. It included input from a Project Manager on delivery and process issues.

<b>Report author</b>	<b>Contact officer: Wilf Tomaney, wilf.tomaney@cheltenham.gov.uk, 01242 264145</b>
<b>Appendices</b>	1. Risk Assessment
<b>Background information</b>	1.

## Risk Assessment

## Appendix 1

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	I	L	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	Reputational risk if Public Art is either not delivered or its delivery is badly managed.	Urban Design Manager	August 2010	2	3	6	Reduce	Establish proper project management and funding arrangements	To be confirmed	Urban Design Manager	
	Risk of failing on Civic Pride objectives if the Council cannot deliver Public Art effectively and efficiently	Urban Design Manager	August 2010	2	3	6	Reduce	Establish proper project management and funding arrangements	To be confirmed	Urban Design Manager	

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**Extract from the minutes S&C O&S Committee July 2011 – Appendix 3**

**10. PUBLIC ART REVIEW**

Councillor Seacome, Chair of the Public Art Review Working Group introduced the report as circulated with the agenda.

The working group was formed by the Social and Community O&S Committee in September 2010, when Councillor Hay queried the effectiveness of delivery of public art in Cheltenham.

The working group discussed a range of issues and agreed upon a series of recommendations (A-J) which it considered would improve provision. He proceeded to highlight some of the recommendations.

The working group proposed that the core size of the Public Art Panel be reduced, to include co-opted members on an ad-hoc basis.

Where generally the panel was chaired by a council member, currently the Cabinet Member with a cultural brief, the working group felt that this hindered continuity and therefore proposed that the panel be chaired by an independent "lay-member".

Another recommendation was that rather than the current intermittent nature of the meeting schedule, the panel should have a regular programme of meetings within the Council's municipal calendar, with more regular ad-hoc meetings where necessary.

The working group found that funding was rarely of an adequate level to achieve the objectives and expectations of each project.

Finally, the Council had collected a number of Section 106 contributions of between £300 and £700 over the years and it had proved difficult to find suitable projects for this level of funding. The working group wanted to see these existing monies pooled and whilst this was not possible in legal terms, advice had been that this could be further explored through contact with the relevant developers. In future there would need to be a system which enabled the collection and pooling of smaller contributions

Councillor Hay, a member of the working group expanded upon the legal advice that had been provided on the pooling of Section 106 contributions. The suggestion had been that in future, a developer could be asked to agree to their individual contribution being pooled at the planning stage. However, if negotiations did not take place at this stage, the monies could not be pooled.

Where existing contributions had not yet been used, contact could be made with the developer in question to ask consent to pool the monies. There was a risk associated with this approach that the developer ask for the money back.

Members agreed that there was a misconception of what constituted public art, not necessarily a statue, etc, though admittedly the topic evoked differing opinions. A member felt that there was a need for more clarity on where the funding for public art was derived.

Members of the Public Art Review working group and the Urban Design Manager gave the following responses to questions from members of the committee;

- It was not for the working group to decide how the various appointments to the Public Art Panel would be made, this was a Cabinet decision. There were mechanisms in place for the appointment of Independent Members and this information would be circulated to Cabinet Members ahead of their meeting.
- Section 106 contributions were utilised to address the impact of a development and whilst an argument could be constructed for using the monies in the town centre, it could be difficult to justify using it in an entirely different ward.
- The report contained more detail in support of the recommendations and clearly explained what they aimed to achieve and why.

Councillor Smith highlighted Swindon Borough Council as an example of where Section 106 contributions were pooled for general use across the borough rather than limited to a specific area. He also felt strongly that Officers needed to demonstrate more innovation and use existing and future monies for other projects including play areas, etc.

James Harrison, as a member of the working group, had been struck by the level of discussion and got the impression that the Public Art Panel had, in the past been rather reactive and suggested that the aim of the recommendations was that the panel be more proactive.

Members were comfortable with the recommendations in their current form, on the understanding that Cabinet considered the comments of the committee.

Upon a vote it was unanimously

**RESOLVED** that the recommendations of the Public Art Review Working Group, as set out in the report to Cabinet, be endorsed by the committee and recommended to Cabinet for approval in conjunction with the comments made by the committee.



**Extract from the minutes of Cabinet 6 December 2011**

Councillor Diggory Seacome was in attendance at the meeting as chair of the public art working group review. He considered that the public art panel had been the "Cinderella" committee of the Council for a long time and the tightening up of the process was much needed. The independent chair would also bring better continuity to the leadership of the group.

The Leader asked for clarification on the recommendation E which proposed that the public art strategy and the public art SPG were in need of review. Councillor Seacome said that the group had felt that a piece of public art for a major development should not be an addendum but an integral part of the initial plans for the site. This would enable the Section 106 to be set at a sufficient level to meet the plan. He also hoped that the council could find a way round the legal technicalities that currently prevented any small amounts of monies left over being pooled and used on other schemes.

Members welcomed the report and the recommendations which they felt would achieve greater public buy in due to the independent members on the panel. It was sensible that the whole cost of any piece of public art was covered and the report recommended a proactive approach to shape the direction of public art and ensure the money was well spent. Councillor Hay was keen that a younger age group was represented on the panel as previously MAD Young People's Council had been represented.

The Cabinet thanked the group for their work and accepted the recommendations subject to the understanding that the Public Art SPG would be included in the list of documents that would be considered for review next year when resources were being allocated.

**RESOLVED THAT**

- 1. The recommendations of the Social and Community Overview and Scrutiny Committee in respect of the Public Art Review Working Groups findings-as set out in Appendix 2 be endorsed subject to the understanding that the Public Art Supplementary Planning Guidance would be added to the list of policies for review to be prioritised next year according to availability of resources.**
- 2. The appointments method to the Public Art Panel identified in Paragraph 3.4 of the report be agreed.**

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## **1. Update on the Scrutiny Recommendations agreed by Cabinet in December 2011 as at August 2014**

### **A. Public Art provision should be considered under the commissioning umbrella.**

Public Art has not been considered specifically under the Commissioning project for Leisure and Culture and it is currently not an explicit outcome that the trust has been asked to deliver. However it could be seen as delivering one or more of the council's outcomes and clearly it would seem appropriate that the expertise of the trust are involved in the process. This is an area that would need to be included in the scope of any scrutiny review.

### **B. The wider membership of the Public Art Panel and its supporting officers is broadly correct but would benefit from some adjustment, including the introduction of a Public Art Advisor.**

Public Art Advisor – Jacquie Grange of Creative Solutions joined the Panel on invitation. Jacquie is a local public art project manager and advises the panel on public art projects. She has since taken up a place on the Leisure and Culture Trust Shadow Board, continues to sit on the Panel and is now a member of the Public Art Project Management Pool (*see item F (below)*).

### **C. The Public Art Panel should be chaired by an independent “lay-member”.**

The Panel elected Nick Sargeant as Chair at its January 2012 meeting. Nick is Associate Dean / Head of School Art & Design at Gloucestershire University.

The Panel did not agree a term of office and this is an issue still outstanding. However, one reason for the “lay” appointment of Chair was the need for continuity in this position and it has been suggested (but not agreed) that this initial chairmanship runs for a 3 year period and that commencing January 2015, the Chair is elected for a 2 year period.

### **D. The Public Art Panel should have a regular programme of standing meetings, within the Council’s municipal calendar.**

The Panel now meets every two months. Meetings are within the Municipal Calendar. There has been a problem finding a cycle of meeting dates which suit all members of the panel.

### **E. The Public Art Strategy and the Public Art Supplementary Planning Guidance are in need of review.**

No progress to date.

The Panel has recognised the need to review its Strategy and is considering how this might best be achieved. This is a significant commitment in terms of time and the Panel is inclined to appoint outside experts to undertake the work. However, the Panel’s funding is based on Section 106 agreements under Planning Legislation; the current wording of agreements focuses funding tightly on the implementation of public art, rather than any “administrative” work related to the Public Art Panel or public art generally. As such, there is currently no funding available for Strategy work – it is possible that this might be addressed through the introduction of the Community Infrastructure Levy - *see discussion in item H (below)*.

The current Supplementary Planning Document is about 10 years old. It covers most issues related to implementation of a piece public art and is usable, though not ideal. In the circumstances, and with a heavy workload on Planning staff for the foreseeable future, review of the SPD is not a high priority.

**F. Processes should be in place to ensure that each public art project has a fully developed project management and funding plan at the start of a project.**

Slow delivery of projects and spending of S106 funds previously, has largely resulted from an inability to properly project manage – this is largely a result of an inability to put sufficient officer time into project managing public art work. The re-established Panel sees project management as an important part of the implementation process.

The O&S Review group was of the opinion that project management could be delivered at nil cost if there was a Public Art Advisor on the Panel (see item B (above)); Jacqui Grange was brought on to the Panel to fulfil this advisory role.

With this advisory role in place, three projects have been run under the reformatted Panel; the project management coming from volunteers within the Panel. However it became apparent that a lack of dedicated and funded Project Management resource is an impediment to the smooth delivery of a programme of works difficult. Consequently the Panel has established a “Pool” of four project managers who are available to manage individual projects. The pool was selected through a proper process and individual members will be on a “call-off” contract – effectively they will be selected individually for each available job and funded from within individual project budgets. The pool is listed below (paragraph 2).

Proper funding management of each project is an essential part of individual projects and the Panel receives a budget update at each meeting.

**G. A project leader/manager should be established.**

The Panel has adopted a protocol (under constant review) which establishes a basis for running a public art project. It requires each project to have a lead contact who is a member of the Public Art Panel to liaise between the Panel and the project manager, artist, developer and/or community.

**H. It is essential that a proper mechanism is put in place to ensure adequate funding is available to meet the objectives of each project.**

Funding of public art has frequently failed to match ambition and has often been insufficient to cover even modest projects. One of the difficulties arises from the understandably low priority given to public art compared to the various other requirements within a S106 agreement (affordable housing, play space, transport, education, etc.). This is compounded by an inability to manage public art strategically because of the site focussed budget established through S106.

The Panel has held discussions with the Council’s lawyers and planners in an attempt to address the difficulties with funding.

The conclusion was that in the current climate it may be difficult to significantly raise the profile of public art in the negotiation process. The Panel is hopeful

that the introduction of the Community Infrastructure Levy (CIL) with public art as a component element would improve funding for public art in general; it would allow the funds to be more widely used across the town, rather than targeted at specific sites; and it would allow the development of a strategy. The Head of Planning is recruiting (with JCS partners) an officer to develop a CIL tariff.

**I. Funding must provide for administration/project management costs and for maintenance, in addition to the cost of any works.**

As mentioned above, budgets have frequently struggled to meet costs or indeed the ambition. There was concern at the time of the O&S Review that the funding available could only be used on the artworks itself, not on project management, associated landscape works or other peripheral costs. The 2004 Public Art Supplementary Planning Guidance document is the Borough's main guide to the implementation of public art through the planning process. It lists the scope of any public art legal agreement as:

- The scope and scale of the works;
- The type of work to be pursued;
- The role of the artist(s);
- Commissioning the artist;
- The extent, if any, of direct public involvement;
- The timing of the project in the overall capital programme;
- The identification of budgets and committed overall costs;
- A statement on future maintenance responsibilities and costs;
- De-commissioning.

In fact this is a broad range of items and could reasonably be held to cover most of the requirements of a project. Since the review, the Panel has adopted an approach which uses funding for any necessary works associated with a project. There remains a concern regarding maintenance, which seems likely to require a specific funding stream from the agreement. Additionally, the ability to spend on a range of commissioning issues does not address the tight budgetary issues on many projects mentioned in H (above).

**J. There should be an ability to take Section 106 contributions on smaller schemes and pool them in order that they can be reasonably used.**

As mentioned in H (above) frequently the PAP is given sums through a S106 which are inadequate to deliver a meaningful project. Additionally it occasionally has small unspent sums remaining on completion of a project. The advice given to the Review was that it was not possible to pool sums. However, it has since been suggested that, if the wording of the S106 is appropriate, it may be possible to redirect funds with the agreement of the signatories.

The Panel has not yet used this approach on small schemes – and as suggested above, the introduction on CIL may address the issue on a broader basis. However, there are cases where developers have agreed to redirect funding - some to the town centre and in one case to nearby projects, where arguably there is a more wide-ranging benefit for the town than the development site. The circumstances vary, but commonly funding is redirected because the developer has built out the site, failed to make the required contribution or to place a piece of art on-site and agreed to do so in retrospect following invoicing, or enforcement action.

## 2. Current membership of the panel

The Review indicated that the Panel should consist of at least 5 members from specific bodies, an advisor and any co-optees which the panel saw as appropriate. As such the panel now consists of the following membership:

Panel Recommendation	Member Name	Attendance		
		2012 6 mtgs	2013 6 mtgs	2014 4 mtgs
Member of Planning Committee	Councillor Diggory Seacome	6	4	3
Councillor with an interest in art or culture	Councillor Andrew Lansley – <i>appointed part-way through 2012; meeting cycle clashed with CBH meeting (adjusted timing 2013)</i>	0/3	2	1
University of Gloucestershire Art Dept	Nick Sargeant (Chair of Panel)	6	6	4
Cheltenham Arts Council	Niki Whitfield – <i>appointed part-way through 2012</i>	2/3	5	4
Civic Society	Jenny Ogle – <i>appointed start 2014</i>	-	-	2
Public Art Advisor	Jacqui Grange – <i>appointed part-way through 2012</i>	2/2	5	3
Co-optee	Andy Hayes (GAVCA representative) – <i>appointed part-way through 2012</i>	1/1	5	4
Co-optee	James Harrison (Panel invitee) – <i>appointed part-way through 2012; resigned July 2014</i>	2/2	3	1
Co-optee	George Breeze (Panel Invitee)	5	6	3

### Public Art Pool (appointed July 2014)

- Jacqui Grange
- Diana Hatton
- Bridget Houseago
- Nicky Whittenham

Officer support varies but includes the following:

- Judith Baker                      Administration, Built Environment
- Stevie Edge-McKee              The Wilson
- Paul McKee                        The Wilson
- Wilf Tomaney                      Urban Design, Built Environment

## 3. Summary of achievements to date

Since the review the Panel has overseen the following works

### Completed

- Reading Chair, Hester's Way Library
- Poppy, Montpellier Chapter, Bayshill Road
- Enamel, Bath Road

### Commissioned (not yet complete)

- Hatherley schools art project
- St Mary's Minster living sculpture
- Promenade Phone Boxes – Art Space



## SCRUTINY REVIEW – ONE PAGE STRATEGY

FOR COMPLETION BY THE OVERVIEW AND SCRUTINY COMMITTEE	
Broad topic area	Public Art Governance
Specific topic area	Review the current structure of the Public Arts Panel and its accountability and funding
Ambitions for the review	
Outcomes	<p>An understanding of the role of the Public Arts Panel and how it fits in the new commissioning structure for Leisure and Culture</p> <p>A strategy and process for how Public Arts will be delivered in Cheltenham</p> <p>A recommendation for how it should be delivered and the resources needed to support that delivery</p>
How long should the review take?	6 months
Recommendations to be reported to:	Cabinet
FOR COMPLETION BY OFFICERS	
Members	Klara Sudbury Helena McCloskey
Officers experts and witnesses	Wilf Tomaney – Urban Design Manager An officer with knowledge of Corporate Governance An officer with knowledge of the L&C commissioning
Sponsoring officer	
Facilitator	Officer from Democratic Services
Cabinet Member	Cabinet Member Healthy Lifestyles – Councillor Rowena Hay
FOR COMPLETION BY THE SCRUTINY TASK GROUP	
Are there any current issues with performance?	Officers advise that the panel is currently working well but the governance
Co-optees	
Other consultees	Members of the panel should be involved
Background information	Previous scrutiny review should be the starting point for the review
Suggested method of approach	Speak to the panel members
How will we involve the public/media? Or at what stages	

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**SCRUTINY REVIEW – ONE PAGE STRATEGY**

FOR COMPLETION BY THE OVERVIEW AND SCRUTINY COMMITTEE	
Broad topic area	Cycling and Walking
Specific topic area	To review the facilities for cycling and walking in the town.
Ambitions for the review	<ul style="list-style-type: none"> <li>• Establish existing provision for cycling and walking in the town</li> <li>• Identify any areas for improvement</li> <li>• Establish how best to influence the decision makers</li> <li>• Determine means by which the council could help to promote cycling and walking</li> </ul>
Outcomes	<ul style="list-style-type: none"> <li>• Develop a wish list of improvements to cycle provision in Cheltenham</li> <li>• Submit proposals that will enhance the cycling and walking provision in the town centre for consideration by Gloucestershire Highways as part of the town centre development</li> <li>• Promote cycling and walking in the town and the associated benefits (including health)</li> </ul>
How long should the review take?	It is suggested that this review will take six months
Recommendations to be reported to:	Tbc
FOR COMPLETION BY OFFICERS	
Members	Tim Harman Dan Murch Suzanne Williams Max Wilkinson
Officers experts and witnesses	Rhonda Tauman Rowena Tassell
Sponsoring officer	Tbc
Facilitator	Tbc
Cabinet Member	Cabinet Member Development & Safety and Cabinet Member Healthy Lifestyles
FOR COMPLETION BY THE SCRUTINY TASK GROUP	
Are there any current issues with performance?	•
Co-optees	
Other consultees	•
Background information	•
Suggested method of approach	•
How will we involve the public/media? Or at what stages	

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## SCRUTINY REVIEW – ONE PAGE STRATEGY

FOR COMPLETION BY THE OVERVIEW AND SCRUTINY COMMITTEE	
Broad topic area	Cheltenham Spa Railway Station
Specific topic area	To review the issues arising from the renewal of the Great Western Franchise in 2016. The Leader has suggested that O&S may want to look at the potential issues that the council should be lobbying for as part of the new franchise. This would include understanding how this links to proposals to refurbish the station as well as transport links to the station and the rail service itself.
Ambitions for the review	<ul style="list-style-type: none"> <li>• Understand the franchise renewal process</li> <li>• Understand the implications of any improvements for Cheltenham station and the town as a whole</li> <li>• Understand how these issues are currently being progressed</li> <li>• Influence the decision makers regarding improvements that would benefit the station and the town</li> </ul>
Outcomes	A list of issues (improvements to the station, transport links and rail service itself) that should be considered as part of the renewal of the franchise for the benefit of Cheltenham and its residents
How long should the review take?	Tbc
Recommendations to be reported to:	Tbc
FOR COMPLETION BY OFFICERS	
Members	Flo Clucas Dan Murch Max Wilkinson
Officers experts and witnesses	
Sponsoring officer	
Facilitator	
Cabinet Member	The Leader and Cabinet Member Development and Safety
FOR COMPLETION BY THE SCRUTINY TASK GROUP	
Are there any current issues with performance?	•
Co-optees	
Other consultees	•
Background information	•
Suggested method of approach	•
How will we involve the public/media? Or at what stages	

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O&S Task group	Purpose	Update	Status summary	Agreed nominations/membership <b>Chairs in bold</b>	Facilitating Officer	Sponsoring Officer	Cabinet Member	Proposed by	Terms of Ref agreed by O&S	Recs to O&S	Report to Council	Report to Cabinet	Cabinet follow up	O&S Follow up scheduled
<b>KEY TO COLOURS</b>	<b>Not started STG</b>													
	Standing STGs											are		
	Terms of Reference being drafted for agreement by O&S and prioritisation in the scrutiny workplan													
	Active STGs													
Review of Public Art Governance	To review the current structure of the Public Arts Panel and its accountability	The Cabinet Member requested O&S set up a STG to look at the governance of the Public Art Panel, its membership and terms of office and accountability and review the implementation of the recommendations from the previous scrutiny review on this topic reported to Cabinet in December 2011.	Update report on STG recommendations to O&S in September. Members to decide if a STG is required.	Cllr Klara Sudbury, Helena McCloskey and seek nominations from other groups	to be agreed		Healthy Lifestyles Cllr Rowena Hay	Cab Member						
Pub Closures	Council on 26/3/2012 debated a motion proposed by Councillor Colin Hay regarding his concern about the number of pub closures across Gloucestershire and in Cheltenham in particular. Council passed a resolution to "investigate the adoption of the Public House viability test and develop policies to protect public houses and community assets" and referred it to O&S.	O&S at its July meeting agreed to set up a STG to look at this issue which would then potentially produce recommendations which could be fed into the work on the Cheltenham Local Plan to be carried out by the JCS and Planning and Liaison Group. Other recommendations may arise.	Draft Term of Ref for O&S in November and assess resource reqs and priority. Awaiting further input from topic proposer.	Cllr Colin Hay, Helena McCloskey and seek nominations from other groups	to be agreed		Development and Safety Cllr McKinlay	Cllr Colin Hay						
Cheltenham Railway Station	To review the issues arising from the renewal of the Great Western Franchise in 2016. The Leader has suggested that O&S may want to look at the potential issues that capture them should be lobbying for as part of the new franchise. This would include understanding how this links with the proposals to refurbish the station as well as transport links to the station and the rail service itself.	O&S agreed with the Leader's suggestion for a STG.	Draft Term of Ref for O&S in September and assess resource reqs and priority	Cllr Flo Clucas, Dan Murch, Roger Whyborn (tbc) and Max Wilkinson and seek nominations from other groups	to be agreed		Leader Cllr Jordan and Development and Safety, Cllr McKinlay	Leader, Cllr Jordan						
Cycling and Walking	To review the facilities for cycling and walking in the town as set out in the registration form suggested by Councillor Max Wilkinson	O&S at its July meeting agreed to set up a STG to look at this issue. The timing was appropriate as any new road networks in Cheltenham currently being planned should be designed to facilitate cycling and walking.	Draft Term of Ref for O&S in September and assess resource reqs and priority	Cllrs Tim Harman, Dan Murch, Suzanne Willimans and Max Wilkinson.	to be agreed		Development and Safety Cllr McKinlay	Cllr Wilkinson						
Budget scrutiny working group	The working group's role is to develop the budget process, support the development of Members' scrutiny role and to consider ideas from Members for reducing the budget gap.	The working group has a schedule of meetings arranged throughout the year. The new members held their first meeting on 10 July when the Chief Executive attended to outline his vision and the group considered the financial implications of Vision 20/20.	ongoing	Cllrs Babbage, Nelson, Payne, Thornton, Whyborn, Wilkinson  Cabinet Member Finance to attend by invitation.	Rosalind Reeves, Democratic Services Manager	Mark Sheldon	Finance Cllr Rawson	Council	May-12	Jan-14	Feb-14	Jan-14		
Review of Section 106 monies and enforcement	To review consultation on how and where 106 monies are spent; and review of enforcement procedures	O&S at its July meeting agreed that the JCS and Planning Liaison Group should pick up work on the new community infrastructure levy as part of the work on the Cheltenham Local Plan which effectively replaces section 106's. However the committee decided that there was still a role for this task group in scrutinising how money was being spent on outstanding 106 agreements. Officers require further clarity on the scrutiny requirements.	Terms of Ref under review together with resource requirements	Cllrs Nigel Britter, Jacky Fletcher, Sandara Holliday, Klara Sudbury and Paul Baker and invite nominations from other groups	to be agreed	Tracey Crews	Development and Safety Cllr McKinlay	Cllr Driver	Nov-13					
Deprivation	Councillor Driver suggested a review should be carried out of small pockets in the town which may suffer from deprivation but may not get the consideration that the more obvious deprived areas get.	At the July meeting of O&S the committee agreed to send an interim report to Cabinet asking the Cabinet which areas it would be interested in O&S pursuing and set up one or more STGs to look at those specific areas. This approach would ensure that the considerable scope of the areas covered by the former members would not be lost.	Prepare interim report for Cabinet in September.	Former members were Councillors Driver, Coleman, McLain and Bernice Thompson as a co-optee and Caroline Walker from CBH. Councillor Walklett as an observer (as a relevant ward member)	Rosalind Reeves	Richard Gibson	Healthy Lifestyles (covered several Cabinet portfolios so Cllr R Hay selected as the Lead Cab Member)	Cllr Driver	Feb-13	Apr-14		Oct-14		
Performance measures at Cemetery & Crematorium - Now & in the future	To consider performance and efficiency of new cremators and policy in case of shut down of cremators. Increase car parking, consider policy on planting of large bushes / trees and 'duty of care' policy to staff.	Final report of the STG was commended by Cabinet on 24 June. The STG are due to meet with the Cabinet Member on 4 August to discuss latest developments at the Crematorium. The O&S committee in July agreed that they should accept the proposal of the Cabinet Member for the members of the task group to join him in a Cabinet member working group going forward. The work of this task group is therefore complete unless O&S identifies the need for it to be reconvened at any point.	Further meeting planned for 4 August and response to the recommendations planned for Cabinet in September	Cllrs <b>Ryder</b> , McCloskey, Reid	Rosalind Reeves	Rob Bell	Clean and Green Environment Cllr Coleman	Cllr Ryder	Nov-13	Apr-14		Jun-14		

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O&S Committee 2014/15 work plan

Item	Outcome	What is required?	Lead Officer
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<b>Meeting Date: 8 September (report deadline: 27 August)</b>			
New STG – cycling & walking / railway station	Agree Terms of Reference for each scrutiny task group	Decision	Saira Malin, Democracy Officer
UBICO	Performance monitoring and general update	Comments	Rob Bell, Managing Director UBICO
Public Art Panel STG	Progress update on STG recommendations (date)	Comments	Wilf Tomaney, Townscape Manager
Severn Trent Water	Update on works in Cheltenham – including up to date timetable of works	Comments	Paul Evans – Severn Trent Water
<b>Meeting Date: 3 November (report deadline: 22 October)</b>			
LGA Peer Review – scrutiny	Feedback from the peer review relating to scrutiny and how it operates in the borough	tbc	tbc
Allotments STG	Progress update on STG recommendations (March 2013)	Comments	Fiona Warin, Green Space and Allotment Officer
New STG – pub closures	Agree Terms of Reference for scrutiny task group	Decision	Cllr Colin Hay
<b>Meeting date: 12 January 2015 (report deadline: 30 December)</b>			
Budget recommendations (2015-16)	Review recommendations of the budget scrutiny working group	Comments/ Decision	Mark Sheldon, Director of Resources
<b>Meeting date: 2 March (report deadline: 18 February)</b>			
Draft Corporate Strategy 2020	tbc		Richard Gibson, Strategy and Engagement Manager
Quarter 3 performance review	tbc		Richard Gibson, Strategy and Engagement Manager
<b>Meeting date: 27 April (report deadline: 15 April)</b>			

O&S Committee 2014/15 work plan

Item	Outcome	What is required?	Lead Officer
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End of year performance review	tbc	Tbc	Richard Gibson, Strategy and Engagement Manager
Dog Fouling STG	12 month follow up on recommendations (April 2014)	Comments	tbc
<b>Meeting date: 29 July (report deadline: 19 June)</b>			

<b>Annual Items</b>			
Budget recommendations	January	Chair, Budget Scrutiny Working Group	
Draft Corporate Strategy	March	Richard Gibson, Strategy and Engagement Manager	
Quarter 3 performance review	March	Richard Gibson, Strategy and Engagement Manager	
End of year performance review	June/July	Richard Gibson, Strategy and Engagement Manager	
Non scrutiny member working groups update	September	Democratic Services Manager	
Quarter 2 performance review	November	Richard Gibson, Strategy and Engagement Manager	