



CHELtenham

BOROUGH COUNCIL

**Notice of a meeting of
Cabinet
Tuesday, 13 December 2016
6.00 pm
Pittville Room - Municipal Offices**

Membership	
Councillors:	Steve Jordan, Flo Clucas, Chris Coleman, Rowena Hay, Peter Jeffries, Andrew McKinlay and Roger Whyborn

Agenda

	SECTION 1 : PROCEDURAL MATTERS	
1.	APOLOGIES	
2.	DECLARATIONS OF INTEREST	
3.	MINUTES OF THE LAST MEETING The minutes of the meeting held on 6 December 2016 will be approved at the January 2017 meeting of Cabinet.	
4.	PUBLIC AND MEMBER QUESTIONS AND PETITIONS These must be received no later than 12 noon on the fourth working day before the date of the meeting	
	SECTION 2 :THE COUNCIL <i>There are no matters referred to the Cabinet by the Council on this occasion</i>	
	SECTION 3 : OVERVIEW AND SCRUTINY COMMITTEE	
5.	ACCESSIBILITY ISSUES Report of the Chair of Overview and Scrutiny	(Pages 5 - 12)
	SECTION 4 : OTHER COMMITTEES <i>There are no matters referred to the Cabinet by other Committees on this occasion</i>	
	SECTION 5 : REPORTS FROM CABINET MEMBERS AND/OR OFFICERS	
6.	PROPERTY LETTINGS AND DISPOSALS TO THE THIRD SECTOR, VOLUNTARY AND COMMUNITY GROUPS Report of the Cabinet Member Finance	(Pages 13 - 36)
7.	TOUR OF BRITAIN INITIATIVE Report of the Cabinet Member Finance	(Pages 37 - 48)

8.		GENERAL FUND REVENUE AND CAPITAL- INTERIM BUDGET PROPOSALS 2017/18 FOR CONSULTATION Report of the Cabinet Member Finance-to follow	
9.		HOUSING REVENUE ACCOUNT REVENUE AND CAPITAL-REVISED BUDGET 2016/17 AND INTERIM BUDGET PROPOSALS 2017/18 FOR CONSULTATION Report of the Cabinet Member Finance- to follow	
		SECTION 6 : BRIEFING SESSION • Leader and Cabinet Members	
10.		BRIEFING FROM CABINET MEMBERS	
		SECTION 7 : DECISIONS OF CABINET MEMBERS Member decisions taken since the last Cabinet meeting	
		SECTION 8 : ANY OTHER ITEM(S) THAT THE LEADER DETERMINES TO BE URGENT AND REQUIRES A DECISION	
		Application for designation of a Neighbourhood Area and Neighbourhood Forum by the West Cheltenham Neighbourhood Forum ITEM DEFERRED FROM 6 DEC CABINET MEETING	
		SECTION 9 : LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS	
11.		LOCAL GOVERNMENT ACT 1972 - EXEMPT BUSINESS The Cabinet is recommended to approve the following resolution:- “That in accordance with Section 100A(4) Local Government Act 1972 the public be excluded from the meeting for the remaining agenda items as it is likely that, in view of the nature of the business to be transacted or the nature of the proceedings, if members of the public are present there will be disclosed to them exempt information as defined in paragraph 3, Part (1) Schedule (12A) Local Government Act 1972, namely: Paragraph 3; Information relating to the financial or business affairs of any particular person (including the authority holding that information)	
12.		HAM HILL Report of the Cabinet Member Finance	(Pages 49 - 60)
		Section 10: BRIEFING NOTES Briefing notes are circulated for information with the Cabinet papers but are not on the agenda • Briefing note-Safeguarding	

Contact Officer: Rosalind Reeves, Democratic Services Manager, 01242 774937
Email: democratic.services@cheltenham.gov.uk

**Cheltenham Borough Council
Cabinet – 13 December 2016
Accessibility issues**

Accountable member	Chair of Overview and Scrutiny Committee, Councillor Tim Harman
Accountable officers	Democratic Services Manager, Rosalind Reeves
Accountable scrutiny committee	Overview and Scrutiny Committee
Ward(s) affected	All indirectly
Significant Decision	No
Executive summary	<p>As part of the agenda for the Overview and Scrutiny meeting held on the 12 September 2016, the committee received a talk from two wheelchair users about some of the problems disabled people encounter when trying to find accessible public toilets in Cheltenham, as well as more general access issues.</p> <p>The committee were grateful for having been given an insight into some of the access issues being faced by disabled people and felt that the council should consider whether more could be done to address some of these issues.</p> <p>The Overview and Scrutiny Committee agreed that it would refer the matter to Cabinet and ask that they devise an action plan.</p>
Recommendations	<p>That Cabinet:</p> <ol style="list-style-type: none"> 1. Note the issues that were raised at Overview and Scrutiny Committee. 2. That Appropriate Officers be asked to look at what actions the council could take in areas where it has direct control of access to toilet facilities in the light of the comments made to reduce the difficulties being experienced by disabled persons with a view to an action plan being submitted to Cabinet
Financial implications	<p>As detailed within the report.</p> <p>Contact officer: Paul Jones, paul.jones@cheltenham.gov.uk, 01242 775154</p>
Legal implications	<p>County, district and parish/community councils may provide public conveniences but are not obliged to do so. The council may charge for the use of the facilities.</p> <p>Contact officer: Peter Lewis, peter.lewis@teWKesbury.gov.uk, 01684 272012</p>

HR implications (including learning and organisational development)	None as a direct result of the content of this report. However, officers need to ensure that they have capacity/resource to complete the action plan. Contact officer: Julie McCarthy, Julie.McCarthy@cheltenham.gov.uk 01242 26 4355
Key risks	None arising from this report.
Corporate and community plan Implications	None arising from this report.
Environmental and climate change implications	None arising from this report.

1. Background

- 1.1** A number of Councillors, including the Chairman of the Overview and Scrutiny Committee, had attended a talk on disabled access earlier in the year and had been of the opinion that it was a topic which would be of interest to the committee and its members.
- 1.2** The talk, by two wheelchair users (Billie-Jane and Nicola Bates) gave the committee an insight into some of the difficulties faced by disabled people. The draft minute of this item is attached at Appendix 2 of this report.
- 1.3** Some of the issues that were highlighted to the committee included:
- Many public toilets for the disabled were not accessible due to insufficient space, poor layout and/or lack of facilities. Modern, more sophisticated wheelchairs were far larger than manual wheelchairs and depending on the severity of a person's disability they could require the assistance of one or more carers and may even require a changing bed and/or hoist.
 - Some disabled toilets were used as a storage space for highchairs and as well as posing an accessibility problem to disabled people wanting to use the facilities, it also raised concerns about hygiene.
 - Bus accessibility was an issue for those in larger wheelchairs: there was insufficient space for the chair to be manoeuvred into the required position (with the back of the chair against the window) and the time it took to manoeuvre out of the aisle often meant that the bus had moved off, which made the process more difficult.
- 1.4** The committee were told that the public accessible toilet in what was the Beechwood Arcade, had been of a good size and well-equipped, though this had been closed to the public since John Lewis had occupied the building. The accessible toilet at the Brewery (located near the cashpoints) was of a good size but did not have a hoist or a bed.
- 1.5** The Cabinet Member Clean and Green Environment had reported (at O&S) to have had an initial discussion with John Lewis about retaining the accessible toilet, formerly of the Beechwood Arcade. It should be noted that this toilet would only be accessible during store opening hours.
- 1.6** The Cabinet Member Clean and Green Environment had also reported (at O&S) that he was giving consideration to where in the town a 'Changing Places' toilet, which had more space and equipment than a standard accessible toilet, could be located.

2. Reasons for recommendations

- 2.1** The Overview and Scrutiny Committee felt that some people felt unable to go out without the assurance of access to adequate public toilet facilities.
- 2.2** The Committee felt that this council should be doing everything within its power to ensure that the town centre had at least one accessible toilet of 'Changing Places' standards, available any hour of the day, to those that could not use a standard accessible toilet.
- 2.3** A British Standard (8300:2009) for the design of buildings and their approaches to meeting the needs of disabled people already exists as a code of practice and takes the form of guidance and recommendations. The committee understood that there was an ongoing campaign to improve the minimum standards.
- 2.4** The committee had been advised that the Cabinet Member Clean and Green Environment (whose portfolio included public toilets) was currently considering the accessible public toilet provision in the town.

3. Alternative options considered

- 3.1** The committee had considered tabling motions which would call for the council to lobby Central Government on improving minimum standards for accessible toilets and Stagecoach on wheelchair access on buses, but will wait to review what action Cabinet intends to take, before deciding how to progress.

4. Officer comments

- 4.1** The Managing Director of Economic Development and Place attended the O&S Committee on 31 October 2016 to give members an update on the place and economic development strategy. At the end of this discussion he was requested to give an update on disabled toilet provision in the town. He advised that his officers had been looking at the potential for upgrading these facilities in line with the Changing Places initiative. The capital cost for such a facility was in the order of £20 to 30k and they were looking at the options for bringing in external funding. The issue was really the ongoing revenue costs estimated to be £10K per toilet as the council had currently no provision in the budget for this. They were also exploring the option of potential retailers coming into the town helping to provide these facilities.
- 4.2** As part of the preparation of the report, officers from Licensing and Planning were asked to comment on any powers that might be available as members had referred to this as a possible solution during their discussions.
- 4.3** Officers advised that there was no explicit duty on licensed premises to provide disabled facilities.
- 4.4** The authority has no control over the size and design of disabled toilets through the planning process as internal layouts did not normally require planning permission, nor did it have any controls in relation to fixtures and fittings.
- 4.5** Building Regulations provide a standard for access, but these are not retrospective and therefore the legislation can only really be applied to new buildings, extensions or a change of use. Whilst the regulations should be viewed as a minimum standard, they were often treated as a maximum standard by designers.
- 4.6** The Equality Act places a duty on owners to take reasonable steps to make facilities accessible in their premises. In period buildings, it could be argued that it was not reasonable to provide such facilities because of cost and the potential ineffectiveness of any such facilities, however new builds were required to take account of this and could not argue that it was unreasonable to do so. It is worth noting that Cheltenham Borough Council cannot enforce the Equality Act because action can only be taken by the person(s) who believe that they are not receiving the same services, as far as this is possible, as

5. Consultation and feedback

- 5.1 The draft report was approved by the lead members of the Overview and Scrutiny Committee (Cllrs Harman, Walklett and Payne).
- 5.2 A copy of this report was also circulated to the relevant Cabinet Members (Clean and Green Environment and Healthy Lifestyles).

6. Performance management – monitoring and review

- 5.1 The Overview and Scrutiny Committee look forward to seeing the Cabinet response to this report, before deciding how to progress.

Report author	Contact officer: Saira Malin, Democracy Officer Saira.Malin@cheltenham.gov.uk 01242 77 5153
Appendices	1. Excerpt of minutes of Overview and Scrutiny Committee (12 September 2016) where the matter was discussed
Background information	n/a

Page 7
Overview & Scrutiny Committee
Monday, 12th September, 2016
6.05 - 8.40 pm

Appendix 1

Attendees	
Councillors:	Tim Harman (Chair), Jon Walklett (Vice-Chair), Mike Collins, Colin Hay, Sandra Holliday, Chris Mason, Helena McCloskey, John Payne and Max Wilkinson
Also in attendance:	Councillor Adam Lillywhite, Councillor Steve Jordan, Councillor Chris Coleman, Councillor Paul McCloskey, Councillor Dennis Parsons and Councillor Roger Whyborn Blackadder (Cheltenham Business Improvement District) and Mark Sheldon (Director of Corporate Resources and Projects)

DRAFT Minutes

6. ACCESS ISSUES FOR THOSE WITH DISABILITIES

The Chairman explained that earlier in the year, he and other members, including the Police and Crime Commissioner and local MP, had taken part in the Wheelchair Challenge, which had provided a genuine insight into some of the difficulties wheelchair users face on a daily basis. At that time, he had also attended a talk on by the ladies that would be speaking to the committee this evening and was keen that the committee hear it and give some thought as to if and how the council could provide any solutions.

Bille-Jane had lived independently for 19 years and Nicola Bates who had lived independently for 8 years, stressed the importance of disabled toilets on their wellbeing, not just their availability, but their accessibility, as for some, this could often mean the difference between being able to go out and not.

They proceeded to outline some of the many issues that users often encountered when using disabled toilets:

- Some disabled toilets weren't big enough to accommodate modern, battery powered wheelchairs, let alone the carer(s) that the wheelchair user may need to have assist them, depending on the severity of their disability.
- Some of the toilets were set on plinths and in some cases this meant that they were too high for wheelchair users to be able to manoeuvre themselves onto.
- Panic alarms could be activated by accident where the cords were wrapped around the bar.
- It was often the case that disabled toilets were used as storage areas for highchairs and whilst this undoubtedly posed an accessibility issue for wheelchair users, it also raised hygiene concerns.
- It was also important for the rails and bars to be correctly fitted. Nicola had recently had an experience where the bar had come away from the wall and she had fallen to the floor and bumped her head.

The best example of a disabled toilet in Cheltenham had been in the Beechwood Arcade, though this had closed since John Lewis had taken over the building. Another good example was the toilet at the Brewery (located next to the cash points), this was a really large space but it didn't have a hoist or changing bed.

Billie-Jane and Nicola felt that when considering the layout and facilities for new disabled toilets, they should be consulting those people that will be using the toilet: people with disabilities, wheelchair users and carers, so that the result is a facility that works.

They then talked through some of the issues **Page 8** ...ing to use buses;

- Much of the space was only large enough to accommodate a manual wheelchair, rather than powered chairs which were much bigger.
- Wheelchair users were expected to position the back of their chairs against the window but this necessitated a certain amount of manoeuvring and this was often impeded by the position of some of the poles.
- A lack of straps meant that there were occasions when the weight of the chair would cause it to move as buses took corners.
- Both had experiences of bus drivers refusing to lower the ramp.
- Often, the vehicle would start moving off before the wheelchair was in position, which made an already quite stressful experience, even more so. Put simply, they were not able to get into and use the space in the way that they were expected to.

Billie-Jane and Nicola gave the following responses to member questions:

- Both had their own radar keys and felt that this was the best option, rather than leaving disabled toilets open or having to seek someone out to permit access.
- There was a minimum standard which developers had to meet, but this standard resulted in many facilities falling short of many people's needs.
- The suggestion was that Cheltenham should have 1 or 2 fully equipped disabled toilets and that these would need to be readily accessible. Obviously any such facility within John Lewis would only be available during store opening hours.
- John Lewis had been contacted upon closure of the Beechwood Arcade to enquire about the future of the disabled toilet facility but no response had been received. This was a well sized toilet which included a hoist and a changing bed with safety rails on and it was hoped that this would be retained.

The Cabinet Member Clean and Green addressed the committee, explaining that responsibility for public toilets fell within his portfolio and as part of the Pittville Play Area he had become aware of Changing Places. Having reviewed Cheltenham's provision of disabled toilets and in view of the fact that many buildings in Cheltenham were considered to be of architectural and historical interest and as such, were listed, two sites that had been identified were Pittville and Montpellier gardens. Installation of facilities at Pittville Park alone would cost around £60k and the Council did not have the funds to both, but one option being explored was that of raising the funds. The Cabinet Member had also spoken with a senior member of staff at John Lewis about retaining and/or improving the current provision and it was considered that this would be beneficial to John Lewis if the facility was promoted on the Changing Places map. He hoped that gave assurances that this was something the Council was aware of and was giving serious consideration to.

Billie-Jane suggested that the Cabinet Member may like to speak to Scott Lahive at Regents Arcade as he had indicated that they would be reviewing their disabled toilet facilities.

A member highlighted that a 24hr public disabled toilet had been opened in Kidderminster and felt sure that if Kidderminster Town and Worcestershire County Council could install a facility of this standard, Cheltenham and Gloucestershire could do the same. Another member queried whether there was any Licensing legislation which would allow the authority to ensure that disabled toilets were not used for storage.

Members were reminded that Gloucestershire County Council were responsible for public bus services and therefore any issues should be raised at that level.

A mobile disabled toilet which came complete with a hoist was available to hire and this was something that should be considered for use at various events and perhaps this should be raised with the Trust.

The Chairman thanked Billie-Jane and Nicola for providing insight into an area which not all would be familiar and also thanked the Cabinet Member Clean and Green Environment for the update that he had provided. He confirmed that the Lead Members for this committee would put together

a list of issues raised as part of this discussion. Page 9 How those issues would be taken forward. He also took the opportunity to thank the Phoenix Centre for allowing us to use their facility.

Billie-Jane and Nicola thanked the committee for giving them the opportunity to share their experiences and views.

Tim Harman
Chairman

Cheltenham Borough Council

Cabinet – 13 December 2016

Award of rent support grants to Cheltenham’s Voluntary and Community Sector Organisations

Accountable member	Cllr. Rowena Hay, Cabinet Member Finance
Accountable officer	Mark Sheldon, Director of Resources
Ward(s) affected	All
Key/Significant Decision	Yes
Executive summary	<p>As part of Cheltenham Borough Council’s wider ambitions to support a thriving voluntary and community sector, the council has enabled VCS groups to rent its properties through offering a rent support grant scheme.</p> <p>The current policy was adopted in July 2010 with the assessment scheme being approved by Cabinet in March 2011 which permits VCS groups to apply for a rent support grant either at start of a lease or at the time of a rent review. Currently, applications are scored against five criteria with the amount of subsidy awarded being proportionate to the degree to which the applicant meet the five criteria.</p> <p>Through the current scheme, and previous rental support arrangements, the council is now supporting 16 VCS groups though with an effective total rental support of c.£200,000 per annum</p> <p>As the current assessment scheme was based on the council’s corporate priorities at that time, this report sets out proposals to update the assessment scheme so that it is more in-line with the council’s current priorities and those of its partnerships.</p>
Recommendations	<p>That Cabinet RESOLVES:</p> <ol style="list-style-type: none"> 1. To terminate the previous policy “<i>Policy for Property lettings and disposals to the third sector, voluntary and community groups</i>” (Agreed by Cabinet in July 2010) and the associated Assessment Tool and Matrix (Agreed by Cabinet in March 2011) from the date of this meeting. 2. To implement as from the date of this meeting the updated Policy for Property Lettings and Disposals to the Third Sector, Voluntary and Community Groups, attached as appendix 2. 3. To adopt a new assessment scheme (as detailed in this report and in appendix 3) for the award of rent support grants to VCS organisations from the date of this meeting.

<p>Financial implications</p>	<p>The new scheme is expected to reduce the total grant subsidy of circa £200k, currently given to voluntary and community sector groups by the council, subject to the number of future successful applicants. This will therefore have a positive impact on the council's medium term financial strategy.</p> <p>Contact officer: Sarah Didcote</p> <p>Sarah.didcote@cheltenham.gov.uk, 01242 264125</p>
<p>Legal implications</p>	<p>Under S123 Local Government Act 1972, leases for a term greater than 7 years must be for the best consideration reasonably obtainable. The only exemption to this is where the letting at less than best consideration contributes to the 'social, economic or environmental well-being' of the council's area or residents. Whilst leases for a term of less than 7 years do not have to be for the best consideration reasonably obtainable, the council must still have regard to its general fiduciary duty.</p> <p>Under the new proposal, tenants will be responsible for payment of rent at open market value. This responsibility will continue if the rent support grant expires or is terminated.</p> <p>Legal advice was sought on whether this policy would fall foul of rules against State Aid. State Aid occurs when financial assistance is given by a public body which favours certain organisations and distorts or threatens to distort competition between Member States of the EU. The advice is that the letting at an undervalue to community organisations will not be State Aid if:</p> <ul style="list-style-type: none"> • The proposed tenant is a not for profit organisation; • The use of the building will be for a community purpose; and • The activities carried out by the organisation(s) are of local interest only. <p>Contact officer: Rose.gemmell@tewkesbury.gov.uk, 01684 272014</p>
<p>HR implications (including learning and organisational development)</p>	<p>None as a result of the report.</p> <p>Contact officer: Julie Mccarthy@cheltenham.gov.uk</p>

<p>Key risks</p>	<p>If the Council is overly generous in subsidising tenancies with grants, this will result in reduced income from assets and cumulative impacts on the Council's medium term financial strategy.</p> <p>However, if the Council is too restrictive in the way it allocates rent support grants, this may put a financial strain on the organisation with the consequential result that the council's objectives in the communities are not fulfilled or are seriously curtailed.</p> <p>If appropriate and transparent grant agreements are not put in place, tenants may be more difficult to remove if they fail to meet the terms of any subsidised letting arrangement, with the potential for associated adverse publicity for the Council;</p> <p>If prospective tenants cannot demonstrate a robust business plan when taking on property commitments from the Council, there is an increased risk of failure and associated financial and reputation impacts for the authority.</p> <p>If the grant expires or is terminated, tenants will remain responsible for payment of rent at market value. This may result in an increase in arrears.</p>
<p>Corporate and community plan Implications</p>	<p>The revised assessment scheme is based on the council's corporate strategy outcomes.</p>
<p>Environmental and climate change implications</p>	<p>None identified</p>
<p>Property/Asset Implications</p>	<p>As detailed in the report</p> <p>Contact officer: David Roberts@cheltenham.gov.uk</p>

1. Background

- 1.1** As part of Cheltenham Borough Council's wider ambitions to support a thriving voluntary and community sector, the council enables VCS groups to rent its properties through offering a rent support grant scheme.
- 1.2** The current policy was adopted in July 2010 and sets out the following guiding principles:
- As a guiding principle, the Council seeks to maximise the return on its non-operational portfolio. However, where a property is occupied by a registered charity or community group which clearly supports the Council's priorities, the authority will consider a rent subsidy. The subsidy will be calculated against the total assessed rental value of the property on the open market and will be counted as grant aid.
 - In future all lettings by the Council will start from the basis of a commercial or market rate clearly set out in the tenancy agreement and any subsidy, either in the form of a specific performance related grant or reduction in the market rent will be explicitly identified.
 - The decision on whether a particular third sector organisation should be offered Council property at less than 'best consideration' needs to be related to the assessed benefits of the service it provides to the community.
- 1.3** The third sector rent subsidy assessment scheme was approved by Cabinet in March 2011 which set out the five criteria by which each application would be considered to calculate the amount of subsidy to be awarded. Meeting a criteria provided a 20% discount. These were:
- Objective 1: Enhancing & protecting our environment (includes investing in environmental quality, investing in travel and transport and promoting sustainable living)
 - Objective 2: Strengthening our economy
 - Objective 3: Strengthening our communities (includes promoting community safety, promoting housing choice, building healthier communities and supporting older people)
 - Objective 4: Enhancing the provision of arts and culture
 - Objective 5: A focus on children and young people
- 1.4** In addition, and as agreed by the Cabinet in July 2010, a further 20% discount was made available to any charity renting Council property.
- 1.5** Through the current policy and assessment scheme, and previous rent support arrangements, the council is now supporting 16 voluntary and community sector groups with an effective total rent subsidy of c.£200,000 per annum.

2. Reasons for recommendations

- 2.1** As the current assessment scheme was based on the council's corporate priorities at that time (2010-11), it is felt that the criteria do not reflect the current priorities of the Council.
- 2.2** The key aim of this revision is to improve and create greater transparency in the assessment of rental subsidy grant submissions and the value added by the VCS organisations in helping to meet our corporate strategy outcomes.
- 2.3** We know that appropriate rent support to community-based organisations and services can support the viability of such organisations and the services they provide to the benefit of the social and economic well-being of the town. However, the Council will continue to encourage voluntary and community sector organisations to become more self-sufficient and less reliant upon financial support from the Council.
- 2.4** We also know that the council is facing significant financial challenges; the current MTFs predicts a shortfall of £1.7m for 17-18 with a longer-term deficit of £3.18m over the next four years. Ensuring that our property assets are making a positive contribution to the Council's financial position is one of the three objectives of the Council's Asset Management Plan, with a further commitment to optimise the rental income of existing non-operational investment properties.

- 2.5 With applicants being able to reach 120% rental discount under the current system, there is a sense that the council should introduce an approach that enables any rent support grants to be more carefully targeted at those organisations that can demonstrate that they can deliver the best outcomes at best value to the tax-payer.
- 2.6 Cabinet is therefore being asked to consider a twin-phased approach
- 2.7 The maximum rent support grant that any organisation will be able to apply for will be 80% of their current market rent. The rent support grant scheme will not apply to those organisations where, for historical reasons, the rent has been set at less than market level.
- 2.8 That Cabinet retain discretion to award a further grant of 10%, bringing the maximum rent support grant that any organisation could receive to 90%. This will only be in exceptional cases and any such decision will only be taken after detailed consideration of the organisation's financial and business case for the rent support.
- 2.9 This report also sets out proposals to update the assessment scheme so that it is more in-line with the council's current priorities and those of its partnerships.

3. Proposed assessment criteria

- 3.1 Our corporate strategy 2016-17 focuses our efforts on three high level outcomes covering the issues that matter most to our residents, businesses and visitors. We also have an internal "transformation" outcome covering commissioning, asset management, business improvement and financial management. The outcomes are:
- Cheltenham's environmental quality and heritage is protected, maintained and enhanced
 - Sustain and grow Cheltenham's economic and cultural vitality
 - People live in strong, safe and healthy communities
 - Transform our council so it can continue to enable delivery of our outcomes for Cheltenham and its residents.
- 3.2 Cheltenham Partnerships has agreed an action plan that identifies the most-pressing issues for partnership activity where there is both corroborating evidence and a willingness from partners to work collectively on solutions but also where there is alignment with priorities set at a county level. *The four key outcomes are:*
- Strengthening the emotional wellbeing and resilience of all Cheltenham residents
 - We will work to promote healthy lifestyles across all communities in Cheltenham
 - We will work to encourage more people to get actively involved in their communities so that people live in strong and safe communities
 - We will work to ensure that everyone has an opportunity to contribute to Cheltenham's economy
- 3.3 We are therefore proposing that the following four outcomes form the basis of our assessment criteria:
- **Cheltenham's environmental quality and heritage is protected, maintained and enhanced**
 - **Sustain and grow Cheltenham's economic and cultural vitality**
 - **People live in strong and safe communities**
 - **We will work to strengthen the emotional and physical wellbeing of all Cheltenham residents**

4. Proposed assessment principles

- 4.1 All lettings of Council property will be based on market rent which will be clearly set out in the tenancy/lease agreement. The rent support grant scheme will not apply to those organisations where, for historical reasons, the rent has been set on a less than market level basis. Any

decision to agree a rental support grant in support of the rent payment will be based upon an assessment of the value that the organisation provides from the building to the four outcomes set out above.

- 4.2** If the arrangement is subsidised in any way, there needs to be assurances that the grant is not counter to the requirements of European law relating to state aid.
- 4.3** The maximum rent support grant that any organisation will be able to apply for will be 80% of their current market rent and that the assessment process will determine the level of grant to be offered up to this maximum and will be staggered incrementally, as follows:
- Meeting one outcome –up to 20% grant
 - Meeting two outcomes –up to 40% grant
 - Meeting three outcomes –up to 60% grant
 - Meeting four outcomes –up to 80% grant
- 4.4** Each outcome is subject to a stepped discount between 0 and 20% depending upon the impact of the defined sub-elements of each outcome.
- 4.5** In addition, the council will scrutinise the applicant's financial standing and make an assessment of the following:
- That the reason for applying for the rent support grant is backed up by the organisation's financial health in that the grant award will support the financial viability of the operation of the building
 - That the organisation has reasonable longer-term plans in place to be able to sustain activities being delivered from the building beyond the term of the grant.
- 4.6** The offer of a grant will be for a maximum of three years that will be reviewed at the end of each 12 month period to ensure that the applicant continues to deliver the activities set out in the original application. The council will reserve the right to either review the grant amount awarded or withdraw it completely if there are changes to the activities being delivered. In addition, if the organisation is in debt arrears to the council; the grant will be withdrawn.
- 4.7** The council will not make any award of a rent support grant under this new scheme retrospectively.
- 4.8** If the tenant, at the time of rent support grant application, is able to commit to undertaking significant investment into the property, with an agreed funding package in place, with works that will take place within the timeframe of the grant agreement and that will have a demonstrable positive benefit to the property's value, the Cabinet may choose to increase the rent support grant, in recognition of this commitment.
- 4.9** VCS organisations that are occupying our buildings that have been formally commissioned or contracted to provide services on behalf of the Council will not be able to apply for a rent support grant under this policy. In these cases, the amount to be charged in rent will be specified in the formal contracts or service level agreements.
- 5. Proposed assessment process**
- 5.1** The organisation requesting a rent support grant must complete rent support grant application form – see appendix 3
- 5.2** The Council's Assessment Panel (comprising a community engagement lead, a commissioning lead and a finance lead) will review each application and make a recommendation to the Director of Resources.

5.3 The Director of Resources will then brief the Cabinet Member Finance, who in consultation with Asset Management Working Group and other Cabinet portfolio holders, will decide whether or not the organisation contributes sufficiently enough to the four outcomes listed above to merit a rent support grant and what the level of grant should be. A report will be brought to Cabinet setting out the proposed level of rent support grant and the reasons for this if it differs from the recommendations from the rent assessment panel.

5.4 The offer of the rent support grant will be for a maximum term of three years at which point the applicant must re-apply for the grant.

6. Proposed monitoring and review arrangements

6.1 The council will put in place an annual monitoring process whereby recipients of a rent support grant will submit a monitoring form to explain the activities that have been delivered from the premises. The monitoring information will be reviewed by the Asset Management Working Group that will be able to make recommendations to the Cabinet Member Finance about whether the grant should continue into the next year, or whether the level of rent support grant should be reviewed or withdrawn.

6.2 The quality and timeliness of previous monitoring information will taken into account, if the applicant wishes to re-apply for a rent support grant at the end of the three year period.

7. Right of appeal

7.1 Once an organisation's application has been assessed, the information contained within it cannot be altered or amended.

7.2 The council will not offer a right of appeal to the decision made by Cabinet as to the level of the rent support grant awarded.

8. What happens afterwards

8.1 Following the cabinet decision on the amount of rent support grant to be offered, the council will then enter into a grant agreement. This will specify the terms of the grant offer and also set out the monitoring and review arrangements.

9. Consultation and feedback

9.1 The principle of reviewing the council's rent support process was discussed with the Cheltenham VCS forum at its meeting on 26th April where there was general support for the review.

9.2 More detailed proposals relating to the review were shared with the Council's Asset Management Working Group on 16 June. The Asset Management Working Group also reviewed the final proposals at its meeting on 3 November 2016 and resolved to support the recommendations that cabinet agrees to adopt a new assessment scheme for the award of rent support grants to VCS organisations.

Report author	Contact officer: Richard Gibson Strategy and Engagement Manager richard.gibson@cheltenham.gov.uk 01242 235 354
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Appendices	<ol style="list-style-type: none">1. Risk Assessment2. Updated Policy for Property Lettings and Disposals to the Third Sector, Voluntary and Community Groups3. Application Form - Award of rent support grants to Cheltenham's Voluntary and Community Sector Organisations4. Equality Impact Assessment Form
Background information	

Risk Assessment

Appendix 1

The risk				Original risk score (impact x likelihood)			Managing risk					
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register	
	If the Council is overly generous in subsidising tenancies with grants, this will result in reduced income from assets and cumulative impacts on the Council's medium term financial strategy.	Mark Sheldon	18.11.16	3	3	9	Reduce	Introduce new policy	Dec 16	Richard Gibson		
	If the Council is too restrictive in the way it allocates rent support grants, this may put a financial strain on the organisation with the consequential result that the council's objectives in the communities are not fulfilled or are seriously curtailed.	Richard Gibson	18.11.16	2	3	6	Reduce	Introduce new policy	Dec 16	Richard Gibson		
	If appropriate and transparent grant agreements are not put in place, tenants may be more difficult to remove if they fail to meet the terms of any subsidised letting arrangement, with the potential for associated adverse publicity for the Council;	Richard Gibson	18.11.16	2	2	4	Accept	Introduce new policy	Dec 16	Richard Gibson		
	If prospective tenants cannot demonstrate a robust business plan when taking on property commitments from the Council, there is an increased risk of failure and associated financial and reputation impacts for the authority.	Mark Sheldon	18.11.16	2	3	6	Accept	Introduce new policy	Dec 16	Richard Gibson		
	If the grant expires or is terminated, tenants will remain responsible for payment of rent at market value. This may result in an increase in arrears.	Mark Sheldon	18.11.16	2	2	4	Accept	Introduce new policy	Dec 16	Richard Gibson		
<p>Explanatory notes</p> <p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>												

Updated Policy for Property Lettings and Disposals to the Third Sector, Voluntary and Community Groups

Policy framework

This policy aligns to the vision and objectives of the council's Asset Management Plan 2016/17 to 2020/21

The vision for the Council's Asset Portfolio is:

'A fit for purpose property portfolio which drives delivery of our corporate vision and outcomes'

The three specific asset management policy objectives are:

1. To use our assets to sustain and grow Cheltenham's economic and cultural vitality and make a positive contribution to people's lives.
2. To maintain a 'fit for purpose' property portfolio to support service delivery
3. To make a positive contribution to the Council's financial position.

General Principles

As a guiding principle, the Council seeks to maximise the return on its non-operational portfolio. However, where a property is occupied by a registered voluntary or community sector (VCS) group which clearly supports the Council's priorities, the authority will consider offering a rent support grant. The level of grant will be calculated against the total assessed rental value of the property on the open market and will be counted as grant aid.

Market value

All lettings by the Council start from the basis of a commercial or market rate clearly set out in the tenancy agreement and any rent support grant will be set out in a separate document.

The decision on whether a particular VCS organisation occupying a Council-owned building should be offered a rent support grant Council needs to be related to the assessed benefits of the service it provides to the community. If the arrangement is subsidised in anyway, it must avoid falling foul of European legal requirements relating to state aid.

State Aid

State Aid occurs when financial assistance is given by a public body which favours certain organisations and distorts, or threatens to distort, competition between Member States of the EU. The current position is that the letting at an undervalue or the awarding of a grant to community organisations will not be State Aid if:

- The proposed tenant is a not for profit organisation;
- The use of the building will be for a community purpose; and
- The activities carried out by the organisation(s) are of local interest only.

Rent Support Grants

Council owned-buildings being leased to organisations that are open to the community at large and are working to further the aims of the Council's corporate priorities can be offered a rent support grant, subject to an assessment of the benefits of the services being delivered from the building provides to the community.

It is the responsibility of the relevant Cabinet Member, acting on advice from the Director of Resources, and in consultation with other appropriate officers and other Cabinet portfolio holders, to decide whether or not the organisation contributes sufficiently enough to the Council's corporate priorities and those of our partnerships to be awarded a rent support grant and what the level of this grant should be.

Commissioned Services

The policy will not apply to those VCS organisations occupying our buildings that have been formally commissioned or contracted to provide services on behalf of the Council. In these cases, the amount to be charged in rent will be specified in the formal contracts or service level agreements.

New lettings

The proposed disposal must be at best consideration and on commercial terms.

The proposal must contribute towards meeting the Council's corporate priorities and those of our partnerships.

A business plan must be submitted, clearly indicating the community benefits of the proposed operation and its financial viability over both the short and longer term.

If a planning consent will be required, there must be a reasonable prospect that this can be obtained in a timely fashion.

In the case of proposed retail uses, any neighbouring shops must not be adversely affected.

The current state / condition of the premises and any proposed repairs by the incoming tenant will be taken into account in assessing the market rent.

Existing leases

To be considered for a rent support grant the existing lease must be at best consideration and upon commercial terms.

The proposal must contribute towards meeting the Council's corporate priorities and those of our partnerships.

A business plan should be submitted, clearly indicating the community benefits of the proposed operation and how it will be viable in the longer term.

In the case of proposed retail uses, any neighbouring shops must not be adversely affected.

Temporary licences

E.g. Access licences to cross Council land. These are not classed as a disposal and therefore the disposal strategy does not apply and neither does 'opportunity cost'.

Access must be necessary to allow the organisation to function.

The applicant must be exempt from the State Aid rules as set out under Legal implications.

Legal documentation

The unrestricted market value of the disposal should be noted in the financial accounts.

The Council will request an annual progress report on the operation if it so chooses.

The Council will include appropriate rent review periods upon commercial terms and mutually acceptable break clauses in all new letting arrangements, to provide financial assurance for both the authority and its tenants.

If the tenant or use changes, the Council will have the option to terminate the grant support agreement.

The disposal must comply with European legislation relating to state aid.

Award of rent support grants to Cheltenham's Voluntary and Community Sector Organisations occupying buildings owned by Cheltenham Borough Council

Application form

This Assessment Process is for determining the eligibility of rent support grants for properties let by Cheltenham Borough Council to voluntary and community sector groups. *It should be read in conjunction with the updated policy for the award of rent support grants to Cheltenham's Voluntary and Community Sector Organisations*

Our corporate strategy 2016-17 focuses our efforts on three high level outcomes covering the issues that matter most to our residents, businesses and visitors. The outcomes are:

- Cheltenham's environmental quality and heritage is protected, maintained and enhanced
- Sustain and grow Cheltenham's economic and cultural vitality
- People live in strong, safe and healthy communities

Cheltenham Partnerships has agreed an action plan that identifies the most-pressing issues for partnership activity where there is both corroborating evidence and a willingness from partners to work collectively on solutions but also where there is alignment with priorities set at a county level. The four key outcomes are:

- Strengthening the emotional wellbeing and resilience of all Cheltenham residents
- We will work to promote healthy lifestyles across all communities in Cheltenham
- We will work to encourage more people to get actively involved in their communities so that people live in strong and safe communities
- We will work to ensure that everyone has an opportunity to contribute to Cheltenham's economy

We are therefore proposing that the following four outcomes form the basis of our assessment criteria:

- **Cheltenham's environmental quality and heritage is protected, maintained and enhanced**
- **Sustain and grow Cheltenham's economic and cultural vitality**
- **People live in strong and safe communities**
- **We will work to strengthen the emotional and physical wellbeing of all Cheltenham residents**

Rent grants will be determined by the council based upon the appropriateness to which organisations support these outcomes in their application form.

Who is eligible?

Only legally constituted, not-for-profit voluntary and community sector organisations who are occupying one of the Council's buildings on a market rent basis can apply for a rent support grant.

Calculating the Rent Support Grant

The maximum rent support grant that any organisation will be able to apply for will be 80% of their current market rent and that the assessment process will determine the level of grant to be offered up to this maximum and will be staggered incrementally, as follows:

- Meeting one outcome –up to 20% grant
- Meeting two outcomes –up to 40% grant
- Meeting three outcomes –up to 60% grant
- Meeting four outcomes –up to 80% grant

Each outcome is subject to a stepped discount between 0 and 20% depending upon the impact of the defined sub-elements of each outcome.

In addition, the council will scrutinise the applicant's financial standing and make an assessment of the following:

- That the reason for applying for the rent support grant is backed up by the organisation's financial health in that the grant award will support the financial viability of the operation of the building
- That the organisation has reasonable longer-term plans in place to be able to sustain activities being delivered from the building beyond the term of the grant.

The following Assessment Matrix provides a framework for calculating the rent support grant.

Process

The Council's Assessment Panel (comprising a community engagement lead, a commissioning lead and a finance lead) will review each application and make a recommendation to the Director of Resources.

The Director of Resources will then brief the relevant Cabinet Member, who in consultation with other appropriate officers and other Cabinet portfolio holders, to decide whether or not the organisation contributes sufficiently enough to the Council's corporate priorities and those of our partnerships to merit a discount on the rent and what the level of discount should be. A report will be brought to cabinet setting out the reasons for the rental support grant.

What happens afterwards

The council will put in place an annual monitoring process whereby recipients of a rent support grant will submit a monitoring form to explain the activities that have been delivered from the premises. The monitoring information will be reviewed by the Asset Management Working Group that will be able to make recommendations to the Cabinet Member Finance about whether the grant should continue into the next year, or whether the level of rent support grant should be reviewed or withdrawn.

The offer of the rent support grant will be for a maximum term of three years at which point the applicant must re-apply for the grant. The quality and timeliness of previous monitoring information will taken into account, if the applicant wishes to re-apply for a rent support grant.

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**Award of rent support grants to Cheltenham's Voluntary and
 Community Sector Organisations occupying buildings owned
 by Cheltenham Borough Council**

Application Form

1. Contact Details

Name of Organisation	
Address	
Telephone	
Email	
Name of Contact Person	
Position in the organisation	

2. Organisational Status Please tick all that apply:

Registered charity <input type="checkbox"/>	Charity number:	
Company Limited by guarantee <input type="checkbox"/>	Company number:	
Charitable Trust <input type="checkbox"/>	Constituted Voluntary organisation	<input type="checkbox"/>
Other (please explain)		
If you are a charity with an income over £5,000, have you registered with the Charity Commission?		
YES / NO	If not, we may contact you about this.	

3. About the building you are interested in

Name of Building
Address of Building
What do you propose to use the building for?
What permissions and/or licences do you need to achieve your project and what are your plans / timescale to secure these permissions?

Please set out the reasons for applying for the rental subsidy to evidence that the subsidy award will support the financial viability of the building

Please set out evidence that you have reasonable plans in place to be able to sustain activities being delivered from the building beyond the term of the grant

(please include a financial statement for the last financial year along with a projected financial statement for the following financial year

5. About how well the proposed use of the building will deliver our outcomes

Please set out how your proposed use of the building will contribute to each outcome. It is important that you set out a strong argument as to why the council should give you a grant, so please try and be specific about quantifying your impact on the outcomes eg by providing numbers of people that will use the building.

Cheltenham's environmental quality and heritage is protected, maintained and enhanced.

This could include

- Promoting bio-diversity
- Responding to climate change
- Promoting sustainable living
- Protecting and enhancing parks, gardens and open spaces
- Protecting and enhancing the built environment

Sustain and grow Cheltenham's economic and cultural vitality.

This could include:

- Helping people into employment
- Helping businesses to get established
- Supporting cultural activity
- Providing advice and information
- Supporting tourist activities

People live in strong and safe communities.

This could include

- Enabling local residents to meet together and socialise
- Engaging residents in positive social networks
- Enabling local residents to contribute their time and efforts into community activity
- Enabling local residents to feel safer in their communities
- A place for young people to meet and feel safe

We will work to strengthen the emotional and physical wellbeing of all Cheltenham residents

This could include:

- Enabling local people to be active
- Helping local people make healthy lifestyle choices
- Reducing the harm caused by alcohol
- Improving mental health
- Improving health & wellbeing into older age

If you are submitting this form by email, please print and send a signed copy (at least a copy of your signature page) in the post to the address on the front of this form.

Declaration and Data Protection Statement

Data Protection Act 

I confirm that the organisation/group named in this form has authorised me to sign this application on their behalf.

The information contained in this application is correct, to the best of my knowledge, and I confirm that any grant aid received will be used solely for the purposes specified in the application.

I agree to my name and my organisation's details being held on paper or electronic files.

I understand that the information in this form may be shared with other local funders.

Don't forget to send the following:

A copy of your constitution

A copy of your latest accounts

Signature	
Name of person signing	
Position in Organisation	
Date	



Equality impact assessments – for services, policies and projects

What is an equality impact assessment?

An equality impact assessment is an important part of our commitment to improving equality practice. The form will help us find out what impact or consequences our functions, policies, procedures and projects have on our citizens, employees and potential employees.

By undertaking an impact assessment, we are able to:

- Take into account the needs, experiences and circumstances of those groups of people who use (or don't / can't use) our services.
- Identify any inequalities people may experience.
- Think about the other ways in which we can deliver our services which will not lead to inequalities.
- Develop better policy-making, procedures and services.

Impact assessment are required by law; The Race Relations Amendment Act, The Disability Discrimination Act and the amended Sex Discrimination Act all require local authorities to assess the impact of their functions, policies, projects and services, or the likely impact of any that are proposed, on equality.

However, our view is that we should be using the results of impact assessment to improve service delivery so that we become more accountable to the people that we serve.

Background

Name of service / policy / project and date	Revised Policy for the award of rent support grants to Cheltenham’s Voluntary and Community Sector Organisations
Lead officer	Mark Sheldon, Director Resources
Other people involved in completing this form	Richard Gibson, Strategy and Engagement Manager

Step 1 - About the service / policy / project

<p>What is the aim of the service / policy / project and what outcomes is it contributing to</p>	<p>This policy aligns to the vision and objectives of the council's Asset Management Plan 2016/17 to 2020/21</p> <p>The vision for the Council's Asset Portfolio is: 'A fit for purpose property portfolio which drives delivery of our corporate vision and outcomes'</p> <p>The three specific asset management policy objectives are:</p> <ol style="list-style-type: none"> 1. To use our assets to sustain and grow Cheltenham's economic and cultural vitality and make a positive contribution to people's lives. 2. To maintain a 'fit for purpose' property portfolio to support service delivery 3. To make a positive contribution to the Council's financial position. <p>Within the framework of the AMP, Council owned-buildings being leased to organisations that are open to the community at large and are working to further the aims of the Council's corporate priorities can be offered a rent support grant. The policy will set out the process for assessing the benefits of the services being delivered from the building provides to the community, and determine the level of rent support grant to be paid to the tenant.</p>
<p>Who are the primary customers of the service / policy / project and how do they / will they benefit</p>	<p>Only legally constituted, not-for-profit voluntary and community sector organisations who are occupying one of Council's buildings on a market rent basis can apply for a rent support grant.</p>
<p>How and where is the service / policy / project implemented</p>	<p>At the point when a tenant is either:</p> <ul style="list-style-type: none"> • Entering into a new lease • On a rent review • On lease renewal
<p>What potential barriers might already exist to achieving these outcomes</p>	<p>None identified</p>

Step 2 – What do you know already about your existing / potential customers

<p>What existing information and data do you have about your existing / potential customers e.g. Statistics, customer feedback, performance information</p>	<p>Property Services maintain a schedule of VCS organisations renting council property. There are 16 groups that are benefiting from a rent subsidy awarded under the previous policy.</p>
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What does it tell you about who uses your service / policy and those that don't?	There are a wide range of VCS organisations benefiting.
What have you learnt about real barriers to your service from any consultation with customers and any stakeholder groups?	None identified
If not, who do you have plans to consult with about the service / policy / project?	Initial consultation on the new scheme was undertaken with the VCS forum on 26 April 2016.



Step 3 - Assessing Impact

How does your service / policy / project impact on different groups in the community?

Group	What are you already doing to benefit this group	What are you doing that might disadvantage this group	What could you do differently to benefit this group	No impact on this group
Ethnicity / Race				Out of the 16 groups, none have a specific focus on supporting BME groups
Sex				Out of the 16 groups, none have a specific focus on supporting gender specific support groups
Gender Reassignment				Out of the 16 groups, none have a specific focus on supporting gender reassignment support groups
Age	Out of the 16 groups, 6 groups support children and young people			
Disability				Out of the 16 groups, none have a specific focus on supporting disability support groups
Religion or belief				Out of the 16 groups, none have a specific focus on faith groups
Sexual orientation				Out of the 16 groups, none have a specific focus on LGBT groups
Marriage and Civil Partnership				Out of the 16 groups, none have a specific focus on supporting people who are married or in a civil partnership



Pregnancy & Maternity				Out of the 16 groups, none have a specific focus on supporting ante-natal or post-natal groups
Other socially excluded groups or communities	Out of the 16 groups, 6 groups people from socially excluded groups or serve areas of multiple deprivation.			

Step 4 - what are the differences

Are any groups affected in different ways to others as a result of the service / policy / project?	Nothing particular has been identified from the EQIA process. We know that if the new policy introduces a cap on maximum amount of rent subsidy that the council will provide, this may impact on the finances of the 6 VCS organisations currently in receipt of 100% grants. Out of those, 2 are serving areas of multiple deprivation.
Does your service / policy / project either directly or indirectly discriminate?	No
If yes, what can be done to improve this?	N/A
Are there any other ways in which the service / project can help support priority communities in Cheltenham?	By being open and transparent about the way rent support grants are allocated, we feel that the new policy will support our priority communities.

Step 5 – taking things forward

What are the key actions to be carried out and how will they be resourced and monitored?	None as a result of this EQIA
Who will play a role in the decision-making process?	Cabinet Member Finance
What are your / the project's learning and development needs?	None as a result of this EQIA
How will you capture these actions in your service / project planning?	None as a result of this EQIA

Cheltenham Borough Council

Cabinet – 13th December 2016

Tour of Britain 2017

Accountable member	Councillor Rowena Hay – Cabinet Member for Finance
Accountable officer	Tim Atkins – Managing Director for Place and Economic Development
Ward(s) affected	All
Key/Significant Decision	Yes
Executive summary	<p>This report provides further detail regarding the Tour of Britain that was included in the Financial outturn report of 2015/16 and approved at Council 18 July 2016. This report seeks continued support of Cabinet for Cheltenham to host the finish of the penultimate day of the 2017 Tour of Britain cycle race. The proposed event would be a high-profile event for the town on Saturday 9th September 2017, providing a real opportunity to maximise the family and visitor experience. It is estimated that a successful event could see a significant boost to the local economy and would be an opportunity to showcase Cheltenham as a sporting and tourism destination.</p> <p>Hosting major events come with risk, some of which is out of the direct control of the council, its partners and organisers. There remains a risk that income streams identified will not materialise, some of the estimations made regarding cost may fluctuate and the weather may be inclement; all of which could have an impact on the event’s success.</p> <p>The commitment of partner organisations is also essential to achieve the maximum benefits. Additional internal staffing resources will need to be dedicated (redirected from other areas) in the weeks leading up to the event to support the delivery and community engagement.</p> <p>This is a key decision as it has a borough wide impact and, although unlikely, it presents the council with a potential financial commitment that could exceed £100k, if the identified income streams do not materialise.</p> <p>The objectives of this report are:</p> <ol style="list-style-type: none"> 1) To inform the Cabinet of the key points of the work to date. 2) To describe the risks and benefits of the event and ongoing legacy for Cheltenham. 3) To request approval to proceed from Cabinet. <p>The report sets out the options to reduce this financial exposure, bringing the council’s contribution closer to circa £20 - £50k. The intention is to exhaust all sponsorship and partnership opportunities to further reduce the</p>

cost to the council.

The race organisers require commitment to a comprehensive list of obligations. Some of these are not in the direct control of the council and further work is required to assess how they will be addressed. It is therefore proposed that authority be delegated to the Managing Director Place and Economic Development in consultation with the Leader and Cabinet Member Finance to complete the contract only if these outstanding matters have been addressed satisfactorily and the project remains within agreed financial parameters.

If it is not possible to resolve these matters within a reasonable timeframe the Cabinet Member Finance would report back to Cabinet and set out the reasons why the contract has not been signed which could result in the event not being hosted next year.

Recommendations

Cabinet approve the Managing Director Place and Economic Development in consultation with the Cabinet Member Finance and Leader of the Council, subject to the satisfactory finalisation of outstanding contractual issues, to enter into a suitable contractual agreement with Tour of Britain Limited to host the Tour of Britain finish event on the 9th September 2017.

<p>Financial implications</p>	<p>Total external costs of circa £140,000 to £160,000 are detailed in section 2 to this report.</p> <p>Potential income streams, totalling £120,000 are detailed in table 2.10 to this report, including a contribution already received from Gloucestershire County Council. This leaves a potential shortfall of between £20k and £40K.</p> <p>Council approved the transfer of £100,000 into the economic development and tourism reserve from the 2015/16 net underspends, at its meeting in July 2016, earmarked for this event. This may need to be drawn upon to fund the potential shortfall or if the expected income streams are not secured.</p> <p>If the council does not approve the hosting of this event, the £25,000 contribution from the County will be returned.</p> <p>Contact officer: Sarah Didcote, sarah.didcote@cheltenham.gov.uk, 01242 264125</p>
<p>Legal implications</p>	<p>The Authority is entering into the Host Venue Agreement without a contractual commitment from Tewkesbury Borough Council and Cotswold District Council which means that the Authority will be solely responsible for the contractual obligations set out in the Agreement.</p> <p><i>Similarly, without a contractual commitment with the County Council, the Authority is taking responsibility for traffic management and street and highway services.</i></p> <p>Contact officer: Steve Isaac, steve.isaac@tewkesbury.gov.uk, 01684 272064</p>

HR implications (including learning and organisational development)	<p>There will be human resource need arising from the Tour of Britain proposal around identifying appropriate cycling infrastructure legacy projects. A current review of the Townscape team is underway which may deliver strategic transport officer resource as part of the REST transformation programme. If this is not achieved this capacity will need to be externally commissioned requiring additional funding.</p> <p>Contact officer: Julie McCarthy, julie.mccarthy@cheltenham.gov.uk, 01242 264355</p>
Key risks	<p>The key risks of the decision are described in Appendix 1</p>
Corporate and community plan Implications	<p>The Tour of Britain is an event that assists the delivery of the strategy being developed to meet the Corporate Strategy objective ECON 1 (<i>We will work in partnership with key stakeholders to develop a longer-term strategy for place making and growth</i>).</p> <p>The outcomes of the Tour of Britain initiative also support and contribute to COM 7, (<i>Enable a range of community building and celebration events</i>) and COM 9 (<i>Progress cycling & walking options</i>).</p>
Environmental and climate change implications	<p>The outcomes of this initiative produce a reduction of car commuter journeys and improvement of air quality in Cheltenham.</p>
Property/Asset Implications	<p>This proposal does not have any direct impact on the council's built fabric.</p> <p>Contact officer: David Roberts, david.roberts@cheltenham.gov.uk, 01242 264151</p>

1. Background

- 1.1 The Tour of Britain race will be in its 14th year, it is an international professional race organised by The Tour of Britain Limited and Sweetspot Group Limited in collaboration with the British Cycling Federation. The race televised on ITV4, expects approximately 200,000 viewers.
- 1.2 Cheltenham had hoped to secure a stage of the race this year (2016), however, due to contractual commitments invoked by another location, the race was not able to come to Cheltenham. The organisers remain keen to include Cheltenham as a stage finish on the penultimate day of the race in September 2017.
- 1.3 The race is a major cycling event for the UK. It also has the potential to draw a large number of visitors and spectators, bringing considerable economic boost, increased overnight stays and provides the opportunity to showcase the town. For example, in 2013 the Sidmouth to Dartmoor stage attracted 188,000 day visitors and 62,000 overnight visitors, 250,000 visitors for that event who spent a reported £13,950,674 during that stage.
- 1.4 The Tour of Britain Economic Impact Report 2015 (for a comparable stage of the event in 2015) suggested that the penultimate stage of the race attracted a total of 220,000 spectators to the county.
 - Of which 14% were from outside of the county/region.
 - 12% of visitors from out of county stayed overnight.
- 1.5 As part of the Financial Outturn report 2015/16 a budget of £100K was committed towards the hosting of the Tour of Britain for 2017. This was approved by Council in July 16. The intention has been to maximise the benefits that could arise from hosting the event, whilst minimising the overall costs to the council, through partner contributions, sponsorship and other income streams.
- 1.6 It has been acknowledged that hosting such major events does have potential risks relating to weather conditions, success of funding activities and the continued support from other stakeholders and partners. In committing to host the event those risks should be carefully considered.
- 1.7 Gloucestershire County Council has supported the Tour of Britain in Gloucestershire with funding to the order of £25,000. They will also provide logistic support relating to the road network. CBC currently holds the funds on a conditional basis of the event proceeding.
- 1.8 Sweetspot Group Limited are managing the arrangements for the event. An ongoing dialogue has been underway since March 2016. On the 30th November 2016 a formal meeting was held in Cheltenham to assess and agree the proposed final section of the race route and the finish area.
- 1.9 The project team is working with The Cheltenham Trust, Business Improvement District and Cheltenham Festivals to deliver the event. The first meeting of representatives was held on the 7th November 2016. The external partners expressed support and propose to interweave Tour of Britain related activity into existing work streams.
- 1.10 To secure the hosting of the event, the council is required to satisfy contractual logistical requirements that are set out in the 'Host Venue Agreement'. These requirements have been assessed and consideration given to their resource implications. These requirements are significant and involve some obligations that are not within the council's direct control (for example highways matters). The council is currently involved in detailed discussions with the county council to ensure that these requirements can be met by the county council or other appropriate body. It will not be possible to proceed with the contract until the detail of these matters has been resolved. It is therefore proposed that if members are minded to proceed with

the hosting of the event, that the necessary authority be delegated to the Managing Director Place and Economic Development and Cabinet Member Finance (as set out in the recommendation); to ensure that the necessary provisions have been made to ensure the council is able to adequately meet the requirements and where necessary appropriate agreements have been reached with partner organisations to minimise risk to the council.

- 1.11** Members should note that there remains a risk that appropriate terms / arrangement cannot be reached with the race organisers and our partner organisations, or the financial risk profile changes. In these circumstances the Cabinet Member Finance would report back to cabinet and set out the reasons why the contract has not been signed, which would likely result in the event not being held in Cheltenham.

2. Financial Implications

- 2.1** This report seeks approval to progress, subject to Cabinet member consultation, the executing of a Host Venue Agreement contract with Tour of Britain Limited. Entering into the contract will financially commit the Council to:

- A spend of a host venue fee of £100,000 to Tour of Britain Limited - to allow the town to host the event.
- In the region of £20,000 - £40,000 on the logistics of hosting the event. This figure is based on guidance from Sweetspot Group Limited and due diligence undertaken relating to the contractual agreement. It covers the cost of policing, marshals, porta loos, first aid cover, other logistical support. A range of cost is provided as the details have not yet been finalised with the organisers and other relevant parties around some of the issues, in particular relating to highways, traffic order and parking matters. The contract cannot be signed until more certainty exists regarding all of the contractual requirements. Based on the commitments and discussion held to date with the relevant bodies the lower figure of £20k should be achievable.

- 2.2** The council will also need to invest internal resource to ensure the event runs smoothly and benefits are realised. A dedicated project manager is in place, however contributions from CTC, the Festivals and the BID will be essential if the event is to be a success. The council will also need to commit the time / resource of existing staff to provide support, particularly in the weeks leading up to the event. A programme will be developed by the project manager and agreed with the council's Executive Board to ensure the appropriate support is provided.

- 2.3** The council's internal project management team is, in part made up of staff on fixed-term contracts. In order to resource this project the council will need to extend an existing contract therefore estimated costs of £20,000 are included in the project budget.

- 2.4** The County Council has provided financial commitment and the pledge of logistical support to Cheltenham in hosting the event. However, the project team has not yet finalised the detail of this in relation to the contractual requirements (as set out above). The project team have engaged with two neighbouring councils who have previously expressed an interest to participate in the event. Both councils will need to take a paper to their respective Cabinet's after we have approved and signed the Host Venue Agreement. They have both indicated a contribution of £10,000 would be made.

- 2.5** Contacts have already been made to gain the support of sports / TV personalities with an interest in Cheltenham and cycling to help promote the event. These will be further developed by the project team and stakeholders.

- 2.6** The Cheltenham Trust has offered to assist with fundraising / sponsorship to raise additional income on a commission basis. A prudent target of £50,000 has been agreed as being achievable for an event of this nature.

- 2.7 The Cheltenham Trust will support the overall delivery of the event. The parties will agree the details of the resources required.
- 2.8 Cheltenham Festivals propose to use their resource and contacts to theme cycling events in the Science Festival.
- 2.9 The Business Improvement District plan to support the event by providing build up events in the week running up to the event and liaise with businesses that are affected. They have also indicated they would provide needed financial support due to the importance of the event to the Town Centre and BID area. A paper is being considered at their December BID meeting.
- 2.10 Cheltenham Borough Council has not previously hosted a major cycling event. Therefore, the project team will adopt a cautious approach to the provision and management of the event, for the first year of this event. The sponsorship and income targets set are prudent to reflect this fact. It is therefore important the council dedicates adequate resource to maximise the potential benefits from this event.
- 2.11 **High level project finances**

Estimated Costs	Amount
Host Fee	£100,000
Event Logistics	£20,000 to £40,000
Project management costs (internal cost)	£20,000
Total Project Costs	£140,000 - £160,000

Possible Income	Amount
Route through two neighbouring authorities including a sprint stage or a King of the Hill.	£20,000
Gloucestershire County Council support for the event.	£25,000
Advertising and Sponsorship (potential)	c.£50,000
Pitch fees from stalls and street food (potential)	£5000
Other potential contributions including Cheltenham BID	c.£20,000
Total possible income	£120,000

- 2.12 Taking a prudent approach this would leave the amount the council would need to fund somewhere between **£20K** (assuming income targets are achieved and the logistic costs remain in line with the organisers guidelines) and **£60K** (assuming income targets underachieve and logistical costs cannot be shared with other partners) depending on the finalisation of contributions, sponsorship and income streams. This is well within the budget parameters.

3. Cheltenham's Tour of Britain Event Legacy

- 3.1** Economic – This would be a significant boost to the local economy. Evidence suggests that in the region of 30,000 to 80,000 visitors may arrive in Cheltenham, a percentage of which may return contributing to Cheltenham's tourism and profile. Reports show an average spend per visitor of around £12 to £14 per person with group sizes averaging between 2 and 3 people. There is a strong family interest and the event is reported as popular with young people.
- 3.2** The town has six dedicated cycling shops, of which two are national brands four are independent businesses in Cheltenham and these shops and associated businesses could directly benefit from the increased promotion of the sport and consumer purchases.
- 3.3** Environmental – The event should inspire more people to ride their bike more often and replace car commuter journeys. Evidence from previous events show that around 60% of those who attended the event were 'inspired to use their bikes more'. One of the important outcomes would be to promote cycling in Cheltenham as a sustainable means of transport. Opportunities to work with charities such as Sustrans will be further investigated. If successful it could be used as a platform for Cheltenham to launch a wider modal shift agenda linked to the emerging Place Strategy.
- 3.4** Tourism – Hosting high profile events is an effective means of promoting tourism and increasing awareness relating to Cheltenham's rich cultural offer. Evidence suggests that the event would bring a high level of overnight stay to the area (in Carlisle to Kendal stage 34% made an overnight stay). This is an opportunity to promote Cheltenham as a gateway to the Cotswolds and the coverage should help with this message. Media coverage can be used to promote Cheltenham as an exciting and desirable destination. This message will reach an estimated 200,000 people on ITV4. The magazine Cycling Weekly commands a readership of 28,000 and features the Tour of Britain every year. It is the intention of the project team that Cheltenham be promoted as part of a focused marketing campaign.
- 3.5** Healthy living – The engagement of the Cheltenham Trust and our own outreach promotion encourages employees and residents to ride their bicycle more often. The project team intends to work with Healthy Living and Sustainable Transport initiatives, to include them in the pre-event promotion and a promotional unit in a prominent position at the event, particularly with schools.
- 3.6** Social and volunteering – Four established cycling clubs (not including Triathlon clubs) whose membership catchment draws in Cheltenham residents. The event and its athletes will inspire more people to join their local cycling clubs leading to more participation in with those clubs social, sporting and community activities.
- 3.7** Festival culture – A promotional and technical village accompany the Tour of Britain. In future years, the provision of coordinated local events, facilities and activities to support the Tour of Britain event will create an embryonic festival event for the Council to develop, promote and exploit for the benefit of the town and its resident communities.
- 3.8** The Council, The Cheltenham Trust, BID, Festivals and other partners must ensure adequate resource is dedicated to maximise the opportunities and benefits that could flow from the event. A dedicated project manager has been appointed to co-ordinate the work of the different groups.
- 3.9** If successful the intention would be to host this event in future years developing the town's reputation promoting cycling, healthy living and to use as a platform to develop a much wider cycling agenda linking into the emerging Place Strategy.
- 3.10** Sweetspot Group Limited offers an option to give precedence for hosting the 2018 event to the host venues of 2017. It is expected that fees and project costs will be similar for the 2018 event. To host again is consistent with the aspirations of the Council and would contribute to our reputation and kudos as a festival town and make progress to becoming an exemplar cycling

town. Repeating the event in future years is a positive movement to progress Cheltenham town as a highlight on the Tour of Britain calendar and provide the possibility of other opportunities. There is no contractual requirement on the Council to host the event for a following year.

4. Reasons for recommendations

4.1 Hosting the Tour of Britain event should provide significant benefit to Cheltenham residents and businesses and promote the town on the national / international sporting stage. Hosting major events such as this also comes with risk, some of which is out of the direct control of the council, its partners and organisers. There remains a risk that income streams identified will not materialise and some of the estimations made regarding cost may fluctuate. There are, however, a number of options available that will both promote the event and attract income that will mitigate these risks. The economic and positive lifestyle value of the project is significant, as demonstrated in 'Economic impact reports' and arguably outweigh the cost and risk associated to hosting a major sporting event.

5. Alternative options considered

5.1 **Option 1 – Do nothing.** This option is the lowest financial risk and does not progress any of the related benefits and outcomes for our communities or local business. This option would return the granted funding to Gloucestershire County Council and prevent Cheltenham from hosting the Tour of Britain event.

5.2 **Option 2 – Do more.** This option is advancement of the existing proposal it carries greater risks, costs and opportunities for success. This option has the potential to expedite the reputation of our town as a cycling centre of excellence and increase our sporting and festival reputation. Possible examples of activity in this option are:

- Hire of a street velodrome and provision of a whole day sporting activity at cost £25,000.
- Provision of a "Cheltenham Cycling Sportive" for athletes and families
- Community collaboration to develop and build cycling routes.
- Club and community projects to build cycling specific facilities and events.

To progress this option further feasibility studies would be necessary to provide costed options to Cabinet. If it appears greater levels of sponsorship / income are achievable that are within the budget parameters, the extension of the benefits could be further explored.

5.3 **Option 3 – Do Something else.** There are lower risk options open to the council to promote tourism, economic development and progress the marketing of the town. The budget could be dedicated to the accelerated delivery of some of these outcomes that would have considerable wider benefits. However, the council has committed for some years to host a major sporting event of this nature. Although there is a greater risk, the impact of such an event is wider reaching particularly if successful.

6. Consultation and feedback

6.1 The project team approached The Cheltenham Trust initially to gain an understanding of the past work they have completed and to establish relations to work in partnership to deliver this event. The terms and responsibilities of the joint working are being considered at a strategic level. The Trust has provisionally made available the use of the Town Hall to support the event on the day. We will continue to work with the Trust to deliver the event day and the ongoing legacy benefits

6.2 The Cheltenham BID is supportive of the event. A paper is going to be presented to the board

seeking financial support on the 7th December. We continue to consult with the BID and collaborate to make the event a success for business and visitor.

- 6.3 Gloucestershire County Council is supportive of the initiative and has provided £25,000 towards the event. We will continue to work with them in respect of the highways, road closures, parking repairs and traffic orders.
- 6.4 Neighbouring authorities are keen to support the event and if the route is directed through their districts, will make a financial contribution.

7. Performance management –monitoring and review

- 7.1 This project will be formally managed using the council's project management methodology which is based on PRINCE2.
- 7.2 There will be gate reviews for key documents including the project initiation document and the proposal to satisfy the requirements of Schedule 6 of the Host Venue Agreement.
- 7.3 Risks will be actively managed as guided by the council's risk management policy.
- 7.4 Formal reporting will be to the Project Board and escalated per standard procedures.

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Appendices	1. Risk Assessment
Background information	1. Council Financial Outturn 2015/16 report 18 th July 2016

Risk Assessment

Appendix 1

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
1	If the council fails to achieve the financial contributions identified in the report then the council will have to bear the full financial exposure of £115k - £135K.	Tim Atkins	Oct 16	2	2	4	Reduce	a) There are other funding options open to the council and these will be pursued to mitigate the financial exposure to remain within the budget of £100K. b) If a) this is not achievable £15K would need to be identified from an existing budget.	Aug 17	Alex Lawson	No
2	If the contractual requirements outside the council's direct control (relating to roads, parking, traffic orders and street furniture etc.) are not successfully concluded then Cheltenham Borough Council may be responsible for to unknown costs of repair or rectification or remuneration.	Tim Atkins	Nov 16	3	3	6	Reduce	a) Work with County and One Legal to agree a suitable contract covering County owned assets referred to in the Host venue agreement.	Dec 20th 2016	Alex Lawson	No
3	If there is sufficient rain on event day to make the event poorly attended and damage the Imperial gardens lawn surface the council would be required to contribute to repair / replacement cost at £7500.	Tim Atkins	Oct 16	1	4	4	Reduce	a) Further reducing of the impact by securing the Town Hall to host attractions. b) Develop contingency plans with the Trust.	9 th September 2017	Alex Lawson	No
4	If the council remains unable to complete the contract the delay may result in the organiser to find an alternative venue to host the penultimate day finish then CBC will not be a hosting partner.	Tim Atkins	22/11/16	2	3	6	Reduce	Contact with the directors of Sweetspot to keep them advised of the progress and work closely with the county council and one legal to ensure the risks are effectively managed.	Now	Alex Lawson	No
5	If the neighbouring councils do not commit to funding for the race route going through their borough, then CBC will have a funding shortage of £20,000.	Tim Atkins	Nov-16	1	3	3	Reduce	Engagement with TBC to keep them informed of progress.	Feb 17	Alex Lawson	No
6	If the cost meeting the requirements of schedule 6 the cost of repairs to the highways and traffic orders is greater than the funding from GCC then council must absorb the additional costs.	Tim Atkins	Nov-16	1	3	3	Reduce	Early work with Sweetspot, GCC Townscape and Highways to assess the route and required remedial action.	26 Jan 17	Alex Lawson	No

7	If there is significant disruption to residents and business as a result of the success of promotion and large crowds of people attending the event then there may be complaints made leading to a detrimental effect on the councils reputation	Tim Atkins	Nov-16	1	3	3	Reduce	Clear communication and engagement with the affected communities to reduce the impact to them and provide opportunities for them to thrive because of this event.	May 17	Alex Lawson	No
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Explanatory notes

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

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

Control - Either: Reduce / Accept / Transfer to 3rd party / Close – Or Enhance / Exploit / Reject / Share

Briefing Notes

Safeguarding Policy Review

Cheltenham Borough Council has a comprehensive safeguarding policy handbook that brings together child and adult safeguarding. Following a scheduled review of the policy it is proposed that the existing policy should be extended until the end of 2017 with only some small accuracy changes to reflect the reshaping of Cheltenham Borough Council as an organisation and additional legislation that has been passed since the policy's adoption. This will allow for a more thorough review of the policy, and enable the new policy to benefit from a number of work streams that will conclude next year.

The Borough Council is actively involved in several work streams which will positively inform the development of a revised handbook resulting in a policy that further embeds all aspects of safeguarding across the organisation. It will also ensure that additional safeguarding topics and examples of best practice are included in the policy without adding unnecessary complexity for frontline staff.

These work streams are outlined below:

Domestic Abuse and Sexual Violence Concordat

An action within the county Domestic Abuse and Sexual Violence Strategy is to develop a countywide concordat. A draft version will be looked at by the county Domestic Abuse and Sexual Violence Implementation Group in early 2017. Once agreed this concordat can be adapted and included as the Council's commitment and response to Domestic Abuse and Sexual Violence.

Anti-Slavery Partnership Work

Following the introduction of new legislation Cheltenham Borough Council has been engaging with the anti-slavery agenda. However in Gloucestershire this partnership agenda is at an early stage. It is important that as it develops we align ourselves with, and support the development of the county strategy. We can then incorporate this work into our safeguarding handbook.

District Safeguarding Network

The district councils are now meeting regularly with county colleagues to look at how district councils work effectively to safeguard our communities and share good practice. This network has started early discussion about the possibility of developing a best practice template for district safeguarding policies that councils could then adapt to meet local need. This would share resources and avoid the duplication of having six separately developed policies especially where we share services across councils.

Development of training

Linked to the possible development of a (Page 60) ite policy is the possibility of working together as districts to look at the levels of safeguarding training accessible by our staff. At the moment it can be difficult to access training that covers the breadth of work council staff might be engaged in.

Cheltenham Borough Council staff and members are proactive when it comes to safeguarding and it is important that as our understanding of safeguarding changes, we continue to develop safeguarding policies and procedures that support them to safeguard our communities. A full review next year of the Cheltenham Borough Council safeguarding handbook which takes into account the partnership work outlined above will equip staff and members to do this as effectively as possible.

For further information please contact Tracy Brown, tracy.brown@cheltenham.gcsx.gov.uk.

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